COX of California, Mr. KYL, Mr. ZELIFF, and Mr. LENT.

H.R. 4661: Mr. CONDIT, Mr. GOSS, Mr. ROHRABACHER, Mr. THOMAS of Wyoming, Mr. COX of California, Mr. KYL, Mr. ZELIFF, and Mr. LENT.

H.R. 4662: Mr. CONDIT, Mr. GOSS, Mr. ROHRABACHER, Mr. THOMAS of Wyoming, Mr. COX of California, Mr. KYL, Mr. ZELIFF, and Mr. LENT.

H.R. 4663: Mr. CONDIT, Mr. GOSS, Mr. ROHRABACHER, Mr. THOMAS of Wyoming, Mr. COX of California, Mr. KYL, Mr. ZELIFF, and Mr. LENT.

H.R. 4664: Mr. CONDIT, Mr. GOSS, Mr. ROHRABACHER, Mr. THOMAS of Wyoming, Mr. COX of California, Mr. KYL, Mr. ZELIFF, and Mr. LENT.

H.R. 4665: Mr. CONDIT, Mr. GOSS, Mr. ROHRABACHER, Mr. THOMAS of Wyoming, Mr. COX of California, Mr. KYL, Mr. ZELIFF, and Mr. LENT.

H.R. 4666: Mr. CONDIT, Mr. GOSS, Mr. ROHRABACHER, Mr. THOMAS of Wyoming, Mr. COX of California, Mr. KYL, Mr. ZELIFF, and Mr. LENT.

H.R. 4667: Mr. CONDIT, Mr. GOSS, Mr. ROHRABACHER, Mr. THOMAS of Wyoming, Mr. COX of California, Mr. KYL, Mr. ZELIFF, and Mr. LENT.

H.R. 4668: Mr. CONDIT, Mr. GOSS, Mr. ROHRABACHER, Mr. THOMAS of Wyoming, Mr. COX of California, Mr. KYL, Mr. ZELIFF, and Mr. LENT.

H.R. 4669: Mr. CONDIT, Mr. GOSS, Mr. ROHRABACHER, Mr. THOMAS of Wyoming, Mr. COX of California, Mr. KYL, Mr. ZELIFF, and Mr. LENT.

H.R. 4670: Mr. CONDIT, Mr. GOSS, Mr. ROHRABACHER, Mr. THOMAS of Wyoming, Mr. COX of California, Mr. KYL, Mr. ZELIFF, and Mr. LENT.

H.R. 4671: Mr. CONDIT, Mr. GOSS, Mr. ROHRABACHER, Mr. THOMAS of Wyoming, Mr. COX of California, Mr. KYL, Mr. ZELIFF, and Mr. LENT.

H.R. 4672: Mr. CONDIT, Mr. GOSS, Mr. ROHRABACHER, Mr. THOMAS of Wyoming, Mr. COX of California, Mr. KYL, Mr. ZELIFF, and Mr. LENT.

H.R. 4673: Mr. CONDIT, Mr. GOSS, Mr. ROHRABACHER, Mr. THOMAS of Wyoming, Mr. COX of California, Mr. KYL, Mr. ZELIFF, and Mr. LENT.

H.R. 4674: Mr. CONDIT, Mr. GOSS, Mr. ROHRABACHER, Mr. THOMAS of Wyoming, Mr. COX of California, Mr. KYL, Mr. ZELIFF, and Mr. LENT.

H.R. 4675: Mr. CONDIT, Mr. GOSS, Mr. ROHRABACHER, Mr. THOMAS of Wyoming, Mr. COX of California, Mr. KYL, Mr. ZELIFF, and Mr. LENT.

H.R. 4676: Mr. CONDIT, Mr. GOSS, Mr. ROHRABACHER, Mr. THOMAS of Wyoming, Mr. COX of California, Mr. KYL, Mr. ZELIFF, and Mr. LENT.

H.R. 4677: Mr. CONDIT, Mr. GOSS, Mr. ROHRABACHER, Mr. THOMAS of Wyoming, Mr. COX of California, Mr. KYL, Mr. ZELIFF, and Mr. LENT.

H.R. 4678: Mr. CONDIT, Mr. GOSS, Mr. ROHRABACHER, Mr. THOMAS of Wyoming, Mr. COX of California, Mr. KYL, Mr. ZELIFF, and Mr. LENT.

H.R. 4679: Mr. CONDIT, Mr. GOSS, Mr. ROHRABACHER, Mr. THOMAS of Wyoming, Mr. COX of California, Mr. KYL, Mr. ZELIFF, and Mr. LENT.

H.R. 4680: Mr. CONDIT, Mr. GOSS, Mr. ROHRABACHER, Mr. THOMAS of Wyoming, Mr. COX of California, Mr. KYL, Mr. ZELIFF, and Mr. LENT.

H.R. 4681: Mr. CONDIT, Mr. GOSS, Mr. ROHRABACHER, Mr. THOMAS of Wyoming, Mr. COX of California, Mr. KYL, Mr. ZELIFF, and Mr. LENT.

H.R. 4682: Mr. CONDIT, Mr. GOSS, Mr. ROHRABACHER, Mr. THOMAS of Wyoming, Mr. COX of California, Mr. KYL, Mr. ZELIFF, and Mr. LENT.

H.R. 4683: Mr. CONDIT, Mr. GOSS, Mr. ROHRABACHER, Mr. THOMAS of Wyoming, Mr. COX of California, Mr. KYL, Mr. ZELIFF, and Mr. LENT.

H.R. 4684: Mr. CONDIT, Mr. GOSS, Mr. ROHRABACHER, Mr. THOMAS of Wyoming, Mr. COX of California, Mr. KYL, Mr. ZELIFF, and Mr. LENT.

H.R. 4689: Mr. SHAYS, Mr. LEACH, Mr. AUCOIN, and Mr. PAXON.

H.J. Res. 81: Mr. RAMSTAD.

H.J. Res. 121: Mr. MARTINEZ, Mr. SANDERS, Mr. LANCASTER, Mr. SERRANO, Mr. COUGHLIN, Mr. MATSUI, Mr. JONTZ, Ms. KAPTUR, Mr. BROOMFIELD, Mr. GORDON, Mr. CLINGER, Mr. YATRON, Mr. SMITH of Iowa, Mr. MCCRERY, and Mr. GAYDOS.

H.J. Res. 283: Mr. MOORHEAD.

H.J. Res. 371: Mr. BLAZ, Mr. BREWSTER, Mr. CARDIN, Mr. CRAMER, Mr. DIXON, Mr. DWYER of New Jersey, Mr. FROST, Mr. HAYES of Louisiana, Mr. KILDEE, and Mr. LAUGHLIN.

H.J. Res. 388: Mr. HYDE, Mr. EVANS, Mr. NEAL of Massachusetts, Ms. SNOWE, Mr. BENNETT, and Mr. TAUZIN.

H.J. Res. 393: Mr. BLILEY, Mr. LEVINE of California, Mr. MCDERMOTT, Mr. QUILLEN, and Mr. VENTO.

H.J. Res. 399: Mr. HATCHER and Mr. FROST.

H.J. Res. 417: Mr. DEFAZIO.

H.J. Res. 418: Mr. ARMEY.

H.J. Res. 445: Mr. LAFALCE, Mr. ROYBAL, Mrs. UNSOELD, Mr. WILSON, Mr. WEBER, Mr. MORAN, Mr. PURSELL, Mr. CALLAHAN, Mr. DEFAZIO, Mr. HOCHBRUECKNER, Mr. MCMILLEN of Maryland, and Mr. MOAKLEY.

H.J. Res. 457: Mr. GALLEGLY, Mr. RAMSTAD, Mr. BENNETT, Mrs. COLLINS of Illinois, Mr. BARRETT, Mr. BOEHNER, Mr. BUSTAMANTE, Mr. DELAY, Mr. DONNELLY, Mr. EDWARDS of Oklahoma, Mr. FAWELL, Mr. GALLO, Mr. GREEN of New York, Mr. HEFLEY, Mr. HENRY, Mr. LENT, Mr. LIVINGSTON, Mr. MILLER of Washington, Mr. PACKARD, Mr. RHODES, Mr. RIDGE, Mr. ROBERTS, Mr. SCHAEFER, Mr. SHAYS, Mr. SOLOMON, Mr. VANDER JAGT, Mr. WEBER, Mr. CRANE, Mr. HOUGHTON, Mr. MONTGOMERY, Mr. MYERS of Indiana, Mr. SUNDQUIST, Mr. UPTON, Mr. JEFFERSON, Mr. MCDADE, Mr. MORRISON, Ms. SLAUGHTER, Mr. QUILLEN, Mrs. UNSOELD, and Mr. STUMP.

H. Con. Res. 289: Mr. HAYES of Louisiana, Mr. HORTON, Mr. ZELIFF, and Mr. DWYER of New Jersey.

H. Con. Res. 291: Mr. PAXON.

H. Con. Res. 297: Mr. ZELIFF, Mr. FOGLIETTA, Mr. ACKERMAN, Mr. JEFFERSON, Mr. LEVINE of California, Mr. KOPETSKI, Mr. YATRON, Mr. FAZIO, Mr. BILBRAY, Mr. WAXMAN, and Mr. PAXON.

H. Res. 204: Mr. WELDON.

H. Res. 271: Mr. LEWIS of Georgia and Mr. COX of Illinois.

H. Res. 404: Mr. SENSENBRENNER, Mr. LIVINGSTON, Mr. PAXON, Mr. POSHARD, Mr. GALLEGLY, Mr. ZELIFF, Mr. SHAW, Mr. BALLENGER, Mr. KOLBE, Mr. BACCHUS, Mr. ROEMER, Mrs. MEYERS of Kansas, Mr. GILCHREST, Mr. ATKINS, and Mr. ROBERTS.

H. Res. 417: Mrs. BOXER and Mr. KOSTMAYER.

H. Res. 419: Mr. REGULA, Mr. RHODES, Mr. BEREUTER, Mr. BOEHNER, Mr. MARTIN, Mr. SENSENBRENNER, Mr. GOSS, Mr. PAXON, Mr. CAMPBELL of California, Mr. JAMES, Mr. WALSH, Mr. OXLEY, and Mr. CAMP.

¶42.26 PETITIONS, ETC.

Under clause I of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

147. By the SPEAKER: Petition of the 29th Division Association, Inc., Boonsboro, MD, relative to the notch Social Security law; to the Committee on Ways and Means.

148. Also, petition of the Louisiana Republican Legislative Delegation, Baton Rouge, LA, relative to President Bush's economic growth program; to the Committee on Ways and Means.

THURSDAY, APRIL 9, 1992 (43)

The House was called to order by the SPEAKER.

¶43.1 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Wednesday, April 8, 1992.

Mr. FRANK, pursuant to clause 1, rule I, objected to the Chair's approval of the Journal.

The question being put, viva voce,

Will the House agree to the Chair's approval of said Journal?

The SPEAKER announced that the yeas had it.

Mr. FRANK objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 4, rule XV, and the call was taken by electronic device.

When there appeared { Yeas ..... 283 / Nays ..... 121 }

¶43.2 [Roll No. 76]

YEAS—283

Abercrombie	Dingell	Jefferson
Ackerman	Dixon	Jenkins
Alexander	Donnelly	Johnson (CT)
Anderson	Dooley	Johnson (SD)
Andrews (ME)	Downey	Johnson (TX)
Andrews (NJ)	Dreier	Johnston
Andrews (TX)	Durbin	Jones (GA)
Annunzio	Dwyer	Jones (NC)
Anthony	Early	Jontz
Applegate	Eckart	Kanjorski
Archer	Edwards (CA)	Kaptur
Aspin	Edwards (TX)	Kasich
Atkins	Engel	Kennelly
AuCoin	English	Kildee
Bacchus	Erdreich	Klug
Bateman	Espy	Kolter
Beilenson	Evans	Kopetski
Bennett	Ewing	LaFalce
Berman	Fascell	Lancaster
Bevill	Fazio	Lantos
Bilbray	Fish	LaRocco
Blackwell	Foglietta	Laughlin
Bonior	Ford (MI)	Lehman (CA)
Borski	Frank (MA)	Lehman (FL)
Boucher	Frost	Lent
Boxer	Gaydos	Levin (MI)
Brewster	Gejdenson	Lewis (GA)
Brooks	Geren	Lipinski
Broomfield	Gibbons	Livingston
Browder	Gillmor	Lloyd
Brown	Gilman	Long
Bruce	Glickman	Luken
Bryant	Gonzalez	Manton
Bustamante	Gordon	Markey
Byron	Green	Martinez
Campbell (CO)	Gunderson	Matsui
Cardin	Hall (OH)	Mavroules
Carper	Hall (TX)	Mazzoli
Carr	Hamilton	McCloskey
Clement	Hammerschmidt	McCollum
Coleman (TX)	Harris	McCrery
Collins (IL)	Hastert	McCurdy
Collins (MI)	Hatcher	McDermott
Combest	Hayes (IL)	McGrath
Condit	Hayes (LA)	McHugh
Cooper	Hefner	McMillen (MD)
Cox (IL)	Hertel	McNulty
Coyne	Hochbrueckner	Mfume
Cramer	Horn	Miller (CA)
Darden	Horton	Mineta
Davis	Houghton	Mink
de la Garza	Hoyer	Moakley
DeFazio	Hubbard	Mollohan
DeLauro	Huckaby	Montgomery
Dellums	Hughes	Moody
Derrick	Hutto	Moran
Dicks	Hyde	Morrison

Murtha
Myers
Nagle
Natcher
Neal (MA)
Nichols
Nowak
Oakar
Oberstar
Obey
Olin
Olver
Ortiz
Orton
Owens (NY)
Owens (UT)
Pallone
Panetta
Parker
Pastor
Patterson
Payne (NJ)
Payne (VA)
Pease
Pelosi
Penny
Perkins
Peterson (FL)
Peterson (MN)
Petri
Pickett
Pickle
Poshard
Price
Pursell
Quillen
Rahall
Rangel
Ravenel
Ray
Reed
Richardson
Rinaldo
Ritter
Roe
Roemer
Rose
Rostenkowski
Rowland
Roybal
Sabo
Sanders
Sangmeister
Santorum
Sarpalius
Savage
Sawyer
Scheuer
Schiff
Schulze
Schumer
Serrano
Sharp
Shaw
Sisisky
Skaggs
Skeen
Skelton
Slattery
Slaughter
Smith (FL)
Smith (NJ)
Snowe
Solarz
Spence
Spratt
Staggers
Stallings
Stark
Stenholm
Stokes
Studds
Swett
Swift
Synar
Tallon
Tanner
Tauzin
Taylor (MS)
Thomas (GA)
Thomas (WY)
Thornton
Torricelli
Towns
Traficant
Traxler
Unsoeld
Valentine
Vander Jagt
Vento
Visclosky
Volkmer
Washington
Waxman
Wheat
Williams
Wilson
Wise
Wolpe
Wyden
Wylie
Yatron

NAYS—121

Allard
Allen
Armey
Baker
Ballenger
Barrett
Barton
Bentley
Bereuter
Bilirakis
Bliley
Boehlert
Boehner
Bunning
Burton
Callahan
Camp
Campbell (CA)
Chandler
Clay
Clinger
Coble
Coleman (MO)
Coughlin
Cox (CA)
Crane
Cunningham
DeLay
Dickinson
Doolittle
Dorgan (ND)
Dornan (CA)
Duncan
Edwards (OK)
Emerson
Fawell
Fields
Franks (CT)
Gallegly
Gallo
Gekas
Gilchrest
Gingrich
Goodling
Goss
Gradison
Grandy
Hancock
Hansen
Hefley
Henry
Herger
Hobson
Holloway
Hopkins
Hunter
Inhofe
Ireland
Jacobs
James
Kolbe
Kyl
Lagomarsino
Leach
Lewis (CA)
Lewis (FL)
Lightfoot
Lowery (CA)
Machtley
Marlenee
McCandless
McDade
McEwen
McMillan (NC)
Meyers
Michel
Miller (OH)
Miller (WA)
Molinari
Moorhead
Morella
Murphy
Nussle
Oxley
Packard
Paxon
Porter
Ramstad
Regula
Rhodes
Riggs
Roberts
Rogers
Rohrabacher
Ros-Lehtinen
Roth
Roukema
Saxton
Schaefer
Schroeder
Sensenbrenner
Shays
Shuster
Sikorski
Smith (OR)
Smith (TX)
Stearns
Stump
Sundquist
Taylor (NC)
Thomas (CA)
Upton
Walker
Walsh
Weber
Weldon
Wolf
Young (AK)
Young (FL)
Zeliff
Zimmer

NOT VOTING—30

Barnard
Chapman
Conyers
Costello
Dannemeyer
Dymally
Feighan
Flake
Ford (TN)
Gephardt
Guarini
Hoagland
Kennedy
Kleczka
Kostmayer
Levine (CA)
Lowey (NY)
Martin
Mrazek
Neal (NC)
Ridge
Russo
Smith (IA)
Solomon
Torres
Vucanovich
Waters
Weiss
Whitten
Yates

So the Journal was approved.

¶43.3 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XXIV, were referred as follows:

3297. A letter from the Assistant Secretary for Health [HHS], and the Acting Assistant Secretary for Science and Education, Department of Agriculture, transmitting the eighth progress report on the Human Nutrition Research and Information Management System; to the Committee on Agriculture.

3298. A letter from the Deputy Assistant Secretary, Department of Air Force, transmitting notification that a study has been conducted with respect to converting the custodial services function at USAF Academy, CO, and a decision has been made that performance under contract is the most cost-effective method, pursuant to Public Law 100–463, section 8061 (102 Stat. 2270–27); to the Committee on Appropriations.

3299. A letter from the Director, the Office of Management and Budget, transmitting the cumulative report on rescissions and deferrals of budget authority as of April 1, 1992, pursuant to 2 U.S.C. 685(e); to the Committee on Appropriations and ordered to be printed.

3300. A letter from the Assistant Secretary for Acquisition, Department of the Air Force, transmitting notification of the plan to study the conversion to contractor performance the Air Training Command's base operation support function at Laughlin Air Force Base, TX, pursuant to 10 U.S.C. 2304 note; to the Committee on Armed Services.

3301. A letter from the Director, Defense Security Assistance Agency, transmitting the Department of the Army's proposed lease of defense articles to Colombia (Transmittal No. 11–92), pursuant to 22 U.S.C. 2796a(a); to the Committee on Foreign Affairs.

3302. A letter from the President, Overseas Private Investment Corporation, transmitting the OPIC's management report; a report on U.S. effects of fiscal year 1991 projects; a report on enhancing private political risk insurance industry; and a report on internal control structure and compliance with laws and regulations, pursuant to Public Law 101–576, section 306(a); 22 U.S.C. 2200a FAA 240A; 31 U.S.C. 3512(c)(3); to the Committee on Foreign Affairs.

3303. A letter from the Manager, Federal Crop Insurance Corporation, transmitting the FCIC's management report, pursuant to Public Law 101–576, section 306(a) (104 Stat. 2854); to the Committee of Government Operations.

3304. A letter from the Chairman, Federal Election Commission, transmitting 39 recommendations for legislative action, pursuant to 2 U.S.C. 438(d); to the Committee on House Administration.

3305. A letter from the General Counsel, Department of the Treasury, transmitting a draft of proposed legislation to authorize the Secretary of the Treasury to adopt distinctive counterfeit deterrents for exclusive use in the manufacture of U.S. securities and obligations, to clarify existing authority to combat counterfeiting, and for other purposes; to the Committee on the Judiciary.

3306. A communication from the President of the United States, transmitting the administration's report on Soviet noncompliance with arms control agreements, pursuant to 22 U.S.C. 2592a; jointly, to the Committees on Armed Services and Foreign Affairs.

¶43.4 MESSAGE FROM THE SENATE

A message from the Senate by Mr. Hallen, one of its clerks, announced that the Senate had passed without amendment bills of the House of the following titles:

H.R. 3686. An Act to amend title 28, United States Code, to make changes in the places of holding court in the Eastern District of North Carolina; and

H.R. 4449. An Act to authorize jurisdictions receiving funds for fiscal year 1992 under the HOME Investment Partnerships Act that are allocated for new construction to use the funds, at the discretion of the jurisdiction, for other eligible activities under such Act and to amend the Stewart B. McKinney Homeless Assistance Amendments Act of 1988 to authorize local governments that have financed housing projects that have been provided a section 8 financial adjustment factor to use recaptured amounts available from refinancing of the projects for housing activities.

The message also announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 1882. An Act to authorize extensions of time limitations in a FERC-issued license.

The message also announced that the Senate disagreed to the amendments of the House to the bill (S. 1150) ''An Act to reauthorize the Higher Education Act of 1965, and for other purposes,'' agreed to the conference asked by the House on the disagreeing votes of the two houses thereon; and appointed Mr. KENNEDY, Mr. PELL, Mr. METZENBAUM, Mr. DODD, Mr. SIMON, Mr. HARKIN, Mr. ADAMS, Ms. MIKULSKI, Mr. BINGAMAN, Mr. WELLSTONE, Mr. HATCH, Mrs. KASSEBAUM, Mr. COCHRAN, Mr. JEFFORDS, Mr. THURMOND, Mr. COATS, and Mr. DURENBERGER, to be the conferees on the part of the Senate.

The message also announced that the Senate agreed to the amendment of the House to the bill (S. 606) ''An Act to amend the Wild and Scenic Rivers Act by designating certain segments of the Allegheny River in the Commonwealth of Pennsylvania as a component of the National Wild and Scenic Rivers System, and for other purposes.''

The message also announced that the Senate agreed to the amendments of the House to the bill (S. 985) ''An Act to assure the people of the Horn of Africa the right to food and the other basic necessities of life and to promote peace and development in the region.''

The message also announced that the Senate agreed to the amendments of the House to the bill (S. 1743) ''An Act to amend the Wild and Scenic Rivers Act by designating certain rivers in the State of Arkansas as components of the National Wild and Scenic Rivers System, and for other purposes.''

¶43.5 COMMITTEE FUNDING

Mr. GAYDOS, by direction of the Committee on House Administration, submitted a privileged report (Rept. No. 102–491) on the resolution (H. Res. 429) providing amounts from the contingent fund of the House for continuing expenses of investigations and studies by the standing and select committees of the House from May 1, 1992, through May 31, 1992.

When said resolution and report were referred to the House Calendar and ordered printed.

¶43.6 PERMISSION TO FILE REPORT

On motion of Mr. BROWN, by unanimous consent, the Committee on

Science, Space, and Technology was granted permission until Monday, April 27, 1992, to file a report on the bill (H.R. 4364) to authorize appropriations to the National Aeronautics and Space Administration for research and development, space flight, control and data communications, construction of facilities, research and program management, and Inspector General, and for other purposes.

¶43.7 MEXICO-U.S. INTERPARLIAMENTARY GROUP

The SPEAKER pro tempore, Mr. MCNULTY, announced that pursuant to the provisions of 22 U.S.C. 276h, the Speaker appointed as members of the United States delegation of the Mexico-United States Interparliamentary Group for the Second Session of the 102d Congress, the following Members, on the part of the House: MESSRS. DE LA GARZA, Chairman, GLICKMAN, GEJDENSON, COLEMAN of Texas, TALLON, LAGOMARSINO, DREIER, DELAY, GOODLING, and KOLBE.

Ordered, That the Clerk notify the Senate of the foregoing appointments.

¶43.8 WAIVING POINTS OF ORDER AGAINST THE CONFERENCE REPORT ON S. 3

Mr. FROST, by direction of the Committee on Rules, called up the following resolution (H. Res. 426):

Resolved, That upon the adoption of this resolution it shall be in order to consider the conference report to accompany the bill (S. 3) to amend the Federal Election Campaign Act of 1971 to provide for a voluntary system of spending limits for Senate election campaigns, and for other purposes. All points of order against the conference report and against its consideration are waived. The conference report shall be considered as read when called up for consideration.

When said resolution was considered.

After debate,

On motion of Mr. FROST, the previous question was ordered on the resolution to its adoption or rejection and under the operation thereof, the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶43.9 CAMPAIGN FINANCING REFORM

Mr. GEJDENSON, pursuant to House Resolution 426, called up the following conference report (Rept. No. 102–487):

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 3), to amend the Federal Election Campaign Act of 1971 to provide for a voluntary system of spending limits for Senate Election Campaigns, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House to the text of the bill and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the House amendment, insert the following:

SECTION 1. SHORT TITLE; AMENDMENT OF CAMPAIGN ACT; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Congressional Campaign Spending Limit and Election Reform Act of 1992''.

(b) AMENDMENT OF FECA.—When used in this Act, the term ''FECA'' means the Federal Election Campaign Act of 1971 (2 U.S.C. 431 et seq.).

(c) TABLE OF CONTENTS.—

Sec. 1. Short title; amendment of Campaign Act; table of contents.

TITLE I—CONTROL OF CONGRESSIONAL CAMPAIGN SPENDING

Subtitle A—Senate Election Campaign Spending Limits and Benefits

Sec. 101. Senate spending limits and benefits.
Sec. 102. Restrictions on activities of political action and candidate committees in Federal elections.
Sec. 103. Reporting requirements.
Sec. 104. Disclosure by noneligible candidates.

Subtitle B—Expenditure Limitations, Contribution Limitations, and Matching Funds for Eligible House of Representatives Candidates

Sec. 121. Provisions applicable to eligible House of Representatives candidates.
Sec. 122. Limitations on political committee and large donor contributions that may be accepted by House of Representatives candidates.
Sec. 123. Excess funds of incumbents who are candidates for the House of Representatives.

Subtitle C—General Provisions

Sec. 131. Broadcast rates and preemption.
Sec. 132. Extension of reduced third-class mailing rates to eligible House of Representatives and Senate candidates.
Sec. 133. Reporting requirements for certain independent expenditures.
Sec. 134. Campaign advertising amendments.
Sec. 135. Definitions.
Sec. 136. Provisions relating to franked mass mailings.

TITLE II—INDEPENDENT EXPENDITURES

Sec. 201. Clarification of definitions relating to independent expenditures.

TITLE III—EXPENDITURES

Subtitle A—Personal Loans; Credit

Sec. 301. Personal contributions and loans.
Sec. 302. Extensions of credit.

Subtitle B—Provisions Relating to Soft Money of Political Parties

Sec. 311. Contributions to political party committees.
Sec. 312. Provisions relating to national, State, and local party committees.
Sec. 313. Restrictions on fundraising by candidates and officeholders.
Sec. 314. Reporting requirements.

TITLE IV—CONTRIBUTIONS

Sec. 401. Contributions through intermediaries and conduits.
Sec. 402. Contributions by dependents not of voting age.
Sec. 403. Contributions to candidates from State and local committees of political parties to be aggregated.
Sec. 404. Limited exclusion of advances by campaign workers from the definition of the term ''contribution''.

TITLE V—REPORTING REQUIREMENTS

Sec. 501. Change in certain reporting from a calendar year basis to an election cycle basis.
Sec. 502. Personal and consulting services.
Sec. 503. Reduction in threshold for reporting of certain information by persons other than political committees.
Sec. 504. Computerized indices of contributions.

TITLE VI—FEDERAL ELECTION COMMISSION

Sec. 601. Use of candidates' names.
Sec. 602. Reporting requirements.
Sec. 603. Provisions relating to the general counsel of the Commission.
Sec. 604. Enforcement.
Sec. 605. Penalties.
Sec. 606. Random audits.
Sec. 607. Prohibition of false representation to solicit contributions.
Sec. 608. Regulations relating to use of non-Federal money.

TITLE VII—BALLOT INITIATIVE COMMITTEES

Sec. 701. Definitions relating to ballot initiatives.
Sec. 702. Amendment to definition of contribution.
Sec. 703. Amendment to definition of expenditure.
Sec. 704. Organization of ballot initiative committees.
Sec. 705. Ballot initiative committee reporting requirements.
Sec. 706. Enforcement amendment.
Sec. 707. Prohibition of contributions in the name of another.
Sec. 708. Limitation on contribution of currency.

TITLE VIII—MISCELLANEOUS

Sec. 801. Prohibition of leadership committees.
Sec. 802. Polling data contributed to candidates.
Sec. 803. Debates by general election candidates who receive amounts from the Presidential Election Campaign Fund.
Sec. 804. Prohibition of certain election-related activities of foreign nationals.
Sec. 805. Amendment to FECA section 316.
Sec. 806. Telephone voting by persons with disabilities.
Sec. 807. Prohibition of use of Government aircraft in connection with elections for Federal office.
Sec. 808. Sense of the Congress.

TITLE IX—EFFECTIVE DATES; AUTHORIZATIONS

Sec. 901. Effective date.
Sec. 902. Delay of effective dates until funding legislation enacted.
Sec. 902. Budget neutrality.
Sec. 903. Severability.
Sec. 904. Expedited review of constitutional issues.

TITLE I—CONTROL OF CONGRESSIONAL CAMPAIGN SPENDING

Subtitle A—Senate Election Campaign Spending Limits and Benefits

SEC. 101. SENATE SPENDING LIMITS AND BENEFITS.

(a) IN GENERAL.—FECA is amended by adding at the end thereof the following new title:

''TITLE V—SPENDING LIMITS AND BENEFITS FOR SENATE ELECTION CAMPAIGNS

''SEC. 501. CANDIDATES ELIGIBLE TO RECEIVE BENEFITS.

''(a) IN GENERAL.—For purposes of this title, a candidate is an eligible Senate candidate if the candidate—

''(1) meets the primary and general election filing requirements of subsections (b) and (c);

''(2) meets the primary and runoff election expenditure limits of subsection (d); and

''(3) meets the threshold contribution requirements of subsection (e).

''(b) PRIMARY FILING REQUIREMENTS.—(1) The requirements of this subsection are met if the candidate files with the Secretary of the Senate a declaration that—

''(A) the candidate and the candidate's authorized committees—

''(i) will meet the primary and runoff election expenditure limits of subsection (d); and

''(ii) will only accept contributions for the primary and runoff elections which do not exceed such limits;

''(B) the candidate and the candidate's authorized committees will meet the general election expenditure limit under section 502(b); and

''(C) the candidate and the candidate's authorized committees will meet the limitation on expenditures from personal funds under section 502(a).

''(2) The declaration under paragraph (1) shall be filed not later than the date the candidate files as a candidate for the primary election.

''(c) GENERAL ELECTION FILING REQUIREMENTS.—(1) The requirements of this subsection are met if the candidate files a certification with the Secretary of the Senate under penalty of perjury that—

''(A) the candidate and the candidate's authorized committees—

''(i) met the primary and runoff election expenditure limits under subsection (d); and

''(ii) did not accept contributions for the primary or runoff election in excess of the primary or runoff expenditure limit under subsection (d), whichever is applicable, reduced by any amounts transferred to this election cycle from a preceding election cycle;

''(B) the candidate met the threshold contribution requirement under subsection (e), and that only allowable contributions were taken into account in meeting such requirement;

''(C) at least one other candidate has qualified for the same general election ballot under the law of the State involved;

''(D) such candidate and the authorized committees of such candidate—

''(i) except as otherwise provided by this title, will not make expenditures which exceed the general election expenditure limit under section 502(b);

''(ii) will not accept any contributions in violation of section 315;

''(iii) except as otherwise provided by this title, will not accept any contribution for the general election involved to the extent that such contribution would cause the aggregate amount of such contributions to exceed the sum of the amount of the general election expenditure limit under section 502(b) and the amounts described in subsections (c) and (d) of section 502, reduced by—

''(I) the amount of voter communication vouchers issued to the candidate; and

''(II) any amounts transferred to this election cycle from a previous election cycle and not taken into account under subparagraph (A)(ii);

''(iv) will deposit all payments received under this title in an account insured by the Federal Deposit Insurance Corporation from which funds may be withdrawn by check or similar means of payment to third parties;

''(v) will furnish campaign records, evidence of contributions, and other appropriate information to the Commission; and

''(vi) will cooperate in the case of any audit and examination by the Commission under section 506; and

''(E) the candidate intends to make use of the benefits provided under section 503.

''(2) The declaration under paragraph (1) shall be filed not later than 7 days after the earlier of—

''(A) the date the candidate qualifies for the general election ballot under State law; or

''(B) if, under State law, a primary or runoff election to qualify for the general election ballot occurs after September 1, the date the candidate wins the primary or runoff election.

''(d) PRIMARY AND RUNOFF EXPENDITURE LIMITS.—(1) The requirements of this subsection are met if:

''(A) The candidate or the candidate's authorized committees did not make expenditures for the primary election in excess of the lesser of—

''(i) 67 percent of the general election expenditure limit under section 502(b); or

''(ii) $2,750,000.

''(B) The candidate and the candidate's authorized committees did not make expenditures for any runoff election in excess of 20 percent of the general election expenditure limit under section 502(b).

''(2) The limitations under subparagraphs (A) and (B) of paragraph (1) with respect to any candidate shall be increased by the aggregate amount of independent expenditures in opposition to, or on behalf of any opponent of, such candidate during the primary or runoff election period, whichever is applicable, which are required to be reported to the Secretary of the Senate with respect to such period under section 304(c).

''(3)(A) If the contributions received by the candidate or the candidate's authorized committees for the primary election or runoff election exceed the expenditures for either such election, such excess contributions shall be treated as contributions for the general election and expenditures for the general election may be made from such excess contributions.

''(B) Subparagraph (A) shall not apply to the extent that such treatment of excess contributions—

''(i) would result in the violation of any limitation under section 315; or

''(ii) would cause the aggregate contributions received for the general election to exceed the limits under subsection (c)(1)(D)(iii).

''(e) THRESHOLD CONTRIBUTION REQUIREMENTS.—(1) The requirements of this subsection are met if the candidate and the candidate's authorized committees have received allowable contributions during the applicable period in an amount at least equal to the lesser of—

''(A) 10 percent of the general election expenditure limit under section 502(b); or

''(B) $250,000.

''(2) For purposes of this section and section 503(b)—

''(A) The term 'allowable contributions' means contributions which are made as gifts of money by an individual pursuant to a written instrument identifying such individual as the contributor.

''(B) The term 'allowable contributions' shall not include—

''(i) contributions made directly or indirectly through an intermediary or conduit which are treated as made by such intermediary or conduit under section 315(a)(8)(B);

''(ii) contributions from any individual during the applicable period to the extent such contributions exceed $250; or

''(iii) contributions from individuals residing outside the candidate's State to the extent such contributions exceed 50 percent of the aggregate allowable contributions (without regard to this clause) received by the candidate during the applicable period.

Clauses (ii) and (iii) shall not apply for purposes of section 503(b).

''(3) For purposes of this subsection and section 503(b), the term 'applicable period' means—

''(A) the period beginning on January 1 of the calendar year preceding the calendar year of the general election involved and ending on—

''(i) the date on which the certification under subsection (c) is filed by the candidate; or

''(ii) for purposes of section 503(b), the date of such general election; or

''(B) in the case of a special election for the office of United States Senator, the period beginning on the date the vacancy in such office occurs and ending on the date of the general election involved.

''(f) INDEXING.—The $2,750,000 amount under subsection (d)(1) shall be increased as of the beginning of each calendar year based on the increase in the price index determined under section 315(c), except that, for purposes of subsection (d)(1), the base period shall be calendar year 1992.

"SEC. 502. LIMITATIONS ON EXPENDITURES.

''(a) LIMITATION ON USE OF PERSONAL FUNDS.—(1) The aggregate amount of expenditures which may be made during an election cycle by an eligible Senate candidate or such candidate's authorized committees from the sources described in paragraph (2) shall not exceed the lesser of—

''(A) 10 percent of the general election expenditure limit under subsection (b); or

''(B) $250,000.

''(2) A source is described in this paragraph if it is—

''(A) personal funds of the candidate and members of the candidate's immediate family; or

''(B) personal debt incurred by the candidate and members of the candidate's immediate family.

''(b) GENERAL ELECTION EXPENDITURE LIMIT.—(1) Except as otherwise provided in this title, the aggregate amount of expenditures for a general election by an eligible Senate candidate and the candidate's authorized committees shall not exceed the lesser of—

''(A) $5,500,000; or

''(B) the greater of—

''(i) $950,000; or

''(ii) $400,000; plus

''(I) 30 cents multiplied by the voting age population not in excess of 4,000,000; and

''(II) 25 cents multiplied by the voting age population in excess of 4,000,000.

''(2) In the case of an eligible Senate candidate in a State which has no more than 1 transmitter for a commercial Very High Frequency (VHF) television station licensed to operate in that State, paragraph (1)(B)(ii) shall be applied by substituting—

''(A) '80 cents' for '30 cents' in subclause (I); and

''(B) '70 cents' for '25 cents' in subclause (II).

''(3) The amount otherwise determined under paragraph (1) for any calendar year shall be increased by the same percentage as the percentage increase for such calendar year under section 501(f) (relating to indexing).

''(c) LEGAL AND ACCOUNTING COMPLIANCE FUND.—(1) The limitation under subsection (b) shall not apply to qualified legal and accounting expenditures made by a candidate or the candidate's authorized committees or a Federal officeholder from a legal and accounting compliance fund meeting the requirements of paragraph (2).

''(2) A legal and accounting compliance fund meets the requirements of this paragraph if—

''(A) the only amounts transferred to the fund are amounts received in accordance with the limitations, prohibitions, and reporting requirements of this Act;

''(B) the aggregate amounts transferred to, and expenditures made from, the fund do not exceed the sum of—

''(i) the lesser of—

''(I) 15 percent of the general election expenditure limit under subsection (b) for the general election for which the fund was established; or

''(II) $300,000; plus

''(ii) the amount determined under paragraph (4); and

''(C) no funds received by the candidate pursuant to section 503(a)(3) may be transferred to the fund.

''(3) For purposes of this subsection, the term 'qualified legal and accounting expenditures' means the following:

''(A) Any expenditures for costs of legal and accounting services provided in connection with—

''(i) any administrative or court proceeding initiated pursuant to this Act during the election cycle for such general election; or

''(ii) the preparation of any documents or reports required by this Act or the Commission.

''(B) Any expenditures for legal and accounting services provided in connection with the general election for which the legal and accounting compliance fund was established to ensure compliance with this Act with respect to the election cycle for such general election.

''(4)(A) If, after a general election, a candidate determines that the qualified legal and accounting expenditures will exceed the limitation under paragraph (2)(B)(i), the candidate may petition the Commission by filing with the Secretary of the Senate a request for an increase in such limitation. The Commission shall authorize an increase in such limitation in the amount (if any) by which the Commission determines the qualified legal and accounting expenditures exceed such limitation. Such determination shall be subject to judicial review under section 506.

''(B) Except as provided in section 315, any contribution received or expenditure made pursuant to this paragraph shall not be taken into account for any contribution or expenditure limit applicable to the candidate under this title.

''(5) Any funds in a legal and accounting compliance fund shall be treated for purposes of this Act as a separate segregated fund, except that any portion of the fund not used to pay qualified legal and accounting expenditures, and not transferred to a legal and accounting compliance fund for the election cycle for the next general election, shall be treated in the same manner as other campaign funds.

''(d) PAYMENT OF TAXES.—The limitation under subsection (b) shall not apply to any expenditure for Federal, State, or local taxes with respect to a candidate's authorized committees.

''(e) EXPENDITURES.—For purposes of this title, the term 'expenditure' has the meaning given such term by section 301(9), except that in determining any expenditures made by, or on behalf of, a candidate or a candidate's authorized committees, section 301(9)(B) shall be applied without regard to clause (ii) or (vi) thereof.

''SEC. 503. BENEFITS ELIGIBLE CANDIDATE ENTITLED TO RECEIVE.

''(a) IN GENERAL.—An eligible Senate candidate shall be entitled to—

''(1) the broadcast media rates provided under section 315(b) of the Communications Act of 1934;

''(2) the mailing rates provided in section 3626(e) of title 39, United States Code;

''(3) payments in the amounts determined under subsection (b); and

''(4) voter communication vouchers in the amount determined under subsection (c).

''(b) AMOUNT OF PAYMENTS.—(1) For purposes of subsection (a)(3), the amounts determined under this subsection are—

''(A) the independent expenditure amount; and

''(B) in the case of an eligible Senate candidate who has an opponent in the general election who receives contributions, or makes (or obligates to make) expenditures, for such election in excess of the general election expenditure limit under section 502(b), the excess expenditure amount.

''(2) For purposes of paragraph (1), the independent expenditure amount is the total amount of independent expenditures made, or obligated to be made, during the general election period by 1 or more persons in opposition to, or on behalf of an opponent of, an eligible Senate candidate which are required to be reported by such persons under section 304(c) with respect to the general election period and are certified by the Commission under section 304(c).

''(3) For purposes of paragraph (1), the excess expenditure amount is the amount determined as follows:

''(A) In the case of a major party candidate, an amount equal to the sum of—

''(i) if the excess described in paragraph (1)(B) is not greater than 133⅓ percent of the general election expenditure limit under section 502(b), an amount equal to one-third of such limit applicable to the eligible Senate candidate for the election; plus

''(ii) if such excess equals or exceeds 133⅓ percent but is less than 166⅔ percent of such limit, an amount equal to one-third of such limit; plus

''(iii) if such excess equals or exceeds 166⅔ percent of such limit, an amount equal to one-third of such limit.

''(B) In the case of an eligible Senate candidate who is not a major party candidate, an amount equal to the lesser of—

''(i) the allowable contributions of the eligible Senate candidate during the applicable period in excess of the threshold contribution requirement under section 501(e); or

''(ii) 50 percent of the general election expenditure limit applicable to the eligible Senate candidate under section 502(b).

''(c) VOTER COMMUNICATION VOUCHERS.—(1) The aggregate amount of voter communication vouchers issued to an eligible Senate candidate shall be equal to 20 percent of the general election expenditure limit under section 502(b) (10 percent of such limit if such candidate is not a major party candidate).

''(2) Voter communication vouchers shall be used by an eligible Senate candidate to purchase broadcast time during the general election period in the same manner as other broadcast time may be purchased by the candidate.

''(d) WAIVER OF EXPENDITURE AND CONTRIBUTION LIMITS.—(1) An eligible Senate candidate who receives payments under subsection (a)(3) which are allocable to the independent expenditure or excess expenditure amounts described in paragraphs (2) and (3) of subsection (b) may make expenditures from such payments to defray expenditures for the general election without regard to the general election expenditure limit under section 502(b).

''(2)(A) An eligible Senate candidate who receives benefits under this section may make expenditures for the general election without regard to clause (i) of section 501(c)(1)(D) or subsection (a) or (b) of section 502 if any one of the eligible Senate candidate's opponents who is not an eligible Senate candidate either raises aggregate contributions, or makes or becomes obligated to make aggregate expenditures, for the general election that exceed 200 percent of the general election expenditure limit applicable to the eligible Senate candidate under section 502(b).

''(B) The amount of the expenditures which may be made by reason of subparagraph (A) shall not exceed 100 percent of the general election expenditure limit under section 502(b).

''(3)(A) A candidate who receives benefits under this section may receive contributions for the general election without regard to clause (iii) of section 501(c)(1)(D) if—

''(i) a major party candidate in the same general election is not an eligible Senate candidate; or

''(ii) any other candidate in the same general election who is not an eligible Senate candidate raises aggregate contributions, or makes or becomes obligated to make aggregate expenditures, for the general election that exceed 75 percent of the general election expenditure limit applicable to such other candidate under section 502(b).

''(B) The amount of contributions which may be received by reason of subparagraph (A) shall not exceed 100 percent of the general election expenditure limit under section 502(b).

''(e) USE OF PAYMENTS.—Payments received by a candidate under subsection (a)(3) shall be used to defray expenditures incurred with respect to the general election period for the candidate. Such payments shall not be used—

''(1) except as provided in paragraph (4), to make any payments, directly or indirectly, to such candidate or to any member of the immediate family of such candidate;

''(2) to make any expenditure other than expenditures to further the general election of such candidate;

''(3) to make any expenditures which constitute a violation of any law of the United States or of the State in which the expenditure is made; or

''(4) subject to the provisions of section 315(k), to repay any loan to any person except to the extent the proceeds of such loan were used to further the general election of such candidate.

''SEC. 504. CERTIFICATION BY COMMISSION.

''(a) IN GENERAL.—(1) The Commission shall certify to any candidate meeting the requirements of section 502 that such candidate is an eligible Senate candidate entitled to benefits under this title. The Commission shall revoke such certification if it determines a candidate fails to continue to meet such requirements.

''(2) No later than 48 hours after an eligible Senate candidate files a request with the Secretary of the Senate to receive benefits under section 505, the Commission shall issue a certification stating whether such candidate is eligible for payments under this title or to receive voter communication vouchers and the amount of such payments or vouchers to which such candidate is entitled. The request referred to in the preceding sentence shall contain—

''(A) such information and be made in accordance with such procedures as the Commission may provide by regulation; and

''(B) a verification signed by the candidate and the treasurer of the principal campaign committee of such candidate stating that the information furnished in support of the request, to the best of their knowledge, is correct and fully satisfies the requirements of this title.

''(b) DETERMINATIONS BY COMMISSION.—All determinations (including certifications under subsection (a)) made by the Commission under this title shall be final and conclusive, except to the extent that they are subject to examination and audit by the Commission under section 505 and judicial review under section 506.

''SEC. 505. EXAMINATION AND AUDITS; REPAYMENTS; CIVIL PENALTIES.

''(a) EXAMINATION AND AUDITS.—(1) After each general election, the Commission shall

conduct an examination and audit of the campaign accounts of 10 percent of all candidates for the office of United States Senator to determine, among other things, whether such candidates have complied with the expenditure limits and conditions of eligibility of this title, and other requirements of this Act. Such candidates shall be designated by the Commission through the use of an appropriate statistical method of random selection. If the Commission selects a candidate, the Commission shall examine and audit the campaign accounts of all other candidates in the general election for the office the selected candidate is seeking.

''(2) The Commission may conduct an examination and audit of the campaign accounts of any candidate in a general election for the office of United States Senator if the Commission determines that there exists reason to believe that such candidate may have violated any provision of this title.

''(b) EXCESS PAYMENTS; REVOCATION OF STATUS.—(1) If the Commission determines that payments or vouchers were made to an eligible Senate candidate under this title in excess of the aggregate amounts to which such candidate was entitled, the Commission shall so notify such candidate, and such candidate shall pay an amount equal to the excess.

''(2) If the Commission revokes the certification of a candidate as an eligible Senate candidate under section 504(a)(1), the Commission shall notify the candidate, and the candidate shall pay an amount equal to the payments and vouchers received under this title.

''(c) MISUSE OF BENEFITS.—If the Commission determines that any amount of any benefit made available to an eligible Senate candidate under this title was not used as provided for in this title, the Commission shall so notify such candidate and such candidate shall pay the amount of such benefit.

''(d) EXCESS EXPENDITURES.—If the Commission determines that any eligible Senate candidate who has received benefits under this title has made expenditures which in the aggregate exceed—

''(1) the primary or runoff expenditure limit under section 501(d); or

''(2) the general election expenditure limit under section 502(b),

the Commission shall so notify such candidate and such candidate shall pay an amount equal to the amount of the excess expenditures.

''(e) CIVIL PENALTIES FOR EXCESS EXPENDITURES AND CONTRIBUTIONS.—(1) If the Commission determines that a candidate has committed a violation described in subsection (c), the Commission may assess a civil penalty against such candidate in an amount not greater than 200 percent of the amount involved.

''(2)(A) LOW AMOUNT OF EXCESS EXPENDITURES.—Any eligible Senate candidate who makes expenditures that exceed any limitation described in paragraph (1) or (2) of subsection (d) by 2.5 percent or less shall pay an amount equal to the amount of the excess expenditures.

''(B) MEDIUM AMOUNT OF EXCESS EXPENDITURES.—Any eligible Senate candidate who makes expenditures that exceed any limitation described in paragraph (1) or (2) of subsection (d) by more than 2.5 percent and less than 5 percent shall pay an amount equal to three times the amount of the excess expenditures.

''(C) LARGE AMOUNT OF EXCESS EXPENDITURES.—Any eligible Senate candidate who makes expenditures that exceed any limitation described in paragraph (1) or (2) of subsection (d) by 5 percent or more shall pay an amount equal to three times the amount of the excess expenditures plus a civil penalty in an amount determined by the Commission.

''(f) UNEXPENDED FUNDS.—Any amount received by an eligible Senate candidate under this title may be retained for a period not exceeding 120 days after the date of the general election for the liquidation of all obligations to pay expenditures for the general election incurred during the general election period. At the end of such 120-day period, any unexpended funds received under this title shall be promptly repaid.

''(g) LIMIT ON PERIOD FOR NOTIFICATION.—No notification shall be made by the Commission under this section with respect to an election more than three years after the date of such election.

"SEC. 506. JUDICIAL REVIEW.

''(a) JUDICIAL REVIEW.—Any agency action by the Commission made under the provisions of this title shall be subject to review by the United States Court of Appeals for the District of Columbia Circuit upon petition filed in such court within thirty days after the agency action by the Commission for which review is sought. It shall be the duty of the Court of Appeals, ahead of all matters not filed under this title, to advance on the docket and expeditiously take action on all petitions filed pursuant to this title.

''(b) APPLICATION OF TITLE 5.—The provisions of chapter 7 of title 5, United States Code, shall apply to judicial review of any agency action by the Commission.

''(c) AGENCY ACTION.—For purposes of this section, the term 'agency action' has the meaning given such term by section 551(13) of title 5, United States Code.

"SEC. 507. PARTICIPATION BY COMMISSION IN JUDICIAL PROCEEDINGS.

''(a) APPEARANCES.—The Commission is authorized to appear in and defend against any action instituted under this section and under section 506 either by attorneys employed in its office or by counsel whom it may appoint without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and whose compensation it may fix without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title.

''(b) INSTITUTION OF ACTIONS.—The Commission is authorized, through attorneys and counsel described in subsection (a), to institute actions in the district courts of the United States to seek recovery of any amounts determined under this title to be payable to the Secretary.

''(c) INJUNCTIVE RELIEF.—The Commission is authorized, through attorneys and counsel described in subsection (a), to petition the courts of the United States for such injunctive relief as is appropriate in order to implement any provision of this title.

''(d) APPEALS.—The Commission is authorized on behalf of the United States to appeal from, and to petition the Supreme Court for certiorari to review, judgments or decrees entered with respect to actions in which it appears pursuant to the authority provided in this section.

"SEC. 508. REPORTS TO CONGRESS; REGULATIONS.

''(a) REPORTS.—The Commission shall, as soon as practicable after each election, submit a full report to the Senate setting forth—

''(1) the expenditures (shown in such detail as the Commission determines appropriate) made by each eligible Senate candidate and the authorized committees of such candidate;

''(2) the amounts certified by the Commission under section 504 as benefits available to each eligible Senate candidate; and

''(3) the amount of repayments, if any, required under section 505 and the reasons for each repayment required.

Each report submitted pursuant to this section shall be printed as a Senate document.

''(b) RULES AND REGULATIONS.—The Commission is authorized to prescribe such rules and regulations, in accordance with the provisions of subsection (c), to conduct such examinations and investigations, and to require the keeping and submission of such books, records, and information, as it deems necessary to carry out the functions and duties imposed on it by this title.

''(c) STATEMENT TO SENATE.—Thirty days before prescribing any rules or regulation under subsection (b), the Commission shall transmit to the Senate a statement setting forth the proposed rule or regulation and containing a detailed explanation and justification of such rule or regulation.

"SEC. 509. CLOSED CAPTIONING REQUIREMENT FOR TELEVISION COMMERCIALS OF ELIGIBLE SENATE CANDIDATES.

''No eligible Senate candidate may receive amounts under section 503(a)(3) unless such candidate has certified that any television commercial prepared or distributed by the candidate will be prepared in a manner that contains, is accompanied by, or otherwise readily permits closed captioning of the oral content of the commercial to be broadcast by way of line 21 of the vertical blanking interval, or by way of comparable successor technologies.''.

(b) EFFECTIVE DATES.—(1) Except as provided in this subsection, the amendment made by subsection (a) shall apply to elections occurring after December 31, 1993.

(2) For purposes of any expenditure or contribution limit imposed by the amendment made by subsection (a)—

(A) no expenditure made before January 1, 1993, shall be taken into account, except that there shall be taken into account any such expenditure for goods or services to be provided after such date; and

(B) all cash, cash items, and Government securities on hand as of January 1, 1993, shall be taken into account in determining whether the contribution limit is met, except that there shall not be taken into account amounts used during the 60-day period beginning on January 1, 1993, to pay for expenditures which were incurred (but unpaid) before such date.

(c) EFFECT OF INVALIDITY ON OTHER PROVISIONS OF ACT.—If section 501, 502, or 503 of title V of FECA (as added by this section), or any part thereof, is held to be invalid, all provisions of, and amendments made by, this Act shall be treated as invalid.

SEC. 102. RESTRICTIONS ON ACTIVITIES OF POLITICAL ACTION AND CANDIDATE COMMITTEES IN FEDERAL ELECTIONS.

(a) CONTRIBUTIONS.—Section 315 of FECA (2 U.S.C. 441a) is amended by adding at the end the following new subsection:

''(i) CONTRIBUTIONS BY POLITICAL ACTION COMMITTEES TO SENATE CANDIDATES.—(1) In the case of a candidate for election, or nomination for election, to the United States Senate (and such candidate's authorized committees), subsection (a)(2)(A) shall be applied by substituting ''$2,500'' for ''$5,000''.

''(2) It shall be unlawful for a multicandidate political committee to make a contribution to a candidate for election, or nomination for election, to the United States Senate (or an authorized committee) to the extent that the making of the contribution will cause the amount of contributions received by the candidate and the candidate's authorized committees from multicandidate political committees to exceed the lesser of—

''(A) $825,000; or

''(B) the greater of—

''(i) $375,000; or

''(ii) 20 percent of the sum of the general election spending limit under section 502(b)

plus the primary election spending limit under section 501(d)(1)(A) (without regard to whether the candidate is an eligible Senate candidate).

''(3) In the case of an election cycle in which there is a runoff election, the limit determined under paragraph (2) shall be increased by an amount equal to 20 percent of the runoff election expenditure limit under section 501(d)(1)(B) (without regard to whether the candidate is such an eligible Senate candidate).

''(4) The $825,000 and $375,000 amounts in paragraph (2) shall be increased as of the beginning of each calendar year based on the increase in the price index determined under section 315(c), except that for purposes of paragraph (2), the base period shall be calendar year 1992.

''(5) A candidate or authorized committee that receives a contribution from a multicandidate political committee in excess of the amount allowed under paragraph (2) shall return the amount of such excess contribution to the contributor.''.

SEC. 103. REPORTING REQUIREMENTS.

Title III of FECA is amended by adding after section 304 the following new section:

''REPORTING REQUIREMENTS FOR SENATE CANDIDATES

''SEC. 304A. (a) CANDIDATE OTHER THAN ELIGIBLE SENATE CANDIDATE.—(1) Each candidate for the office of United States Senator who does not file a certification with the Secretary of the Senate under section 501(c) shall file with the Secretary of the Senate a declaration as to whether such candidate intends to make expenditures for the general election in excess of the general election expenditure limit applicable to an eligible Senate candidate under section 502(b). Such declaration shall be filed at the time provided in section 501(c)(2).

''(2) Any candidate for the United States Senate who qualifies for the ballot for a general election—

''(A) who is not an eligible Senate candidate under section 501; and

''(B) who either raises aggregate contributions, or makes or obligates to make aggregate expenditures, for the general election which exceed 75 percent of the general election expenditure limit applicable to an eligible Senate candidate under section 502(b),

shall file a report with the Secretary of the Senate within 24 hours after such contributions have been raised or such expenditures have been made or obligated to be made (or, if later, within 24 hours after the date of qualification for the general election ballot), setting forth the candidate's total contributions and total expenditures for such election as of such date. Thereafter, such candidate shall file additional reports (until such contributions or expenditures exceed 200 percent of such limit) with the Secretary of the Senate within 24 hours after each time additional contributions are raised, or expenditures are made or are obligated to be made, which in the aggregate exceed an amount equal to 10 percent of such limit and after the total contributions or expenditures exceed 133⅓, 166⅔, and 200 percent of such limit.

''(3) The Commission—

''(A) shall, within 24 hours of receipt of a declaration or report under paragraph (1) or (2), notify each eligible Senate candidate in the election involved about such declaration or report; and

''(B) if an opposing candidate has raised aggregate contributions, or made or has obligated to make aggregate expenditures, in excess of the applicable general election expenditure limit under section 502(b), shall certify, pursuant to the provisions of subsection (d), such eligibility for payment of any amount to which such eligible Senate candidate is entitled under section 503(a).

''(4) Notwithstanding the reporting requirements under this subsection, the Commission may make its own determination that a candidate in a general election who is not an eligible Senate candidate has raised aggregate contributions, or made or has obligated to make aggregate expenditures, in the amounts which would require a report under paragraph (2). The Commission shall, within 24 hours after making each such determination, notify each eligible Senate candidate in the general election involved about such determination, and shall, when such contributions or expenditures exceed the general election expenditure limit under section 502(b), certify (pursuant to the provisions of subsection (d)) such candidate's eligibility for payment of any amount under section 503(a).

''(b) REPORTS ON PERSONAL FUNDS.—(1) Any candidate for the United States Senate who during the election cycle expends more than the limitation under section 502(a) during the election cycle from his personal funds, the funds of his immediate family, and personal loans incurred by the candidate and the candidate's immediate family shall file a report with the Secretary of the Senate within 24 hours after such expenditures have been made or loans incurred.

''(2) The Commission within 24 hours after a report has been filed under paragraph (1) shall notify each eligible Senate candidate in the election involved about each such report.

''(3) Notwithstanding the reporting requirements under this subsection, the Commission may make its own determination that a candidate for the United States Senate has made expenditures in excess of the amount under paragraph (1). The Commission within 24 hours after making such determination shall notify each eligible Senate candidate in the general election involved about each such determination.

''(c) CANDIDATES FOR OTHER OFFICES.—(1) Each individual—

''(A) who becomes a candidate for the office of United States Senator;

''(B) who, during the election cycle for such office, held any other Federal, State, or local office or was a candidate for such other office; and

''(C) who expended any amount during such election cycle before becoming a candidate for the office of United States Senator which would have been treated as an expenditure if such individual had been such a candidate, including amounts for activities to promote the image or name recognition of such individual,

shall, within 7 days of becoming a candidate for the office of United States Senator, report to the Secretary of the Senate the amount and nature of such expenditures.

''(2) Paragraph (1) shall not apply to any expenditures in connection with a Federal, State, or local election which has been held before the individual becomes a candidate for the office of United States Senator.

''(3) The Commission shall, as soon as practicable, make a determination as to whether the amounts included in the report under paragraph (1) were made for purposes of influencing the election of the individual to the office of United States Senator.

''(d) CERTIFICATIONS.—Notwithstanding section 505(a), the certification required by this section shall be made by the Commission on the basis of reports filed in accordance with the provisions of this Act, or on the basis of such Commission's own investigation or determination.

''(e) COPIES OF REPORTS AND PUBLIC INSPECTION.—The Secretary of the Senate shall transmit a copy of any report or filing received under this section or of title V (whenever a 24-hour response is required of the Commission) as soon as possible (but no later than 4 working hours of the Commission) after receipt of such report or filing, and shall make such report or filing available for public inspection and copying in the same manner as the Commission under section 311(a)(4), and shall preserve such reports and filings in the same manner as the Commission under section 311(a)(5).

''(f) DEFINITIONS.—For purposes of this section, any term used in this section which is used in title V shall have the same meaning as when used in title V.''.

SEC. 104. DISCLOSURE BY NONELIGIBLE CANDIDATES.

Section 318 of FECA (2 U.S.C. 441d), as amended by section 133, is amended by adding at the end thereof the following:

''(e) If a broadcast, cablecast, or other communication is paid for or authorized by a candidate in the general election for the office of United States Senator who is not an eligible Senate candidate, or the authorized committee of such candidate, such communication shall contain the following sentence: 'This candidate has not agreed to voluntary campaign spending limits.'.''.

Subtitle B—Expenditure Limitations, Contribution Limitations, and Matching Funds for Eligible House of Representatives Candidates

SEC. 121. PROVISIONS APPLICABLE TO ELIGIBLE HOUSE OF REPRESENTATIVES CANDIDATES.

(a) IN GENERAL.—FECA, as amended by section 101(a), is amended by adding at the end the following new title:

''TITLE VI—EXPENDITURE LIMITATIONS, CONTRIBUTION LIMITATIONS, AND MATCHING FUNDS FOR ELIGIBLE HOUSE OF REPRESENTATIVES CANDIDATES

''SEC. 601. EXPENDITURE LIMITATIONS.

''(a) IN GENERAL.—An eligible House of Representatives candidate may not, in an election cycle, make expenditures aggregating more than $600,000, of which not more than $500,000 may be expended in the general election period.

''(b) RUNOFF ELECTION AND SPECIAL ELECTION AMOUNTS.—

''(1) RUNOFF ELECTION AMOUNT.—In addition to the expenditures under subsection (a), an eligible House of Representatives candidate who is a candidate in a runoff election may make expenditures aggregating not more than 20 percent of the general election period limit under subsection (a).

''(2) SPECIAL ELECTION AMOUNT.—An eligible House of Representatives candidate who is a candidate in a special election may make expenditures aggregating not more than $500,000 with respect to the special election.

''(c) CLOSELY CONTESTED PRIMARY.—If, as determined by the Commission, an eligible House of Representatives candidate in a contested primary election wins that primary election by a margin of 10 percentage points or less, subject to the general election period limitation in subsection (a), the candidate may make additional expenditures of not more than $150,000 in the general election period. The additional expenditures shall be from contributions described in section 603(h) and payments described in section 604(f).

''(d) NONPARTICIPATING OPPONENT PROVISIONS.—

''(1) LIMITATION EXCEPTION.—The limitations imposed by subsections (a) and (b) do not apply in the case of an eligible House of Representatives candidate if any other candidate seeking nomination or election to that office—

''(A) is not an eligible House of Representatives candidate; and

''(B) makes expenditures in excess of 80 percent of the general election period limitation specified in subsection (a).

''(2) CONTINUED ELIGIBILITY AND ADDITIONAL MATCHING FUNDS.—An eligible House of Representatives candidate referred to in paragraph (1)—

''(A) shall continue to be eligible for all benefits under this title; and

''(B) shall receive matching funds without regard to the ceiling under section 604(a).

''(3) REPORTING REQUIREMENT.—A candidate for the office of Representative in, or Delegate or Resident Commissioner to, the Congress—

''(A) who is not an eligible House of Representatives candidate; and

''(B) who—

''(i) receives contributions in excess of 50 percent of the general election period limitation specified in subsection (a)(1); or

''(ii) makes expenditures in excess of 80 percent of such limit;

shall report that the threshold has been reached to the Clerk of the House of Representatives not later than 48 hours after reaching the threshold. The Clerk shall transmit a report received under this paragraph to the Commission as soon as possible (but no later than 4 working hours of the Commission) after such receipt, and the Commission shall transmit a copy to each other candidate in the election within 48 hours of receipt.

''(e) EXEMPTION FOR CERTAIN COSTS AND TAXES.—Payments for legal and accounting compliance costs, and Federal, State, or local taxes with respect to a candidate's authorized committees, shall not be considered in the computation of amounts subject to limitation under this section.

''(f) EXEMPTION FOR FUNDRAISING COSTS.—

''(1) Any costs incurred by an eligible House of Representatives candidate or his or her authorized committee in connection with the solicitation of contributions on behalf of such candidate shall not be considered in the computation of amounts subject to limitation under this section to the extent that the aggregate of such costs does not exceed 5 percent of the limitation under subsection (a) or subsection (b).

''(2) An amount equal to 5 percent of salaries and overhead expenditures of an eligible House of Representatives candidate's campaign headquarters and offices shall not be considered in the computation of amounts subject to limitation under this section. Any amount excluded under this paragraph shall be applied against the fundraising expenditure exemption under paragraph (1).

''(g) CIVIL PENALTIES.—

''(1) LOW AMOUNT OF EXCESS EXPENDITURES.—Any eligible House of Representatives candidate who makes expenditures that exceed a limitation under subsection (a) or subsection (b) by 2.5 percent or less shall pay to the Commission an amount equal to the amount of the excess expenditures.

''(2) MEDIUM AMOUNT OF EXCESS EXPENDITURES.—Any eligible House of Representatives candidate who makes expenditures that exceed a limitation under subsection (a) or subsection (b) by more than 2.5 percent and less than 5 percent shall pay to the Commission an amount equal to three times the amount of the excess expenditures.

''(3) LARGE AMOUNT OF EXCESS EXPENDITURES.—Any eligible House of Representatives candidate who makes expenditures that exceed a limitation under subsection (a) or subsection (b) by 5 percent or more shall pay to the Commission an amount equal to three times the amount of the excess expenditures plus a civil penalty in an amount determined by the Commission.

''(h) INDEXING.—The dollar amounts specified in subsections (a), (b), (c), and (e) shall be adjusted at the beginning of each calendar year based on the increase in the price index determined under section 315(c), except that, for the purposes of such adjustment, the base period shall be calendar year 1992.

"SEC. 602. STATEMENT OF PARTICIPATION; CONTINUING ELIGIBILITY.

''(a) IN GENERAL.—The Commission shall determine whether a candidate is in compliance with this title and, by reason of such compliance, is eligible to receive benefits under this title. Such determination shall—

''(1) in the case of an initial determination, be based on a statement of participation submitted by the candidate; and

''(2) in the case of a determination of continuing eligibility, be based on relevant additional information submitted in such form and manner as the Commission may require.

''(b) FILING.—The statement of participation referred to in subsection (a) shall be filed with the Clerk of the House of Representatives not later than January 31 of the election year or on the date on which the candidate files a statement of candidacy, whichever is later. The Clerk of the House of Representatives shall transmit a statement received under this section to the Commission as soon as possible.

"SEC. 603. CONTRIBUTION LIMITATIONS.

''(a) ELIGIBLE HOUSE OF REPRESENTATIVES CANDIDATE LIMITATION.—An eligible House of Representatives candidate may not, with respect to an election cycle, accept contributions aggregating in excess of $600,000.

''(b) NONPARTICIPATING OPPONENT PROVISIONS.—The limitations imposed by subsection (a) do not apply in the case of an eligible House of Representatives candidate if any other candidate seeking nomination or election to that office—

''(1) is not an eligible House of Representatives candidate; and

''(2) receives contributions in excess of 50 percent of the general election period limitation specified in section 601(a).

''(c) TRANSFER PROVISIONS.—

''(1) If an eligible House of Representatives candidate transfers any amount from an election cycle to a later election cycle, the limitation with respect to the candidate under subsection (a) for the later cycle shall be an amount equal to the difference between the amount specified in that subsection and the amount transferred.

''(2) If an eligible House of Representatives candidate transfers any amount from an election cycle to a later election cycle, each limitation with respect to the candidate under section 315(j) for the later cycle shall be one-third of the difference between the applicable amount specified in subsection (a) and the amount transferred.

''(d) RUNOFF AMOUNT.—In addition to the contributions under subsection (a), an eligible House of Representatives candidate who is a candidate in a runoff election may accept contributions aggregating not more than 20 percent of the general election expenditure limit under section 601(a) in the general election period. Of such contributions, one-half may be from political committees and one-half may be from persons referred to in section 315(j)(2).

''(e) PERSONAL CONTRIBUTIONS.—

''(1) IN GENERAL.—An eligible House of Representatives candidate may not, with respect to an election cycle, make contributions to his or her own campaign totaling more than $50,000 from the personal funds of the candidate. The amount that the candidate may accept from persons referred to in section 315(j)(2) shall be reduced by the amount of contributions made under the preceding sentence. Contributions from the personal funds of a candidate may not be matched under section 604.

''(2) LIMITATION EXCEPTION.—The limitation imposed by paragraph (1) does not apply in the case of an eligible House of Representatives candidate if any other candidate—

''(A) is not an eligible House of Representatives candidate; and

''(B) receives contributions in excess of 50 percent of the general election period limitation specified in section 601(a).

''(3) TRIPLE MATCH.—An eligible House of Representatives candidate, whose opponent makes contributions to his or her own campaign in excess of 50 percent of the general election period limitation specified in section 601(a), shall receive $3 in matching funds for each $1 certified by the Commission as matchable for the eligible candidate.

''(f) CIVIL PENALTIES.—

''(1) LOW AMOUNT OF EXCESS CONTRIBUTIONS.—Any eligible House of Representatives candidate who accepts contributions that exceed the limitation under subsection (a) by 2.5 percent or less shall refund the excess contributions to the persons who made the contributions.

''(2) MEDIUM AMOUNT OF EXCESS CONTRIBUTIONS.—Any eligible House of Representatives candidate who accepts contributions that exceed a limitation under subsection (a) by more than 2.5 percent and less than 5 percent shall pay to the Commission an amount equal to three times the amount of the excess contributions.

''(3) LARGE AMOUNT OF EXCESS CONTRIBUTIONS.—Any eligible House of Representatives candidate who accepts contributions that exceed a limitation under subsection (a) by 5 percent or more shall pay to the Commission an amount equal to three times the amount of the excess contributions plus a civil penalty in an amount determined by the Commission.

''(g) EXEMPTION FOR CERTAIN COSTS.—(1) Any amount—

''(A) accepted by a candidate for the office of Representative in, or Delegate or Resident Commissioner to the Congress; and

''(B) used for legal and accounting compliance costs, or used to pay Federal, State, or local taxes with respect to a candidate's authorized committees shall not be considered in the computation of amounts subject to limitation under subsection (a).

''(2) The balance of funds maintained for legal and accounting compliance costs by the authorized committees of an eligible House of Representatives candidate shall not exceed 20 percent of the limit under subsection (a) at any time.

''(3) No funds received by a candidate under section 604 may be transferred to a separate legal and accounting compliance fund.

''(h) CLOSELY CONTESTED PRIMARY.—If, as determined by the Commission, an eligible House of Representatives candidate in a contested primary election wins that primary election by a margin of 10 percentage points or less, notwithstanding the limitation in subsection (a), the candidate may, in the general election period, accept additional contributions of not more than $150,000, consisting of—

''(1) not more than $50,000 from political committees; and

''(2) not more than $50,000 from individuals referred to in section 315(j)(2).

''(i) INDEXING.—The dollar amounts specified in subsections (a), (d), (e), and (h) shall be adjusted at the beginning of the calendar year based on the increase in the price index determined under section 315(c), except that, for the purposes of such adjustment, the base period shall be calendar year 1992.

"SEC. 604. MATCHING FUNDS.

''(a) IN GENERAL.—An eligible House of Representatives candidate shall be entitled to receive, with respect to the general election, an amount equal to the amount of contributions from individuals received by the candidate, but not more than $200,000, and not to the extent that contributions from any individual during the election cycle exceed $250 in the aggregate.

''(b) INDEPENDENT EXPENDITURE PROVISION.—If, with respect to a general election involving an eligible House of Representatives candidate, independent expenditures totaling $10,000 are made against the eligible House of Representatives candidate or in favor of another candidate, the eligible House of Representatives candidate shall be entitled, in addition to any amount received under subsection (a), to a matching payment of $10,000 and additional matching payments equal to the amount of such independent expenditures above $10,000, and expenditures may be made from such payments without regard to the limitations in section 601.

''(c) SPECIFIC REQUIREMENTS.—A candidate for the office of Representative in, or Delegate or Resident Commissioner to, the Congress may receive matching funds under subsection (a) only if the candidate—

''(1) in an election cycle, has received $60,000 in contributions from individuals, with not more than $250 to be taken into account per individual;

''(2) qualifies for the general election ballot;

''(3) has an opponent on the general election ballot; and

''(4) files a statement of participation in which the candidate agrees to—

''(A) comply with the limitations under sections 601 and 603;

''(B) cooperate in the case of any audit by the Commission by furnishing such campaign records and other information as the Commission may require; and

''(C) comply with any repayment requirement under section 605.

''(d) WRITTEN INSTRUMENT REQUIREMENT.—No contribution in any form other than a gift of money made by a written instrument that identifies the individual making the contribution may be used as a basis for any matching payment under this section.

''(e) CERTIFICATION AND PAYMENT.—

''(1) CERTIFICATION.—Except as provided in paragraphs (2) and (3), not later than 5 days after receiving a request for payment, the Commission shall certify for payment the amount requested under subsection (a) or (b).

''(2) PAYMENTS.—The initial payment under subsection (a) to an eligible candidate shall be $60,000. All payments shall be—

''(A) made not later than 48 hours after certification under paragraph (1); and

''(B) subject to proportional reduction in the case of insufficient funds.

''(3) INCORRECT REQUEST.—If the Commission determines that any portion of a request is incorrect, the Commission shall withhold the certification for that portion only and inform the candidate as to how the candidate may correct the request.

''(f) CLOSELY CONTESTED PRIMARY.—If, as determined by the Commission, an eligible House of Representatives candidate in a contested primary election wins that primary election by a margin of 10 percentage points or less, the candidate shall be entitled to matching funds totaling not more than $50,000, in addition to any other amount received under this section.

''(g) CONVERSIONS TO PERSONAL USE.—A candidate may not convert any amount received under this section to personal use other than for reimbursement of verifiable prior campaign expenditures.

''(h) INDEXING.—The dollar amounts specified in subsections (a), (b), (c) (other than the amount in subsection (c) to be taken into account per individual), and (f) shall be adjusted at the beginning of the calendar year based on the increase in the price index determined under section 315(c), except that, for the purposes of such adjustment, the base period shall be calendar year 1992.

''SEC. 605. EXAMINATION AND AUDITS; REPAYMENTS.

''(a) GENERAL ELECTION.—After each general election, the Commission shall conduct an examination and audit of the campaign accounts of 10 percent of the eligible House of Representatives candidates, as designated by the Commission through the use of an appropriate statistical method of random selection, to determine whether such candidates have complied with the conditions of eligibility and other requirements of this title. No other factors shall be considered in carrying out such an examination and audit. In selecting the accounts to be examined and audited, the Commission shall select all eligible candidates from a congressional district where any eligible candidate is selected for examination and audit.

''(b) SPECIAL ELECTION.—After each special election, the Commission shall conduct an examination and audit of the campaign accounts of all eligible candidates in the election to determine whether the candidates have complied with the conditions of eligibility and other requirements of this title.

''(c) AFFIRMATIVE VOTE.—The Commission may conduct an examination and audit of the campaign accounts of any eligible House of Representatives candidate in a general election if the Commission, by an affirmative vote of 4 members, determines that there exists reason to believe that such candidate may have violated any provision of this title.

''(d) PAYMENTS.—If the Commission determines that any amount of a payment to a candidate under this title was in excess of the aggregate payments to which such candidate was entitled, the Commission shall so notify the candidate, and the candidate shall pay an amount equal to the excess.

''SEC. 606. JUDICIAL REVIEW.

''(a) JUDICIAL REVIEW.—Any agency action by the Commission made under the provisions of this title shall be subject to review by the United States Court of Appeals for the District of Columbia Circuit upon petition filed in such court within 30 days after the agency action by the Commission for which review is sought. It shall be the duty of the Court of Appeals, ahead of all matters not filed under this title, to advance on the docket and expeditiously take action on all petitions filed pursuant to this title.

''(b) APPLICATION OF TITLE 5.—The provisions of chapter 7 of title 5, United States Code, shall apply to judicial review of any agency action by the Commission.

''(c) AGENCY ACTION.—For purposes of this section, the term 'agency action' has the meaning given such term by section 551(13) of title 5, United States Code.

''SEC. 607. PARTICIPATION BY COMMISSION IN JUDICIAL PROCEEDINGS.

''(a) APPEARANCES.—The Commission is authorized to appear in and defend against any action instituted under this section and under section 606 either by attorneys employed in its office or by counsel whom it may appoint without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and whose compensation it may fix without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title.

''(b) INSTITUTION OF ACTIONS.—The Commission is authorized, through attorneys and counsel described in subsection (a), to institute actions in the district courts of the United States to seek recovery of any amounts determined under this title to be payable to the Secretary.

''(c) INJUNCTIVE RELIEF.—The Commission is authorized, through attorneys and counsel described in subsection (a), to petition the courts of the United States for such injunctive relief as is appropriate in order to implement any provision of this title.

''(d) APPEALS.—The Commission is authorized on behalf of the United States to appeal from, and to petition the Supreme Court for certiorari to review, judgments or decrees entered with respect to actions in which it appears pursuant to the authority provided in this section.

''SEC. 608. REPORTS TO CONGRESS; CERTIFICATIONS; REGULATIONS.

''(a) REPORTS.—The Commission shall, as soon as practicable after each election, submit a full report to the House of Representatives setting forth—

''(1) the expenditures (shown in such detail as the Commission determines appropriate) made by each eligible candidate and the authorized committees of such candidate;

''(2) the aggregate amount of matching fund payments certified by the Commission under section 604 for each eligible candidate; and

''(3) the amount of repayments, if any, required under section 605, and the reasons for each repayment required.

Each report submitted pursuant to this section shall be printed as a House document.

''(b) DETERMINATIONS BY COMMISSION.—All determinations (including certifications under section 604) made by the Commission under this title shall be final and conclusive, except to the extent that they are subject to examination and audit by the Commission under section 605 or judicial review under section 606.

''(c) RULES AND REGULATIONS.—The Commission is authorized to prescribe such rules and regulations, in accordance with the provisions of subsection (d), to conduct such audits, examinations and investigations, and to require the keeping and submission of such books, records, and information, as it deems necessary to carry out the functions and duties imposed on it by this title.

''(d) REPORT OF PROPOSED REGULATIONS.—The Commission shall submit to the House of Representatives a report containing a detailed explanation and justification of each rule, regulation, and form of the Commission under this title. No such rule, regulation, or form may take effect until a period of 30 legislative days has elapsed after the report is received. As used in this subsection—

''(1) the term 'legislative day' means any calendar day on which the House of Representatives is in session; and

''(2) the terms 'rule' and 'regulation' mean a provision or series of interrelated provisions stating a single, separable rule of law.

''SEC. 609. CLOSED CAPTIONING REQUIREMENT FOR TELEVISION COMMERCIALS OF ELIGIBLE HOUSE OF REPRESENTATIVES CANDIDATES.

''No eligible House of Representatives candidate may receive amounts under section 604 unless such candidate has certified that any television commercial prepared or distributed by the candidate will be prepared in a manner that contains, is accompanied by, or otherwise readily permits closed captioning of the oral content of the commercial to be broadcast by way of line 21 of the vertical blanking interval, or by way of comparable successor technologies.''.

(b) EFFECT OF INVALIDITY ON OTHER PROVISIONS OF ACT.—If title VI of FECA (as added by this section), or any part thereof, is held to be invalid, all provisions of, and amendments made by, this Act, shall be treated as invalid.

SEC. 122. LIMITATIONS ON POLITICAL COMMITTEE AND LARGE DONOR CONTRIBUTIONS THAT MAY BE ACCEPTED BY HOUSE OF REPRESENTATIVES CANDIDATES.

Section 315 of the Federal Election Campaign Act of 1971 (2 U.S.C. 441a), as amended by section 102, is amended by adding at the end the following new subsection:

''(j)(1) A candidate for the office of Representative in, or Delegate or Resident Com-

missioner to, the Congress may not, with respect to an election cycle, accept contributions from political committees aggregating in excess of $200,000.

''(2) A candidate for the office of Representative in, or Delegate or Resident Commissioner to, the Congress may not, with respect to an election cycle, accept contributions aggregating in excess of $200,000 from persons other than political committees whose contributions total more than $250.

''(3) In addition to the contributions under paragraphs (1) and (2), a House of Representatives candidate who is a candidate in a runoff election may accept contributions aggregating not more than $100,000 with respect to the runoff election. Of such contributions, one-half may be from political committees and one-half may be from persons referred to in paragraph (2).

''(4) Any amount—

''(A) accepted by a candidate for the office of Representative in, or Delegate or Resident Commissioner to the Congress; and

''(B) used for legal and accounting compliance costs, Federal, State, and local taxes,

shall not be considered in the computation of amounts subject to limitation under paragraphs (1), (2), and (3), but shall be subject to the other limitations of this Act.

''(5) In addition to any other contributions under this subsection, if, as determined by the Commission, an eligible House of Representatives candidate in a contested primary election wins that primary election by a margin of 10 percentage points or less, the candidate may, in the general election period, accept contributions of not more than $150,000, consisting of—

''(A) not more than $50,000 from political committees; and

''(B) not more than $50,000 from persons referred to in paragraph (2).

''(6) The dollar amounts specified in paragraphs (1), (2), (3), and (5) (other than the amounts in paragraphs (2) and (5) relating to contribution totals) shall be adjusted in the manner provided in section 315(c), except that, for the purposes of such adjustment, the base period shall be calendar year 1992.''.

SEC. 123. EXCESS FUNDS OF INCUMBENTS WHO ARE CANDIDATES FOR THE HOUSE OF REPRESENTATIVES.

An individual who—

(1) is a candidate for the office of Representative in, or Delegate or Resident Commissioner to, the Congress in an election cycle to which title VI of FECA (as enacted by section 121 of this Act) applies;

(2) is an incumbent of that office; and

(3) as of the date of the first statement of participation submitted by the individual under section 502 of FECA, has campaign accounts containing in excess of $600,000;

shall deposit such excess in a separate account subject to the provision of section 304 of FECA. The amount so deposited shall be available for any lawful purpose other than use, with respect to the individual, for an election for the office of Representative in, or Delegate or Resident Commissioner to, the Congress.

Subtitle C—General Provisions

SEC. 131. BROADCAST RATES AND PREEMPTION.

(a) BROADCAST RATES.—Section 315(b) of the Communications Act of 1934 (47 U.S.C. 315(b)) is amended—

(1) in paragraph (1)—

(A) by striking out ''forty-five'' and inserting in lieu thereof ''30'';

(B) by striking out ''sixty'' and inserting in lieu thereof ''45''; and

(C) by striking out ''lowest unit charge of the station for the same class and amount of time for the same period'' and insert ''lowest charge of the station for the same amount of time for the same period on the same date''; and

(2) by adding at the end the following new sentence:

''In the case of an eligible Senate candidate (as defined in section 301(19) of the Federal Election Campaign Act of 1971), the charges during the general election period (as defined in section 301(21) of such Act) shall not exceed 50 percent of the lowest charge described in paragraph (1).''.

(b) PREEMPTION; ACCESS.—Section 315 of such Act (47 U.S.C. 315) is amended by redesignating subsections (c) and (d) as subsections (e) and (f), respectively, and by inserting immediately after subsection (b) the following new subsection:

''(c)(1) Except as provided in paragraph (2), a licensee shall not preempt the use, during any period specified in subsection (b)(1), of a broadcasting station by a legally qualified candidate for public office who has purchased and paid for such use pursuant to the provisions of subsection (b)(1).

''(2) If a program to be broadcast by a broadcasting station is preempted because of circumstances beyond the control of the broadcasting station, any candidate advertising spot scheduled to be broadcast during that program may also be preempted.

''(d) In the case of a legally qualified candidate for the United States Senate, a licensee shall provide broadcast time without regard to the rates charged for the time.''.

SEC. 132. EXTENSION OF REDUCED THIRD-CLASS MAILING RATES TO ELIGIBLE HOUSE OF REPRESENTATIVES AND SENATE CANDIDATES.

Section 3626(e) of title 39, United States Code, is amended—

(1) in paragraph (2)(A)—

(A) by striking out ''and the National'' and inserting in lieu thereof ''the National''; and

(B) by striking out ''Committee;'' and inserting in lieu thereof ''Committee, and, subject to paragraph (3), the principal campaign committee of an eligible House of Representatives or Senate candidate;'';

(2) in paragraph (2)(B), by striking out ''and'' after the semicolon;

(3) in paragraph (2)(C), by striking out the period and inserting in lieu thereof ''; and'';

(4) by adding after paragraph (2)(C) the following new subparagraph:

''(D) the terms 'eligible House of Representatives candidate', 'eligible Senate candidate', and 'principal campaign committee' have the meanings given those terms in section 301 of the Federal Election Campaign Act of 1971.''; and

(5) by adding after paragraph (2) the following new paragraph:

''(3) The rate made available under this subsection with respect to an eligible House of Representatives or Senate candidate shall apply only to—

''(A) the general election period (as defined in section 301 of the Federal Election Campaign Act of 1971); and

''(B) that number of pieces of mail equal to the number of individuals in the voting age population (as certified under section 315(e) of such Act) of the congressional district or State, whichever is applicable.''.

SEC. 133. REPORTING REQUIREMENTS FOR CERTAIN INDEPENDENT EXPENDITURES.

Section 304(c) of FECA (2 U.S.C. 434(c)) is amended—

(1) in paragraph (2), by striking out the undesignated matter after subparagraph (C);

(2) by redesignating paragraph (3) as paragraph (5); and

(3) by inserting after paragraph (2), as amended by paragraph (1), the following new paragraphs:

''(3)(A) Any independent expenditure (including those described in subsection (b)(6)(B)(iii) of this section) aggregating $1,000 or more made after the 20th day, but more than 24 hours, before any election shall be reported within 24 hours after such independent expenditure is made.

''(B) Any independent expenditure aggregating $10,000 or more made at any time up to and including the 20th day before any election shall be reported within 48 hours after such independent expenditure is made. An additional statement shall be filed each time independent expenditures aggregating $10,000 are made with respect to the same election as the initial statement filed under this section.

''(C) Such statement shall be filed with the Clerk of the House of Representatives or the Secretary of the Senate, whichever is applicable, and the Secretary of State of the State involved and shall contain the information required by subsection (b)(6)(B)(iii) of this section, including whether the independent expenditure is in support of, or in opposition to, the candidate involved. The Clerk of the House of Representatives and the Secretary of the Senate shall as soon as possible (but not later than 4 working hours of the Commission) after receipt of a statement transmit it to the Commission. Not later than 48 hours after the Commission receives a report, the Commission shall transmit a copy of the report to each candidate seeking nomination or election to that office.

''(D) For purposes of this section, the term 'made' includes any action taken to incur an obligation for payment.

''(4)(A) If any person intends to make independent expenditures totaling $5,000 during the 20 days before an election, such person shall file a statement no later than the 20th day before the election.

''(B) Such statement shall be filed with the Clerk of the House of Representatives or the Secretary of the Senate, whichever is applicable, and the Secretary of State of the State involved, and shall identify each candidate whom the expenditure will support or oppose. The Clerk of the House of Representatives and the Secretary of the Senate shall as soon as possible (but not later than 4 working hours of the Commission) after receipt of a statement transmit it to the Commission. Not later than 48 hours after the Commission receives a statement under this paragraph, the Commission shall transmit a copy of the statement to each candidate identified.

''(5) The Commission may make its own determination that a person has made, or has incurred obligations to make, independent expenditures with respect to any Federal election which in the aggregate exceed the applicable amounts under paragraph (3) or (4). The Commission shall notify each candidate in such election of such determination within 24 hours of making it.

''(6) At the same time as a candidate is notified under paragraph (3), (4), or (5) with respect to expenditures during a general election period, the Commission shall certify eligibility to receive benefits under section 504(a) or section 604(b).

''(7) The Clerk of the House of Representatives and the Secretary of the Senate shall make any statement received under this subsection available for public inspection and copying in the same manner as the Commission under section 311(a)(4), and shall preserve such statements in the same manner as the Commission under section 311(a)(5).''

SEC. 134. CAMPAIGN ADVERTISING AMENDMENTS.

Section 318 of FECA (2 U.S.C. 441d) is amended—

(1) in the matter before paragraph (1) of subsection (a), by striking ''an expenditure'' and inserting ''a disbursement'';

(2) in the matter before paragraph (1) of subsection (a), by striking ''direct'';

(3) in paragraph (3) of subsection (a), by inserting after ''name'' the following ''and permanent street address''; and

(4) by adding at the end the following new subsections:

''(c) Any printed communication described in subsection (a) shall be—

''(1) of sufficient type size to be clearly readable by the recipient of the communication;

''(2) contained in a printed box set apart from the other contents of the communication; and

''(3) consist of a reasonable degree of color contrast between the background and the printed statement.

''(d)(1) Any broadcast or cablecast communication described in subsection (a)(1) or subsection (a)(2) shall include, in addition to the requirements of those subsections an audio statement by the candidate that identifies the candidate and states that the candidate has approved the communication.

''(2) If a broadcast or cablecast communication described in paragraph (1) is broadcast or cablecast by means of television, the statement required by paragraph (1) shall—

''(A) appear in a clearly readable manner with a reasonable degree of color contrast between the background and the printed statement, for a period of at least 4 seconds; and

''(B) be accompanied by a clearly identifiable photographic or similar image of the candidate.

''(e) Any broadcast or cablecast communication described in subsection (a)(3) shall include, in addition to the requirements of those subsections, in a clearly spoken manner, the following statement—

' is responsible for the content of this advertisement.'

with the blank to be filled in with the name of the political committee or other person paying for the communication and the name of any connected organization of the payor; and, if broadcast or cablecast by means of television, shall also appear in a clearly readable manner with a reasonable degree of color contrast between the background and the printed statement, for a period of at least 4 seconds.''.

SEC. 135. DEFINITIONS.

(a) IN GENERAL.—Section 301 of FECA (2 U.S.C. 431) is amended by striking paragraph (19) and inserting the following new paragraphs:

''(19) The term 'eligible Senate candidate' means a candidate who is eligible under section 502 to receive benefits under title V.

''(20) The term 'general election' means any election which will directly result in the election of a person to a Federal office, but does not include an open primary election.

''(21) The term 'general election period' means, with respect to any candidate, the period beginning on the day after the date of the primary or runoff election for the specific office the candidate is seeking, whichever is later, and ending on the earlier of—

''(A) the date of such general election; or

''(B) the date on which the candidate withdraws from the campaign or otherwise ceases actively to seek election.

''(22) The term 'immediate family' means—

''(A) a candidate's spouse;

''(B) a child, stepchild, parent, grandparent, brother, half-brother, sister or half-sister of the candidate or the candidate's spouse; and

''(C) the spouse of any person described in subparagraph (B).

''(23) The term 'major party' has the meaning given such term in section 9002(6) of the Internal Revenue Code of 1986, except that if a candidate qualified under State law for the ballot in a general election in an open primary in which all the candidates for the office participated and which resulted in the candidate and at least one other candidate qualifying for the ballot in the general election, such candidate shall be treated as a candidate of a major party for purposes of title V.

''(24) The term 'primary election' means an election which may result in the selection of a candidate for the ballot in a general election for a Federal office.

''(25) The term 'primary election period' means, with respect to any candidate, the period beginning on the day following the date of the last election for the specific office the candidate is seeking and ending on the earlier of—

''(A) the date of the first primary election for that office following the last general election for that office; or

''(B) the date on which the candidate withdraws from the election or otherwise ceases actively to seek election.

''(26) The term 'runoff election' means an election held after a primary election which is prescribed by applicable State law as the means for deciding which candidate will be on the ballot in the general election for a Federal office.

''(27) The term 'runoff election period' means, with respect to any candidate, the period beginning on the day following the date of the last primary election for the specific office such candidate is seeking and ending on the date of the runoff election for such office.

''(28) The term 'voting age population' means the resident population, 18 years of age or older, as certified pursuant to section 315(e).

''(29) The term 'eligible House of Representatives candidate' means a candidate for election to the office of Representative in, or Delegate or Resident Commissioner to, the Congress, who, as determined by the Commission under section 602, is eligible to receive matching payments and other benefits under title VI by reason of filing a statement of participation and complying with the continuing eligibility requirements under section 602.

''(30) The term 'election cycle' means—

''(A) in the case of a candidate or the authorized committees of a candidate, the term beginning on the day after the date of the most recent general election for the specific office or seat which such candidate seeks and ending on the date of the next general election for such office or seat; or

''(B) for all other persons, the term beginning on the first day following the date of the last general election and ending on the date of the next general election.''.

(b) IDENTIFICATION.—Section 301(13) of FECA (2 U.S.C. 431(13)) is amended by striking ''mailing address'' and inserting ''permanent residence address''.

SEC. 136. PROVISIONS RELATING TO FRANKED MASS MAILINGS.

(a) MASS MAILINGS OF SENATORS.—Section 3210(a)(6) of title 39, United States Code, is amended—

(1) in subparagraph (A), by striking ''It is the intent of Congress that a Member of, or a Member-elect to, Congress'' and inserting ''A Member of, or Member-elect to, the House''; and

(2) in subparagraph (C)—

(A) by striking ''if such mass mailing is postmarked fewer than 60 days immediately before the date'' and inserting ''if such mass mailing is postmarked during the calendar year''; and

(B) by inserting ''or reelection'' immediately before the period.

(b) MASS MAILINGS OF HOUSE MEMBERS.—Section 3210 of title 39, United States Code, is amended—

(1) in subsection (a)(7), by striking '', except that—'' and all that follows through the end of subparagraph (B) and inserting a period; and

(2) in subsection (d)(1), by striking ''delivery—'' and all that follows through the end of subparagraph (B) and inserting ''delivery within that area constituting the congressional district or State from which the Member was elected.''.

(c) PROHIBITION ON USE OF OFFICIAL FUNDS.—The Committee on House Administration of the House of Representatives may not approve any payment, nor may a Member of the House of Representatives make any expenditure from, any allowance of the House of Representatives or any other official funds if any portion of the payment or expenditure is for any cost related to a mass mailing by a Member of the House of Representatives outside the congressional district of the Member.

TITLE II—INDEPENDENT EXPENDITURES

SEC. 201. CLARIFICATION OF DEFINITIONS RELATING TO INDEPENDENT EXPENDITURES.

(a) INDEPENDENT EXPENDITURE DEFINITION AMENDMENT.—Section 301 of FECA (2 U.S.C. 431) is amended by striking paragraphs (17) and (18) and inserting the following:

''(17)(A) The term 'independent expenditure' means an expenditure for an advertisement or other communication that—

''(i) contains express advocacy; and

''(ii) is made without the participation or cooperation of a candidate or a candidate's representative.

''(B) The following shall not be considered an independent expenditure:

''(i) An expenditure made by a political committee of a political party.

''(ii) An expenditure made by a person who, during the election cycle, has communicated with or received information from a candidate or a representative of that candidate regarding activities that have the purpose of influencing that candidate's election to Federal office, where the expenditure is in support of that candidate or in opposition to another candidate for that office.

''(iii) An expenditure if there is any arrangement, coordination, or direction with respect to the expenditure between the candidate or the candidate's agent and the person making the expenditure.

''(iv) An expenditure if, in the same election cycle, the person making the expenditure is or has been—

''(I) authorized to raise or expend funds on behalf of the candidate or the candidate's authorized committees; or

''(II) serving as a member, employee, or agent of the candidate's authorized committees in an executive or policymaking position.

''(v) An expenditure if the person making the expenditure has advised or counseled the candidate or the candidate's agents at any time on the candidate's plans, projects, or needs relating to the candidate's pursuit of nomination for election, or election, to Federal office, in the same election cycle, including any advice relating to the candidate's decision to seek Federal office.

''(vi) An expenditure if the person making the expenditure retains the professional services of any individual or other person also providing those services in the same election cycle to the candidate in connection with the candidate's pursuit of nomination for election, or election, to Federal office, including any services relating to the candidate's decision to seek Federal office.

''(vii) An expenditure if the person making the expenditure has consulted at any time during the same election cycle about the candidate's plans, projects, or needs relating to the candidate's pursuit of nomination for election, or election, to Federal office, with—

''(I) any officer, director, employee or agent of a party committee that has made or

intends to make expenditures or contributions, pursuant to subsections (a), (d), or (h) of section 315 in connection with the candidate's campaign; or

''(II) any person whose professional services have been retained by a political party committee that has made or intends to make expenditures or contributions pursuant to subsections (a), (d), or (h) of section 315 in connection with the candidate's campaign.

For purposes of this subparagraph, the person making the expenditure shall include any officer, director, employee, or agent of such person.

''(18) The term 'express advocacy' means, when a communication is taken as a whole, an expression of support for or opposition to a specific candidate, to a specific group of candidates, or to candidates of a particular political party, or a suggestion to take action with respect to an election, such as to vote for or against, make contributions to, or participate in campaign activity.''.

(b) CONTRIBUTION DEFINITION AMENDMENT.—Section 301(8)(A) of FECA (2 U.S.C. 431(8)(A)) is amended—

(1) in clause (i), by striking ''or'' after the semicolon at the end;

(2) in clause (ii), by striking the period at the end and inserting ''; or''; and

(3) by adding at the end the following new clause:

''(iii) any payment or other transaction referred to in paragraph (17)(A)(i) that does not qualify as an independent expenditure under paragraph (17)(A)(ii).''.

TITLE III—EXPENDITURES

Subtitle A—Personal Loans; Credit

SEC. 301. PERSONAL CONTRIBUTIONS AND LOANS.

Section 315 of FECA (2 U.S.C. 441a), as amended by section 122, is amended by adding at the end the following new subsection:

''(k) LIMITATIONS ON PAYMENTS TO CANDIDATES.—(1) If a candidate or a member of the candidate's immediate family made any loans to the candidate or to the candidate's authorized committees during any election cycle, no contributions after the date of the general election for such election cycle may be used to repay such loans.

''(2) No contribution by a candidate or member of the candidate's immediate family may be returned to the candidate or member other than as part of a pro rata distribution of excess contributions to all contributors.''.

SEC. 302. EXTENSIONS OF CREDIT.

Section 301(8)(A) of FECA (2 U.S.C. 431(8)(A)), as amended by section 201(b), is amended—

(1) by striking ''or'' at the end of clause (ii);

(2) by striking the period at the end of clause (iii) and inserting ''; or''; and

(3) by inserting at the end the following new clause:

''(iv) with respect to a candidate and the candidate's authorized committees, any extension of credit for goods or services relating to advertising on broadcasting stations, in newspapers or magazines, or by mailings, or relating to other similar types of general public political advertising, if such extension of credit is—

''(I) in an amount of more than $1,000; and

''(II) for a period greater than the period, not in excess of 60 days, for which credit is generally extended in the normal course of business after the date on which such goods or services are furnished or the date of the mailing in the case of advertising by a mailing.''.

Subtitle B—Provisions Relating to Soft Money of Political Parties

SEC. 311. CONTRIBUTIONS TO POLITICAL PARTY COMMITTEES.

(a) INDIVIDUAL CONTRIBUTIONS TO STATE PARTY.—Paragraph (1) of section 315(a) of FECA (2 U.S.C. 441a(a)(1)) is amended by striking ''or'' at the end of subparagraph (B), by redesignating subparagraph (C) as subparagraph (D), and by inserting after subparagraph (B) the following new subparagraph:

''(C) to political committees established and maintained by a State committee of a political party in any calendar year which, in the aggregate, exceed $10,000; or''.

(b) MULTICANDIDATE COMMITTEE CONTRIBUTIONS TO STATE PARTY.—Paragraph (2) of section 315(a) of FECA (2 U.S.C. 441a(a)(2)) is amended by striking ''or'' at the end of subparagraph (B), by redesignating subparagraph (C) as subparagraph (D), and by inserting after subparagraph (B) the following new subparagraph:

''(C) to political committees established and maintained by a State committee of a political party in any calendar year which, in the aggregate, exceed $10,000; or''.

(c) INCREASE IN OVERALL LIMIT.—Paragraph (3) of section 315(a) of FECA (2 U.S.C. 441a(a)(3)) is amended by adding at the end thereof the following new sentence: ''The limitation under this paragraph shall be increased (but not by more than $5,000) by the amount of contributions made by an individual during a calendar year to political committees which are taken into account for purposes of paragraph (1)(C).''.

SEC. 312. PROVISIONS RELATING TO NATIONAL, STATE, AND LOCAL PARTY COMMITTEES.

(a) EXPENDITURES BY STATE COMMITTEES IN CONNECTION WITH PRESIDENTIAL CAMPAIGNS.—Section 315(d) of FECA (2 U.S.C. 441a(d)) is amended by inserting at the end thereof the following new paragraph:

''(4) A State committee of a political party, including subordinate committees of that State committee, shall not make expenditures in connection with the general election campaign of a candidate for President of the United States who is affiliated with such party which, in the aggregate, exceed an amount equal to 4 cents multiplied by the voting age population of the State, as certified under subsection (e). This paragraph shall not authorize a committee to make expenditures for audio broadcasts (including television broadcasts) in excess of the amount which could have been made without regard to this paragraph.''.

(b) CONTRIBUTION AND EXPENDITURE EXCEPTIONS.—(1) Section 301(8)(B) of FECA (2 U.S.C. 431(8)(B)) is amended—

(A) in clause (xi), by striking ''direct mail'' and inserting ''mail''; and

(B) by repealing clauses (x) and (xii).

(2) Section 301(9)(B) of FECA (2 U.S.C. 431(9)(B)) is amended by repealing clauses (viii) and (ix).

(c) SOFT MONEY OF COMMITTEES OF POLITICAL PARTIES.—(1) Title III of FECA is amended by inserting after section 323 the following new section:

''POLITICAL PARTY COMMITTEES

''SEC. 324. (a) Any amount solicited, received, or expended directly or indirectly by a national, State, district, or local committee of a political party (including any subordinate committee) with respect to an activity which, in whole or in part, is in connection with an election to Federal office shall be subject in its entirety to the limitations, prohibitions, and reporting requirements of this Act.

''(b) For purposes of subsection (a)—

''(1) Any activity which is solely for the purpose of influencing an election for Federal office is in connection with an election for Federal office.

''(2) Except as provided in paragraph (3), any of the following activities during a Federal election period shall be treated as in connection with an election for Federal office:

''(A) Voter registration and get-out-the-vote activities.

''(B) Campaign activities, including broadcasting, newspaper, magazine, billboard, mass mail, and newsletter communications, and similar kinds of communications or public advertising that—

''(i) are generic campaign activities; or

''(ii) identify a Federal candidate regardless of whether a State or local candidate is also identified.

''(C) The preparation and dissemination of campaign materials that are part of a generic campaign activity or that identify a Federal candidate, regardless of whether a State or local candidate is also identified.

''(D) Development and maintenance of voter files.

''(E) Any other activity affecting (in whole or in part) an election for Federal office.

''(3) The following shall not be treated as in connection with a Federal election:

''(A) Any amount described in section 301(8)(B)(viii).

''(B) Any amount contributed to a candidate for other than Federal office.

''(C) Any amount received or expended in connection with a State or local political convention.

''(D) Campaign activities, including broadcasting, newspaper, magazine, billboard, mass mail, and newsletter communications, and similar kinds of communications or public advertising that are exclusively on behalf of State or local candidates and are not activities described in paragraph (2)(A).

''(E) Administrative expenses of a State or local committee of a political party, including expenses for—

''(i) overhead;

''(ii) staff (other than individuals devoting a substantial portion of their activities to elections for Federal office);

''(iii) meetings; and

''(iv) conducting party elections or caucuses.

''(F) Research pertaining solely to State and local candidates and issues.

''(G) Development and maintenance of voter files other than during a Federal election period.

''(H) Activities described in paragraph (2)(A) which are conducted other than during a Federal election period.

''(I) Any other activity which is solely for the purpose of influencing, and which solely affects, an election for non-Federal office.

''(4) For purposes of this subsection, the term 'Federal election period' means the period—

''(A) beginning on June 1, of any even-numbered calendar year (April 1 if an election to the office of President occurs in such year), and

''(B) ending on the date during such year on which regularly scheduled general elections for Federal office occur.

In the case of a special election, the Federal election period shall include at least the 60-day period ending on the date of the election.

''(c) SOLICITATION OF COMMITTEES.—(1) A national committee of a political party may not solicit or accept contributions not subject to the limitations, prohibitions, and reporting requirements of this Act.

''(2) Paragraph (1) shall not apply to contributions that—

''(A) are to be transferred to a State committee of a political party for use directly for activities described in subsection (b)(3); or

''(B) are to be used by the committee primarily to support such activities.

''(d) AMOUNTS RECEIVED FROM STATE AND LOCAL CANDIDATE COMMITTEES.—(1) For purposes of subsection (a), any amount received by a national, State, district, or local committee of a political party (including any

subordinate committee) from a State or local candidate committee shall be treated as meeting the requirements of subsection (a) and section 304(d) if—

''(A) such amount is derived from funds which meet the requirements of this Act with respect to any limitation or prohibition as to source or dollar amount, and

''(B) the State or local candidate committee—

''(i) maintains, in the account from which payment is made, records of the sources and amounts of funds for purposes of determining whether such requirements are met, and

''(ii) certifies to the other committee that such requirements were met.

''(2) Notwithstanding paragraph (1), any committee receiving any contribution described in paragraph (1) from a State or local candidate committee shall be required to meet the reporting requirements of this Act with respect to receipt of the contribution from such candidate committee.

''(3) For purposes of this subsection, a State or local candidate committee is a committee established, financed, maintained, or controlled by a candidate for other than Federal office.''.

(2) Section 315(d) of FECA (2 U.S.C. 441a(d)), as amended by subsection (a), is amended by adding at the end thereof the following new paragraph:

''(5)(A) The national committee of a political party, the congressional campaign committees of a political party, and a State or local committee of a political party, including a subordinate committee of any of the preceding committees, shall not make expenditures during any calendar year for activities described in section 324(b)(2) with respect to such State which, in the aggregate, exceed an amount equal to 30 cents multiplied by the voting age population of the State (as certified under subsection (e)).

''(B) Expenditures authorized under this paragraph shall be in addition to other expenditures allowed under this subsection, except that this paragraph shall not authorize a committee to make expenditures to which paragraph (3) or (4) applies in excess of the limit applicable to such expenditures under paragraph (3) or (4).

''(C) No adjustment to the limitation under this paragraph shall be made under subsection (c) before 1992 and the base period for purposes of any such adjustment shall be 1990.

''(D) For purposes of this paragraph—

''(i) a local committee of a political party shall only include a committee that is a political committee (as defined in section 301(4)); and

''(ii) a State committee shall not be required to record or report under this Act the expenditures of any other committee which are made independently from the State committee.''.

(3) Section 301(4) of FECA (2 U.S.C. 431(4)) is amended by adding at the end the following new sentence:

''For purposes of subparagraph (C), any payments for get-out-the-vote activities on behalf of candidates for office other than Federal office shall be treated as payments exempted from the definition of expenditure under paragraph (9) of this section.''.

(d) GENERIC ACTIVITIES.—Section 301 of FECA (2 U.S.C. 431), as amended by section 135, is amended by adding at the end thereof the following new paragraph:

''(31) The term 'generic campaign activity' means a campaign activity the preponderant purpose or effect of which is to promote a political party rather than any particular Federal or non-Federal candidate.''.

SEC. 313. RESTRICTIONS ON FUNDRAISING BY CANDIDATES AND OFFICEHOLDERS.

(a) STATE FUNDRAISING ACTIVITIES.—Section 315 of FECA (2 U.S.C. 441a), as amended by section 301, is amended by adding at the end thereof the following new subsection:

''(l) LIMITATIONS ON FUNDRAISING ACTIVITIES OF FEDERAL CANDIDATES AND OFFICEHOLDERS AND CERTAIN POLITICAL COMMITTEES.—(1) For purposes of this Act, a candidate for Federal office (or an individual holding Federal office) may not solicit funds to, or receive funds on behalf of, any Federal or non-Federal candidate or political committee—

''(A) which are to be expended in connection with any election for Federal office unless such funds are subject to the limitations, prohibitions, and requirements of this Act; or

''(B) which are to be expended in connection with any election for other than Federal office unless such funds are not in excess of amounts permitted with respect to Federal candidates and political committees under this Act, and are not from sources prohibited by this Act with respect to elections to Federal office.

''(2)(A) The aggregate amount which a person described in subparagraph (B) may solicit from a multicandidate political committee for State committees described in subsection (a)(1)(C) (including subordinate committees) for any calendar year shall not exceed the dollar amount in effect under subsection (a)(2)(B) for the calendar year.

''(B) A person is described in this subparagraph if such person is a candidate for Federal office, an individual holding Federal office, or any national, State, district, or local committee of a political party (including subordinate committees).

''(3) The appearance or participation by a candidate or individual in any activity (including fundraising) conducted by a committee of a political party or a candidate for other than Federal office shall not be treated as a solicitation for purposes of paragraph (1) if—

''(A) such appearance or participation is otherwise permitted by law; and

''(B) such candidate or individual does not solicit or receive, or make expenditures from, any funds resulting from such activity.

''(4) Paragraph (1) shall not apply to the solicitation or receipt of funds, or disbursements, by an individual who is a candidate for other than Federal office if such activity is permitted under State law.

''(5) For purposes of this subsection, an individual shall be treated as holding Federal office if such individual is described in section 101(f) of the Ethics in Government Act of 1978.''.

(b) TAX-EXEMPT ORGANIZATIONS.—Section 315 of FECA (2 U.S.C. 441a), as amended by subsection (a), is amended by adding at the end thereof the following new subsection:

''(m) TAX-EXEMPT ORGANIZATIONS.—(1) If during any period an individual is a candidate for, or holds, Federal office, such individual may not during such period solicit contributions to, or on behalf of, any organization which is described in section 501(c) of the Internal Revenue Code of 1986 if a significant portion of the activities of such organization include voter registration or get-out-the-vote campaigns.

''(2) For purposes of this subsection, an individual shall be treated as holding Federal office if such individual is described in section 101(f) of the Ethics in Government Act of 1978.''.

SEC. 314. REPORTING REQUIREMENTS.

(a) REPORTING REQUIREMENTS.—Section 304 of FECA (2 U.S.C. 434) is amended by adding at the end thereof the following new subsection:

''(d) POLITICAL COMMITTEES.—(1) The national committee of a political party and any congressional campaign committee, and any subordinate committee of either, shall report all receipts and disbursements during the reporting period, whether or not in connection with an election for Federal office.

''(2) A political committee (not described in paragraph (1)) to which section 324 applies shall report all receipts and disbursements in connection with a Federal election (as determined under section 324).

''(3) Any political committee to which section 324 applies shall include in its report under paragraph (1) or (2) the amount of any transfer described in section 324(c) and the reason for the transfer.

''(4) Any political committee to which paragraph (1) or (2) does not apply shall report any receipts or disbursements which are used in connection with a Federal election.

''(5) If any receipt or disbursement to which this subsection applies exceeds $200, the political committee shall include identification of the person from whom, or to whom, such receipt or disbursement was made.

''(6) Reports required to be filed by this subsection shall be filed for the same time periods required for political committees under subsection (a).''.

(b) REPORT OF EXEMPT CONTRIBUTIONS.—Section 301(8) of the Federal Election Campaign Act of 1971 (2 U.S.C. 431(8)) is amended by inserting at the end thereof the following:

''(C) The exclusions provided in clauses (v) and (viii) of subparagraph (B) shall not apply for purposes of any requirement to report contributions under this Act, and all such contributions in excess of $200 shall be reported.''.

(c) REPORTING OF EXEMPT EXPENDITURES.—Section 301(9) of the Federal Election Campaign Act of 1971 (2 U.S.C. 431(9)) is amended by inserting at the end thereof the following:

''(C) The exclusions provided in clause (iv) of subparagraph (B) shall not apply for purposes of any requirement to report expenditures under this Act, and all such expenditures in excess of $200 shall be reported.''.

(d) CONTRIBUTIONS AND EXPENDITURES OF POLITICAL COMMITTEES.—Section 301(4) of FECA (2 U.S.C. 431(4)) is amended by adding at the end the following: ''For purposes of this paragraph, the receipt of contributions or the making of, or obligating to make, expenditures shall be determined by the Commission on the basis of facts and circumstances, in whatever combination, demonstrating a purpose of influencing any election for Federal office, including, but not limited to, the representations made by any person soliciting funds about their intended uses; the identification by name of individuals who are candidates for Federal office or of any political party, in general public political advertising; and the proximity to any primary, runoff, or general election of general public political advertising designed or reasonably calculated to influence voter choice in that election.''.

(e) REPORTS BY STATE COMMITTEES.—Section 304 of FECA (2 U.S.C. 434), as amended by subsection (a), is amended by adding at the end thereof the following new subsection:

''(e) FILING OF STATE REPORTS.—In lieu of any report required to be filed by this Act, the Commission may allow a State committee of a political party to file with the Commission a report required to be filed under State law if the Commission determines such reports contain substantially the same information.''.

TITLE IV—CONTRIBUTIONS

SEC. 401. CONTRIBUTIONS THROUGH INTERMEDIARIES AND CONDUITS.

Section 315(a)(8) of FECA (2 U.S.C. 441a(a)(8)) is amended to read as follows:

''(8) For the purposes of this subsection:

''(A) Contributions made by a person, either directly or indirectly, to or on behalf of a particular candidate, including contribu-

tions that are in any way earmarked or otherwise directed through an intermediary or conduit to a candidate, shall be treated as contributions from the person to the candidate.

''(B) Contributions made directly or indirectly by a person to or on behalf of a particular candidate through an intermediary or conduit, including contributions made or arranged to be made by an intermediary or conduit, shall be treated as contributions from the intermediary or conduit to the candidate if—

''(i) the contributions made through the intermediary or conduit are in the form of a check or other negotiable instrument made payable to the intermediary or conduit rather than the intended recipient; or

''(ii) the intermediary or conduit is—

''(I) a political committee with a connected organization;

''(II) an officer, employee, or agent of such a political committee;

''(III) a political party;

''(IV) a partnership or sole proprietorship;

''(V) a person required to register under section 308 of the Federal Regulation of Lobbying Act (2 U.S.C. 267) or the Foreign Agents Registration Act of 1938 (22 U.S.C. 611 et seq.); or

''(VI) an organization prohibited from making contributions under section 316, or an officer, employee, or agent of such an organization acting on the organization's behalf.

''(C)(i) The term 'intermediary or conduit' does not include—

''(I) a candidate or representative of a candidate receiving contributions to the candidate's principal campaign committee or authorized committee;

''(II) a professional fundraiser compensated for fundraising services at the usual and customary rate;

''(III) a volunteer hosting a fundraising event at the volunteer's home, in accordance with section 301(8)(B); or

''(IV) an individual who transmits a contribution from the individual's spouse.

''(ii) The term 'representative' means an individual who is expressly authorized by the candidate to engage in fundraising, and who occupies a significant position within the candidate's campaign organization, provided that the individual is not described in subparagraph (B)(ii).

''(iii) The term 'contributions made or arranged to be made' includes—

''(I) contributions delivered to a particular candidate or the candidate's authorized committee or agent; and

''(II) contributions directly or indirectly arranged to be made to a particular candidate or the candidate's authorized committee or agent, in a manner that identifies directly or indirectly to the candidate or authorized committee or agent the person who arranged the making of the contributions or the person on whose behalf such person was acting.

''(iv) The term 'acting on the organization's behalf' includes the following activities by an officer, employee or agent of a person described in subparagraph (B)(ii)(IV):

''(I) Soliciting or directly or indirectly arranging the making of a contribution to a particular candidate in the name of, or by using the name of, such a person.

''(II) Soliciting or directly or indirectly arranging the making of a contribution to a particular candidate using other than incidental resources of such a person.

''(III) Soliciting contributions for a particular candidate by substantially directing the solicitations to other officers, employees, or agents of such a person.

''(D) Nothing in this paragraph shall prohibit—

''(i) bona fide joint fundraising efforts conducted solely for the purpose of sponsorship of a fundraising reception, dinner, or other similar event, in accordance with rules prescribed by the Commission, by—

''(I) 2 or more candidates;

''(II) 2 or more national, State, or local committees of a political party within the meaning of section 301(4) acting on their own behalf; or

''(III) a special committee formed by 2 or more candidates, or a candidate and a national, State, or local committee of a political party acting on their own behalf; or

''(ii) fundraising efforts for the benefit of a candidate that are conducted by another candidate.

''(iii) bona fide fundraising efforts conducted by and solely on behalf of an individual for the purpose of sponsorship of a fundraising reception, dinner, or other similar event, but only if all contributions are made directly to a candidate or a representative of a candidate.

When a contribution is made to a candidate through an intermediary or conduit, the intermediary or conduit shall report the original source and the intended recipient of the contribution to the Commission and to the intended recipient.''.

SEC. 402. CONTRIBUTIONS BY DEPENDENTS NOT OF VOTING AGE.

Section 315 of FECA (2 U.S.C. 441a), as amended by section 313(b), is amended by adding at the end the following new subsection:

''(n) For purposes of this section, any contribution by an individual who—

''(1) is a dependent of another individual; and

''(2) has not, as of the time of such contribution, attained the legal age for voting for elections to Federal office in the State in which such individual resides,

shall be treated as having been made by such other individual. If such individual is the dependent of another individual and such other individual's spouse, the contribution shall be allocated among such individuals in the manner determined by them.''.

SEC. 403. CONTRIBUTIONS TO CANDIDATES FROM STATE AND LOCAL COMMITTEES OF POLITICAL PARTIES TO BE AGGREGATED.

Section 315(a) of FECA (2 U.S.C. 441a(a)) is amended by adding at the end the following new paragraph:

''(9) A candidate for Federal office may not accept, with respect to an election, any contribution from a State or local committee of a political party (including any subordinate committee of such committee), if such contribution, when added to the total of contributions previously accepted from all such committees of that political party, exceeds a limitation on contributions to a candidate under this section.''.

SEC. 404. LIMITED EXCLUSION OF ADVANCES BY CAMPAIGN WORKERS FROM THE DEFINITION OF THE TERM "CONTRIBUTION".

Section 301(8)(B) of FECA (2 U.S.C. 431(8)(B)) is amended—

(1) in clause (xiii), by striking ''and'' after the semicolon at the end;

(2) in clause (xiv), by striking the period at the end and inserting: ''; and''; and

(3) by adding at the end the following new clause:

''(xv) any advance voluntarily made on behalf of an authorized committee of a candidate by an individual in the normal course of such individual's responsibilities as a volunteer for, or employee of, the committee, if the advance is reimbursed by the committee within 10 days after the date on which the advance is made, and the value of advances on behalf of a committee does not exceed $500 with respect to an election.''.

TITLE V—REPORTING REQUIREMENTS

SEC. 501. CHANGE IN CERTAIN REPORTING FROM A CALENDAR YEAR BASIS TO AN ELECTION CYCLE BASIS.

Paragraphs (2) through (7) of section 304(b) of FECA (2 U.S.C. 434(b)(2)–(7)) are amended by inserting after ''calendar year'' each place it appears the following: ''(election cycle, in the case of an authorized committee of a candidate for Federal office)''.

SEC. 502. PERSONAL AND CONSULTING SERVICES.

Section 304(b)(5)(A) of FECA (2 U.S.C. 434(b)(5)(A)) is amended by adding before the semicolon at the end the following: '', except that if a person to whom an expenditure is made is merely providing personal or consulting services and is in turn making expenditures to other persons (not including employees) who provide goods or services to the candidate or his or her authorized committees, the name and address of such other person, together with the date, amount and purpose of such expenditure shall also be disclosed''.

SEC. 503. REDUCTION IN THRESHOLD FOR REPORTING OF CERTAIN INFORMATION BY PERSONS OTHER THAN POLITICAL COMMITTEES.

Section 304(b)(3)(A) of FECA (2 U.S.C. 434(b)(3)(A)) is amended by striking ''$200'' and inserting ''$50''.

SEC. 504. COMPUTERIZED INDICES OF CONTRIBUTIONS.

Section 311(a) of FECA (2 U.S.C. 438(a)) is amended—

(1) by striking ''and'' at the end of paragraph (9);

(2) by striking the period at the end of paragraph (10) and inserting ''; and''; and

(3) by adding at the end the following new paragraph:

''(11) maintain computerized indices of contributions of $50 or more.''.

TITLE VI—FEDERAL ELECTION COMMISSION

SEC. 601. USE OF CANDIDATES' NAMES.

Section 302(e)(4) of FECA (2 U.S.C. 432(e)(4)) is amended to read as follows:

''(4)(A) The name of each authorized committee shall include the name of the candidate who authorized the committee under paragraph (1).

''(B) A political committee that is not an authorized committee shall not include the name of any candidate in its name or use the name of any candidate in any activity on behalf of such committee in such a context as to suggest that the committee is an authorized committee of the candidate or that the use of the candidate's name has been authorized by the candidate.''.

SEC. 602. REPORTING REQUIREMENTS.

(a) OPTION TO FILE MONTHLY REPORTS—Section 304(a)(2) of FECA (2 U.S.C. 434(a)(2)) is amended—

(1) in subparagraph (A) by striking ''and'' at the end;

(2) in subparagraph (B) by striking the period at the end and inserting ''; and''; and

(3) by inserting the following new subparagraph at the end:

''(C) in lieu of the reports required by subparagraphs (A) and (B), the treasurer may file monthly reports in all calendar years, which shall be filed no later than the 15th day after the last day of the month and shall be complete as of the last day of the month, except that, in lieu of filing the reports otherwise due in November and December of any year in which a regularly scheduled general election is held, a pre-primary election report and a pre-general election report shall be filed in accordance with subparagraph (A)(i), a post-general election report shall be filed in accordance with subparagraph (A)(ii), and a year end report shall be filed no

later than January 31 of the following calendar year.''.

(b) FILING DATE.—Section 304(a)(4)(B) of FECA (2 U.S.C. 434(a)(4)(B)) is amended by striking ''20th'' and inserting ''15th''.

SEC. 603. PROVISIONS RELATING TO THE GENERAL COUNSEL OF THE COMMISSION.

(a) VACANCY IN THE OFFICE OF GENERAL COUNSEL.—Section 306(f) of FECA (2 U.S.C. 437c(f)) is amended by adding at the end the following new paragraph:

''(5) In the event of a vacancy in the office of general counsel, the next highest ranking enforcement official in the general counsel's office shall serve as acting general counsel with full powers of the general counsel until a successor is appointed.''.

(b) PAY OF THE GENERAL COUNSEL.—Section 306(f)(1) of FECA (2 U.S.C. 437c(f)(1)) is amended—

(1) by inserting ''and the general counsel'' after ''staff director'' in the second sentence; and

(2) by striking the third sentence.

SEC. 604. ENFORCEMENT.

(a) BASIS FOR ENFORCEMENT PROCEEDING.—Section 309(a)(2) of FECA (2 U.S.C. 437g(a)(2)) is amended by striking ''it has reason to believe that a person has committed, or is about to commit'' and inserting ''facts have been alleged or ascertained that, if true, give reason to believe that a person may have committed, or may be about to commit''.

(b) AUTHORITY TO SEEK INJUNCTION.—(1) Section 309(a) of FECA (2 U.S.C. 437g(a)) is amended by adding at the end the following new paragraph:

''(13)(A) If, at any time in a proceeding described in paragraph (1), (2), (3), or (4), the Commission believes that—

''(i) there is a substantial likelihood that a violation of this Act or of chapter 95 or chapter 96 of the Internal Revenue Code of 1986 is occurring or is about to occur;

''(ii) the failure to act expeditiously will result in irreparable harm to a party affected by the potential violation;

''(iii) expeditious action will not cause undue harm or prejudice to the interests of others; and

''(iv) the public interest would be best served by the issuance of an injunction,

the Commission may initiate a civil action for a temporary restraining order or a temporary injunction pending the outcome of the proceedings described in paragraphs (1), (2), (3), and (4).

''(B) An action under subparagraph (A) shall be brought in the United States district court for the district in which the defendant resides, transacts business, or may be found.''.

(2) Section 309(a) of FECA (2 U.S.C. 437g(a)) is amended—

(A) in paragraph (7) by striking ''(5) or (6)'' and inserting ''(5), (6), or (13)''; and

(B) in paragraph (11) by striking ''(6)'' and inserting ''(6) or (13)''.

SEC. 605. PENALTIES.

(a) PENALTIES PRESCRIBED IN CONCILIATION AGREEMENTS.—(1) Section 309(a)(5)(A) of FECA (2 U.S.C. 437g(a)(5)(A)) is amended by striking ''which does not exceed the greater of $5,000 or an amount equal to any contribution or expenditure involved in such violation'' and inserting ''which is—

''(i) not less than 50 percent of all contributions and expenditures involved in the violation (or such lesser amount as the Commission provides if necessary to ensure that the penalty is not unjustly disproportionate to the violation); and

''(ii) not greater than all contributions and expenditures involved in the violation''.

(2) Section 309(a)(5)(B) of FECA (2 U.S.C. 437g(a)(5)(B)) is amended by striking ''which does not exceed the greater of $10,000 or an amount equal to 200 percent of any contribution or expenditure involved in such violation'' and inserting ''which is—

''(i) not less than all contributions and expenditures involved in the violation; and

''(ii) not greater than 150 percent of all contributions and expenditures involved in the violation''.

(b) PENALTIES WHEN VIOLATIONS ARE ADJUDICATED IN COURT.—(1) Section 309(a)(6)(A) of FECA (2 U.S.C. 437g(a)(6)(A)) is amended by striking all that follows ''appropriate order'' and inserting '', including an order for a civil penalty in the amount determined under subparagraph (A) or (B) in the district court of the United States for the district in which the defendant resides, transacts business, or may be found.''.

(2) Section 309(a)(6)(B) of FECA (2 U.S.C. 437g(a)(6)(B)) is amended by striking all that follows ''other order'' and inserting '', including an order for a civil penalty which is—

''(i) not less than all contributions and expenditures involved in the violation; and

''(ii) not greater than 200 percent of all contributions and expenditures involved in the violation,

upon a proper showing that the person involved has committed, or is about to commit (if the relief sought is a permanent or temporary injunction or a restraining order), a violation of this Act or chapter 95 of chapter 96 of the Internal Revenue Code of 1986.''.

(3) Section 309(a)(6)(C) of FECA (29 U.S.C. 437g(6)(C)) is amended by striking ''a civil penalty'' and all that follows and inserting ''a civil penalty which is—

''(i) not less than 200 percent of all contributions and expenditures involved in the violation; and

''(ii) not greater than 250 percent of all contributions and expenditures involved in the violation.''.

SEC. 606. RANDOM AUDITS.

Section 311(b) of FECA (2 U.S.C. 438(b)) is amended—

(1) by inserting ''(1)'' before ''The Commission''; and

(2) by adding at the end the following new paragraph:

''(2) Notwithstanding paragraph (1), the Commission may from time to time conduct random audits and investigations to ensure voluntary compliance with this Act. The subjects of such audits and investigations shall be selected on the basis of criteria established by vote of at least 4 members of the Commission to ensure impartiality in the selection process. This paragraph does not apply to an authorized committee of an eligible Senate candidate subject to audit under section 505(a) or an authorized committee of an eligible House of Representatives candidate subject to audit under section 605(a).''.

SEC. 607. PROHIBITION OF FALSE REPRESENTATION TO SOLICIT CONTRIBUTIONS.

Section 322 of FECA (2 U.S.C. 441h) is amended—

(1) by inserting after ''SEC. 322.'' the following: ''(a)''; and

(2) by adding at the end the following:

''(b) No person shall solicit contributions by falsely representing himself as a candidate or as a representative of a candidate, a political committee, or a political party.''.

SEC. 608. REGULATIONS RELATING TO USE OF NON-FEDERAL MONEY.

Section 306 of FECA (2 U.S.C. 437c) is amended by adding at the end the following new subsection:

''(g) The Commission shall promulgate rules to prohibit devices or arrangements which have the purpose or effect of undermining or evading the provisions of this Act restricting the use of non-Federal money to affect Federal elections.''.

TITLE VII—BALLOT INITIATIVE COMMITTEES

SEC. 701. DEFINITIONS RELATING TO BALLOT INITIATIVES.

Section 301 of FECA (2 U.S.C. 431), as amended by section 312(d), is amended by adding at the end the following new paragraphs:

''(32) The term 'ballot initiative political committee' means any committee, club, association, or other group of persons which makes ballot initiative expenditures or receives ballot initiative contributions in excess of $1,000 during a calendar year.

''(33) The term 'ballot initiative contribution' means any gift, subscription, loan, advance, or deposit of money or anything of value made by any person for the purpose of influencing the outcome of any referendum or other ballot initiative voted on at the State, commonwealth, territory, or District of Columbia level which involves—

''(A) interstate commerce;

''(B) the election of candidates for Federal office and the permissible terms of those so elected;

''(C) Federal taxation of individuals, corporations, or other entities; or

''(D) the regulation of speech or press, or any other right guaranteed under the United States Constitution.

''(34) The term 'ballot initiative expenditure' means any purchase, payment, distribution, loan, advance, deposit or gift of money or anything of value made by any person for the purpose of influencing the outcome of any referendum or other ballot initiative voted on at the state, commonwealth, territory, or District of Columbia level which involves—

''(A) interstate commerce;

''(B) the election of candidates for Federal office and the permissible terms of those so elected;

''(C) Federal taxation of individuals, corporations, or other entities; or

''(D) the regulation of speech or press, or any other right guaranteed under the United States Constitution.''.

SEC. 702. AMENDMENT TO DEFINITION OF CONTRIBUTION.

Section 301(8)(B) of FECA (2 U.S.C. 431(8)(B)), as amended by section 404, is amended—

(1) in clause (xiv), by striking ''and'' after the semicolon;

(2) in clause (xv), by striking the period and inserting ''; and''; and

(3) by adding at the end the following new clause:

''(xvi) a ballot initiative contribution.''.

SEC. 703. AMENDMENT TO DEFINITION OF EXPENDITURE.

Section 301(9)(B) of FECA (2 U.S.C. 431(9)(B)) is amended—

(1) in clause (ix)(3), by striking ''and'' after the semicolon;

(2) in clause (x), by striking the period and inserting ''; and''; and

(3) by adding at the end the following new clause:

''(xi) a ballot initiative expenditure.''.

SEC. 704. ORGANIZATION OF BALLOT INITIATIVE COMMITTEES.

Title III of FECA (2 U.S.C. 431 et seq.) is amended by inserting after section 302 (2 U.S.C. 432) the following new section:

''ORGANIZATION OF BALLOT INITIATIVE COMMITTEES

''SEC. 302A. (a) Every ballot initiative political committee shall have a treasurer. No ballot initiative contribution shall be accepted or ballot initiative expenditure shall be made by or on behalf of a ballot initiative political committee during any period in which the office of treasurer is vacant.

''(b)(1) Every person who receives a ballot initiative contribution for a ballot initiative political committee shall—

''(A) if the amount is $50 or less, forward to the treasurer such contribution no later than 30 days after receiving the contribution; and

''(B) if the amount of the ballot initiative contribution is in excess of $50, forward to the treasurer such contribution, the name, address, and occupation of the person making such contribution, and the date of receiving such contribution, no later than 10 days after receiving such contribution.

''(2) All funds of a ballot initiative political committee shall be segregated from, and may not be commingled with, the personal funds of any individual.

''(3) The treasurer of a ballot initiative political committee shall keep an account for—

''(A) all ballot initiative contributions received by or on behalf of such ballot initiative political committee;

''(B) the name and address of any person who makes a ballot initiative contribution in excess of $50, together with the date and amount of such ballot initiative contribution by any person;

''(C) the identification of any person who makes a ballot initiative contribution or ballot initiative contributions aggregating more than $200 during a calendar year, together with the date and amount of any such contribution;

''(D) the identification of any political committee or ballot initiative political committee which makes a ballot initiative contribution, together with the date and amount of any such contribution; and

''(E) the name and address of every person to whom any ballot initiative expenditure is made, the date, amount and purpose of such ballot initiative expenditure, and the name of the ballot initiative(s) to which the ballot initiative expenditure pertained.

''(c) The treasurer shall preserve all records required to be kept by this section 3 years after the report is filed.''.

SEC. 705. BALLOT INITIATIVE COMMITTEE REPORTING REQUIREMENTS.

Title III of FECA (2 U.S.C. 431 et seq.), as amended by section 103, is amended by inserting after section 30A (2 U.S.C. 434) the following new section:

''BALLOT INITIATIVE COMMITTEE REPORTING REQUIREMENTS

''SEC. 304B. (a)(1) Each treasurer of a ballot initiative political committee shall file reports of receipts and disbursements in accordance with the provisions of this subsection. The treasurer shall sign each such report.

''(2) All ballot initiative political committees shall file either—

''(A)(i) quarterly reports in each calendar year when a ballot initiative is slated regarding which the ballot initiative committee plans to make or makes a ballot initiative expenditure or plans to receive or receives a ballot initiative contribution, which shall be filed no later than the 15th day after the last day of each calendar quarter: except that the report for the quarter ending on December 31 of such calendar year shall be filed no later than January 31 of the following calendar year; and

''(ii) preballot initiative reports, which shall be filed 5 days before the occurrence of each ballot initiative in which the ballot initiative committee plans to make or has made a ballot initiative expenditure or plans to receive or has received a ballot initiative contribution; or

''(B) monthly reports in all calendar years which shall be filed no later than the 15th day after the last day of the month and shall be complete as of the last day of the month.

''(3) If a designation, report, or statement filed pursuant to this section (other than under paragraph (2)(A)(ii)) is sent by registered or certified mail, the United States postmark shall be considered the date of filing of the designation, report, or statement.

''(4) The reports required to be filed by this section shall be cumulative during the calendar year to which they relate, but where there has been no change in an item reported in a previous report during each year, only the amount need be carried forward.

''(b) Each report under this section shall disclose—

''(1) the amount of cash on hand at the beginning of the reporting period;

''(2) for the reporting period and the calendar year, the total amount of all receipts, and the total amount of all receipts in the following categories:

''(A) ballot initiative contributions from persons other than political committees;

''(B) ballot initiative contributions from political party committees;

''(C) ballot initiative contributions from other political committees and ballot initiative political committees;

''(D) transfers from affiliated political committees;

''(E) loans;

''(F) rebates, refunds, and other offsets to operating expenditures; and

''(G) dividends, interest, and other forms of receipts;

''(3) the identification of each—

''(A) person (other than a political committee or ballot initiative political committee) who makes a ballot initiative contribution to the reporting committee during the reporting period, whose ballot initiative contribution or ballot initiative contributions have an aggregate amount or value in excess of $50 within the calendar year, or in any lesser amount if the reporting committee should so elect, together with the date and amount of any such contribution and the address and occupation (if an individual) of the person;

''(B) political committee or ballot initiative political committee which makes a ballot initiative contribution to the reporting committee during the reporting period, together with the date and amount of any such contribution;

''(C) affiliated political committee or affiliated ballot initiative political committee which makes a transfer to the reporting committee during the reporting period;

''(D) person who makes a loan to the reporting committee during the reporting period, together with the identification of any endorser or guarantor of such loan, and the date and amount or value of such loan and the address and occupation (if an individual) of the person;

''(E) person who provides a rebate, refund, or other offset to operating expenditures to the reporting committee in an aggregate amount or value in excess of $200 within the calendar year, together with the date and amount of such receipt and the address and occupation (if an individual) of the person; and

''(F) person who provides any dividend, interest, or other receipt to the reporting committee in an aggregate value or amount in excess of $200 within the calendar year, together with the date and amount of any such receipt and the address and occupation (if an individual) of the person;

''(4) for the reporting period and the calendar year, the total amount of disbursements, and all disbursements in the following categories:

''(A) ballot initiative expenditures;

''(B) transfers to affiliated political committees or ballot initiative political committees;

''(C) ballot initiative contribution refunds and other offsets to ballot initiative contributions;

''(D) loans made by the reporting committee and the name of the person receiving the loan together with the date of the loan and the address and occupation (if an individual) of the person; and

''(E) independent expenditures; and

''(5) the total sum of all ballot initiative contributions to such ballot initiative political committee.''.

SEC. 706. ENFORCEMENT AMENDMENT.

Section 309 of FECA (2 U.S.C. 437g) is amended by adding at the end the following new subsection:

''(e) The civil penalties of this Act shall apply to the organization, recordkeeping, and reporting requirements of a ballot initiative political committee under section 302A or 304B, insofar as such committee conducts activities solely for the purpose of influencing a ballot initiative and not for the purpose of influencing any election for Federal office.''.

SEC. 707. PROHIBITION OF CONTRIBUTIONS IN THE NAME OF ANOTHER.

Section 320 of FECA (2 U.S.C. 441f) is amended to read as follows:

''PROHIBITION OF CONTRIBUTIONS IN THE NAME OF ANOTHER

''SEC. 320. No person shall make a contribution or ballot initiative contribution in the name of another person or knowingly permit his name to be used to effect such a contribution or ballot initiative contribution, and no person shall knowingly accept a contribution or ballot initiative contribution made by one person in the name of another person.''.

SEC. 708. LIMITATION ON CONTRIBUTION OF CURRENCY.

Section 321 of FECA (2 U.S.C. 441g) is amended to read as follows:

''LIMITATION ON CONTRIBUTION OF CURRENCY

''SEC. 321. No person shall make contributions or ballot initiative contributions of currency of the United States or currency of any foreign country which in the aggregate, exceed $100, to or for the benefit of—

''(1) any candidate for nomination for election, or for election, to Federal office;

''(2) any political committee (other than a ballot initiative political committee) for the purpose of influencing an election for Federal office; or

''(3) any ballot initiative political committee for the purpose of influencing a ballot initiative.''.

TITLE VIII—MISCELLANEOUS

SEC. 801. PROHIBITION OF LEADERSHIP COMMITTEES.

Section 302(e) of FECA (2 U.S.C. 432(e)) is amended—

(1) by amending paragraph (3) to read as follows:

''(3) No political committee that supports or has supported more than one candidate may be designated as an authorized committee, except that—

''(A) a candidate for the office of President nominated by a political party may designate the national committee of such political party as the candidate's principal campaign committee, but only if that national committee maintains separate books of account with respect to its functions as a principal campaign committee; and

''(B) a candidate may designate a political committee established solely for the purpose of joint fundraising by such candidates as an authorized committee.''; and

(2) by adding at the end the following new paragraph:

''(6)(A) A candidate for Federal office or any individual holding Federal office may not establish, maintain, or control any political committee other than a principal campaign committee of the candidate, authorized committee, party committee, or other political committee designated in accordance with paragraph (3). A candidate for more than one Federal office may designate

a separate principal campaign committee for each Federal office.

''(B) For one year after the effective date of this paragraph, any such political committee may continue to make contributions. At the end of that period such political committee shall disburse all funds by one or more of the following means: making contributions to an entity qualified under section 501(c)(3) of the Internal Revenue Code of 1986; making a contribution to the treasury of the United States; contributing to the national, State or local committees of a political party; or making contributions not to exceed $1,000 to candidates for elective office.''.

SEC. 802. POLLING DATA CONTRIBUTED TO CANDIDATES.

Section 301(8) of FECA (2 U.S.C. 431(8)), as amended by section 314(b), is amended by inserting at the end the following new subparagraph:

''(D) A contribution of polling data to a candidate shall be valued at the fair market value of the data on the date the poll was completed, depreciated at a rate not more than 1 percent per day from such date to the date on which the contribution was made.''.

SEC. 803. DEBATES BY GENERAL ELECTION CANDIDATES WHO RECEIVE AMOUNTS FROM THE PRESIDENTIAL ELECTION CAMPAIGN FUND.

Section 315(b) of FECA (2 U.S.C. 441a(b)) is amended by adding at the end the following new paragraph:

''(3)(A) The candidates of a political party for the offices of President and Vice President who are eligible under section 9003 of the Internal Revenue Code of 1986 to receive payments from the Secretary of the Treasury shall not receive such payments unless both of such candidates agree in writing—

''(i) that the candidate for the office of President will participate in at least 4 debates, sponsored by a nonpartisan or bipartisan organization, with all other candidates for that office who are eligible under that section; and

''(ii) that the candidate of the party for the office of Vice President will participate in at least 1 debate, sponsored by a nonpartisan or bipartisan organization, with all other candidates for that office who are eligible under that section.

''(B) If the Commission determines that either of the candidates of a political party failed to participate in a debate under subparagraph (A) and was responsible at least in part for such failure, the candidate of the party involved shall—

''(i) be ineligible to receive payments under section 9006 of the Internal Revenue Code of 1986; and

''(ii) pay to the Secretary of the Treasury an amount equal to the amount of the payments made to the candidate under that section.''.

SEC. 804. PROHIBITION OF CERTAIN ELECTION-RELATED ACTIVITIES OF FOREIGN NATIONALS.

Section 319 of FECA (2 U.S.C. 441e) is amended by adding at the end the following new subsections:

''(c) A foreign national shall not directly or indirectly direct, control, influence or participate in any person's election-related activities, such as the making of contributions or expenditures in connection with elections for any local, State, or Federal office or the administration of a political committee.

''(d) A nonconnected political committee or the separate segregated fund established in accordance with section 316(b)(2)(C) or any other organization or committee involved in the making of contributions or expenditures in connection with elections for any Federal, State, or local office shall include the following statement on all printed materials produced for the purpose of soliciting contributions:

'''It is unlawful for a foreign national to make any contribution of money or other thing of value to a political committee.'.''.

SEC. 805. AMENDMENT TO FECA SECTION 316.

Section 316(b) of FECA (2 U.S.C. 441b(b)) is amended—

(1) by inserting ''(A)'' at the beginning of paragraph (2) and redesignating subparagraphs (A), (B), and (C) as clauses (i), (ii), and (iii), respectively;

(2) at the beginning of the first sentence in subparagraph (A), by inserting the following: ''Except as provided in subparagraph (B),''; and

(3) by adding at the end of paragraph (2) the following:

''(B) Expenditures by a corporation or labor organization for candidate appearances, candidate debates and voter guides directed to the general public shall be considered contributions unless—

''(i) in the case of a candidate appearance, the appearance takes place on corporate or labor organization premises or at a meeting or convention of the corporation or labor organization, and all candidates for election to that office are notified that they may make an appearance under the same or similar conditions;

''(ii) in the case of a candidate debate, the organization staging the debate is either an organization described in section 301 whose broadcasts or publications are supported by commercial advertising, subscriptions or sales to the public, including a noncommercial educational broadcaster, or a nonprofit organization exempt from Federal taxation under section 501(c)(3) or 501(c)(4) of the Internal Revenue Code of 1986 that does not endorse, support, oppose candidates or political parties; and

''(iii) in the case of a voter guide, the guide is prepared and distributed by a corporation or labor organization and consists of questions posed to at least two candidates for election to that office,

except that no communication made by a corporation or labor organization in connection with the candidate appearance, candidate debate or voter guide contains express advocacy, or that no candidate is favored through the structure or format of the candidate appearance, candidate debate or voter guide.''.

SEC. 806. TELEPHONE VOTING BY PERSONS WITH DISABILITIES.

(a) STUDY OF SYSTEMS TO PERMIT PERSONS WITH DISABILITIES TO VOTE BY TELEPHONE.—

(1) IN GENERAL.—The Federal Election Commission shall conduct a study to determine the feasibility of developing a system or systems by which persons with disabilities may be permitted to vote by telephone.

(2) CONSULTATION.—The Federal Election Commission shall conduct the study described in paragraph (1) in consultation with State and local election officials, representatives of the telecommunications industry, representatives of persons with disabilities, and other concerned members of the public.

(3) CRITERIA.—The system or systems developed pursuant to paragraph (1) shall—

(A) propose a description of the kinds of disabilities that impose such difficulty in travel to polling places that a person with a disability who may desire to vote is discouraged from undertaking such travel;

(B) propose procedures to identify persons who are so disabled; and

(C) describe procedures and equipment that may be used to ensure that—

(i) only those persons who are entitled to use the system are permitted to use it;

(ii) the votes of persons who use the system are recorded accurately and remain secret;

(iii) the system minimizes the possibility of vote fraud; and

(iv) the system minimizes the financial costs that State and local governments would incur in establishing and operating the system.

(4) REQUESTS FOR PROPOSALS.—In developing a system described in paragraph (1), the Federal Election Commission may request proposals from private contractors for the design of procedures and equipment to be used in the system.

(5) PHYSICAL ACCESS.—Nothing in this section is intended to supersede or supplant efforts by State and local governments to make polling places physically accessible to persons with disabilities.

(6) DEADLINE.—The Federal Election Commission shall submit to Congress the study required by this section not later than 1 year after the date of enactment of this Act.

SEC. 807. PROHIBITION OF USE OF GOVERNMENT AIRCRAFT IN CONNECTION WITH ELECTIONS FOR FEDERAL OFFICE.

Title III of FECA (2 U.S.C. 431 et seq.), as amended by section 312(c) is amended by adding at the end the following new section:0

''PROHIBITION OF USE OF GOVERNMENT AIRCRAFT IN CONNECTION WITH ELECTIONS FOR FEDERAL OFFICE

''SEC. 325. (a) No aircraft that is owned or operated by the Government (including any aircraft that is owned or operated by the Department of Defense) may be used in connection with an election for Federal office.

''(b)(1) Subsection (a) shall not apply to travel provided to the President or Vice President.

''(2) The portion of the cost of any travel provided to the President or Vice President that is allocable to activities in connection with an election for Federal office shall be paid by the authorized committee of the President. Such portion shall be paid within 10 days of the travel. For purposes of this section, travel which is in any part related to campaign activity, shall be treated as in connection with an election for Federal office, and the payment for such travel shall be sufficient to reflect that portion which is campaign-related.

''(3) The actual costs and payment for costs of any travel provided to the President and Vice President shall be disclosed in accordance with section 304.''.

SEC. 808. SENSE OF THE CONGRESS.

The Congress should consider legislation that would provide for an amendment to the Constitution to set reasonable limits on campaign expenditures in Federal elections.

TITLE IX—EFFECTIVE DATES; AUTHORIZATIONS

SEC. 901. EFFECTIVE DATE.

Except as otherwise provided in this Act, the amendments made by, and the provisions of, this Act shall take effect on the date of the enactment of this Act but shall not apply with respect to activities in connection with any election occurring before January 1, 1993.

SEC. 902. BUDGET NEUTRALITY.

(a) DELAYED EFFECTIVENESS.—The provisions of this Act (other than this section) shall not be effective until the estimated costs under section 252 of the Balanced Budget and Emergency Deficit Control Act of 1985 have been offset by the enactment of subsequent legislation effectuating this Act.

(b) SENSE OF CONGRESS.—It is the sense of the Congress that subsequent legislation effectuating this Act shall not provide for general revenue increases, reduce expenditures for any existing Federal program, or increase the Federal budget deficit.

SEC. 903. SEVERABILITY.

Except as provided in sections 101(c) and 121(b), if any provision of this Act (including any amendment made by this Act), or the application of any such provision to any per-

son or circumstance, is held invalid, the validity of any other provision of this Act, or the application of such provision to other persons and circumstances, shall not be affected thereby.

SEC. 904. EXPEDITED REVIEW OF CONSTITUTIONAL ISSUES.

(a) DIRECT APPEAL TO SUPREME COURT.—An appeal may be taken directly to the Supreme Court of the United States from any interlocutory order or final judgment, decree, or order issued by any court ruling on the constitutionality of any provision of this Act or amendment made by this Act.

(b) ACCEPTANCE AND EXPEDITION.—The Supreme Court shall, if it has not previously ruled on the question addressed in the ruling below, accept jurisdiction over, advance on the docket, and expedite the appeal to the greatest extent possible.

And the House agree to the same.

That the Senate recede from its disagreement to the amendment of the House to the title of the bill and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the amendment of the House to the title of the bill, insert the following: ''An Act to amend the Federal Election Campaign Act of 1971 to provide for a voluntary system of spending limits and benefits for congressional election campaigns, and for other purposes.''.

And the House agree to the same.

CHARLIE ROSE,
SAM GEJDENSON,
RICHARD GEPHARDT,
AL SWIFT,
LEON E. PANETTA,
MIKE SYNAR,
GERALD D. KLECZKA,

For consideration of sections 103 and 202 of the Senate bill, section 802 of the House amendment, and modifications committed to conference:

EDWARD J. MARKEY,

For consideration of sections 104, 404, 409, and 411 of the Senate bill, section 103 of the House amendment, and modifications committed to conference:

W.L. CLAY,
FRANK MCCLOSKEY,
Managers on the Part of the House.

WENDELL H. FORD,
DAVID L. BOREN,
GEORGE MITCHELL,
Managers on the Part of the Senate.

When said conference report was considered.

After debate,

Mr. GEJDENSON moved the previous question on the conference report to its adoption or rejection.

The question being put, viva voce,

Will the House now order the previous question?

The SPEAKER pro tempore, Mr. ECKART, announced that the yeas had it.

Mr. WALKER objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 4, rule XV, and the call was taken by electronic device.

When there appeared { Yeas ..... 260 / Nays ..... 161 }

¶43.10 [Roll No. 77]

YEAS—260

Abercrombie, Ackerman, Alexander, Anderson, Andrews (ME), Andrews (NJ), Andrews (TX), Annunzio, Anthony, Aspin, Atkins, AuCoin, Bacchus, Beilenson, Bennett, Berman, Bevill, Bilbray, Blackwell, Bonior, Borski, Boucher, Boxer, Brewster, Brooks, Browder, Brown, Bruce, Bryant, Bustamante, Byron, Campbell (CO), Cardin, Carper, Carr, Chapman, Clay, Clement, Coleman (TX), Collins (IL), Collins (MI), Condit, Conyers, Cooper, Cox (IL), Coyne, Cramer, Darden, de la Garza, DeFazio, DeLauro, Dellums, Derrick, Dicks, Dixon, Donnelly, Dooley, Dorgan (ND), Downey, Durbin, Dwyer, Early, Eckart, Edwards (CA), Edwards (TX), Engel, English, Erdreich, Espy, Evans, Fascell, Fazio, Feighan, Fish, Flake, Foglietta, Ford (MI), Ford (TN), Frank (MA), Frost, Gaydos, Gejdenson, Gephardt, Geren, Gibbons, Glickman, Gonzalez, Gordon, Green, Guarini, Hall (OH), Hall (TX), Hamilton, Harris, Hatcher, Hayes (IL), Hayes (LA), Hefner, Hoagland, Hochbrueckner, Horn, Hoyer, Hubbard, Huckaby, Hughes, Hutto, Jefferson, Jenkins, Johnson (SD), Johnston, Jones (GA), Jones (NC), Jontz, Kanjorski, Kaptur, Kennedy, Kennelly, Kildee, Kleczka, Klug, Kolter, Kopetski, Kostmayer, LaFalce, Lancaster, Lantos, LaRocco, Laughlin, Leach, Lehman (CA), Lehman (FL), Levin (MI), Lewis (GA), Lipinski, Lloyd, Long, Lowey (NY), Luken, Manton, Markey, Marlenee, Martinez, Matsui, Mavroules, Mazzoli, McCloskey, McCurdy, McDermott, McHugh, McMillen (MD), McNulty, Mfume, Miller (CA), Mineta, Mink, Moakley, Mollohan, Montgomery, Moody, Moran, Mrazek, Murtha, Nagle, Natcher, Neal (MA), Neal (NC), Nowak, Oakar, Oberstar, Obey, Olin, Olver, Ortiz, Orton, Owens (NY), Owens (UT), Pallone, Panetta, Parker, Pastor, Patterson, Payne (NJ), Payne (VA), Pease, Pelosi, Penny, Perkins, Peterson (FL), Peterson (MN), Pickett, Pickle, Poshard, Price, Rahall, Rangel, Ray, Reed, Richardson, Roe, Roemer, Rose, Rostenkowski, Rowland, Roybal, Sabo, Sanders, Sangmeister, Sarpalius, Savage, Sawyer, Scheuer, Schroeder, Schumer, Serrano, Sharp, Sikorski, Sisisky, Skaggs, Skelton, Slattery, Slaughter, Smith (FL), Snowe, Solarz, Spratt, Staggers, Stallings, Stark, Stenholm, Stokes, Studds, Swett, Swift, Synar, Tallon, Tanner, Tauzin, Taylor (MS), Thomas (GA), Thornton, Torres, Torricelli, Towns, Traficant, Traxler, Unsoeld, Valentine, Vento, Visclosky, Volkmer, Washington, Waters, Waxman, Weiss, Williams, Wilson, Wise, Wolpe, Wyden, Yatron

NAYS—161

Allard, Allen, Applegate, Archer, Armey, Baker, Ballenger, Barrett, Barton, Bateman, Bentley, Bereuter, Bilirakis, Bliley, Boehlert, Boehner, Broomfield, Bunning, Burton, Callahan, Camp, Campbell (CA), Chandler, Clinger, Coble, Coleman (MO), Combest, Coughlin, Cox (CA), Crane, Cunningham, Davis, DeLay, Dickinson, Doolittle, Dornan (CA), Dreier, Duncan, Edwards (OK), Emerson, Ewing, Fawell, Fields, Franks (CT), Gallegly, Gallo, Gekas, Gilchrest, Gillmor, Gilman, Gingrich, Goodling, Goss, Gradison, Grandy, Gunderson, Hammerschmidt, Hancock, Hansen, Hastert, Hefley, Henry, Herger, Hobson, Holloway, Hopkins, Horton, Houghton, Hunter, Hyde, Inhofe, Ireland, Jacobs, James, Johnson (CT), Johnson (TX), Kasich, Kolbe, Kyl, Lagomarsino, Lent, Lewis (CA), Lewis (FL), Lightfoot, Livingston, Lowery (CA), Machtley, McCandless, McCollum, McCrery, McDade, McEwen, McGrath, McMillan (NC), Meyers, Michel, Miller (OH), Miller (WA), Molinari, Moorhead, Morella, Morrison, Murphy, Myers, Nichols, Nussle, Oxley, Packard, Paxon, Petri, Porter, Pursell, Quillen, Ramstad, Ravenel, Regula, Rhodes, Ridge, Riggs, Rinaldo, Ritter, Roberts, Rogers, Rohrabacher, Ros-Lehtinen, Roth, Roukema, Santorum, Saxton, Schaefer, Schiff, Schulze, Sensenbrenner, Shaw, Shays, Shuster, Skeen, Smith (NJ), Smith (OR), Smith (TX), Solomon, Spence, Stearns, Stump, Sundquist, Taylor (NC), Thomas (CA), Thomas (WY), Upton, Vander Jagt, Vucanovich, Walker, Walsh, Weber, Weldon, Wolf, Wylie, Young (AK), Young (FL), Zeliff, Zimmer

NOT VOTING—13

Barnard, Costello, Dannemeyer, Dingell, Dymally, Hertel, Levine (CA), Martin, Russo, Smith (IA), Wheat, Whitten, Yates

So the previous question on the conference report was ordered.

Mr. WALSH moved to recommit the conference report on S. 3 to the committee of conference with the following instructions to the managers on the part of the House to include in the conference report the provisions of H.R. 3770, including: (1) The requirement that a majority of a candidate's contributions come from individuals residing in the candidate's district; (2) A limit of $1,000 on PAC contributions to candidates; (3) A total ban on soft money contributions to political parties; and (4) To further include the requirement that no taxpayer dollars may be used to finance congressional campaigns.

Pending consideration of said motion,

¶43.11 POINT OF ORDER

Mr. GEJDENSON made a point of order against motion, and said:

''Mr. Speaker, I would make a point of order that the instructions exceed the scope of the conference report. It is clear that the requirement of in-district funding is beyond the scope of the conference report, and I would move that therefore the motion to recommit should be ruled out of order.''.

Mr. LEACH was recognized to speak to the point of order and said:

''Mr. Speaker, there are two issues that this Member would like to make. One is that in his belief this is thoroughly and utterly germane.

''The second point is how extraordinary it is that the party of alleged

reform may or may not want to block real reform.''.

The SPEAKER pro tempore, Mr. ECKART, sustained the point of order, and said:

''The Chair is prepared to rule.

''The gentleman from Connecticut [Mr. GEJDENSON] makes a point of order against the motion offered by the gentleman from New York [Mr. WALSH] on the ground that the instructions therein exceed the scope of the conference.

''The motion offered by the gentleman from New York proposes to instruct the managers on the part of the House to include in the conference report three features of a separate bill, H.R. 3770. Each of these three initiatives falls outside the matters committed to the conference as disagreements between the Senate bill and the House amendment thereto.

''Therefore, under clause 3 of rule XXVIII, a conference report may not include a matter although germane that was not committed to the conference of either House.

''In the opinion of the Chair, the instructions proposed in the motion offered by the gentleman from New York exceed the scope of the differences committed to the conference, and the point of order is sustained.''.

Mr. WALSH moved to recommit the conference report on the bill of the Senate (S. 3) to amend the Federal Election Campaign Act of 1971 to provide for a voluntary system of spending limits for Senate election campaigns, and for other purposes, to the committee of conference with the following instructions to the managers on the part of the House to strip all sections from the bill that allow for public financing of subsidies of congressional campaigns, to wit sections providing for matching payments to candidates, voter communication vouchers, and reduced postal rate subsidies for candidates.

By unanimous consent, the previous question was ordered on the motion to recommit with instructions.

The question being put, viva voce,

Will the House recommit said conference report with instructions?

The SPEAKER pro tempore, Mr. ECKART, announced that the nays had it.

Mr. WALSH demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the negative ..... { Yeas ..... 179 / Nays ..... 243 }

¶43.12 [Roll No. 78]

YEAS—179

Allard	Barrett	Bliley
Allen	Barton	Boehner
Applegate	Bateman	Broomfield
Archer	Bennett	Bunning
Armey	Bentley	Burton
Baker	Bereuter	Byron
Ballenger	Bilirakis	Callahan
Camp	Houghton	Regula
Campbell (CA)	Huckaby	Rhodes
Carr	Hunter	Ridge
Chandler	Hutto	Riggs
Clinger	Hyde	Rinaldo
Coble	Inhofe	Ritter
Coleman (MO)	Ireland	Roberts
Combest	James	Rogers
Condit	Johnson (CT)	Rohrabacher
Coughlin	Johnson (TX)	Ros-Lehtinen
Cox (CA)	Kasich	Roth
Crane	Kolbe	Roukema
Cunningham	Kyl	Santorum
Davis	Lagomarsino	Sarpalius
DeLay	Lent	Sawyer
Dickinson	Lewis (CA)	Saxton
Doolittle	Lewis (FL)	Schaefer
Dornan (CA)	Lightfoot	Schiff
Dreier	Livingston	Schulze
Duncan	Lowery (CA)	Sensenbrenner
Early	Machtley	Shaw
Edwards (OK)	Marlenee	Shuster
Emerson	McCandless	Skeen
Ewing	McCollum	Smith (NJ)
Fawell	McCrery	Smith (OR)
Fields	McDade	Smith (TX)
Fish	McEwen	Snowe
Franks (CT)	McGrath	Solomon
Gallegly	McMillan (NC)	Spence
Gallo	Meyers	Stearns
Gekas	Michel	Stump
Geren	Miller (OH)	Sundquist
Gilchrest	Molinari	Tauzin
Gillmor	Montgomery	Taylor (MS)
Gingrich	Moorhead	Taylor (NC)
Goodling	Morrison	Thomas (CA)
Goss	Murphy	Thomas (WY)
Gradison	Myers	Traficant
Grandy	Nagle	Upton
Gunderson	Nichols	Vander Jagt
Hall (TX)	Nussle	Volkmer
Hammerschmidt	Orton	Vucanovich
Hancock	Oxley	Walker
Hansen	Packard	Walsh
Hastert	Parker	Weber
Hayes (LA)	Patterson	Weldon
Hefley	Paxon	Wolf
Henry	Pickle	Wylie
Herger	Porter	Yatron
Hobson	Pursell	Young (AK)
Holloway	Quillen	Young (FL)
Hopkins	Ramstad	Zeliff
Horton	Ravenel	

NAYS—243

Abercrombie	de la Garza	Hayes (IL)
Ackerman	DeFazio	Hefner
Alexander	DeLauro	Hertel
Anderson	Dellums	Hoagland
Andrews (ME)	Derrick	Hochbrueckner
Andrews (NJ)	Dicks	Horn
Andrews (TX)	Dixon	Hoyer
Annunzio	Donnelly	Hubbard
Anthony	Dooley	Hughes
Aspin	Dorgan (ND)	Jacobs
Atkins	Downey	Jefferson
AuCoin	Durbin	Jenkins
Bacchus	Dwyer	Johnson (SD)
Beilenson	Dymally	Johnston
Berman	Eckart	Jones (GA)
Bevill	Edwards (CA)	Jones (NC)
Bilbray	Edwards (TX)	Jontz
Blackwell	Engel	Kanjorski
Boehlert	English	Kaptur
Bonior	Erdreich	Kennelly
Borski	Espy	Kildee
Boucher	Evans	Kleczka
Boxer	Fascell	Klug
Brewster	Fazio	Kolter
Brooks	Feighan	Kopetski
Browder	Flake	Kostmayer
Brown	Foglietta	LaFalce
Bruce	Ford (MI)	Lancaster
Bryant	Ford (TN)	Lantos
Bustamante	Frank (MA)	LaRocco
Campbell (CO)	Frost	Laughlin
Cardin	Gaydos	Leach
Carper	Gejdenson	Lehman (CA)
Chapman	Gephardt	Lehman (FL)
Clay	Gibbons	Levin (MI)
Clement	Gilman	Lipinski
Coleman (TX)	Glickman	Lloyd
Collins (IL)	Gonzalez	Long
Collins (MI)	Gordon	Lowey (NY)
Conyers	Green	Luken
Cooper	Guarini	Manton
Cox (IL)	Hall (OH)	Markey
Coyne	Hamilton	Martinez
Cramer	Harris	Matsui
Darden	Hatcher	Mavroules
Mazzoli	Pease	Slaughter
McCloskey	Pelosi	Smith (FL)
McCurdy	Penny	Solarz
McDermott	Perkins	Spratt
McHugh	Peterson (FL)	Staggers
McMillen (MD)	Peterson (MN)	Stallings
McNulty	Petri	Stark
Mfume	Pickett	Stenholm
Miller (CA)	Poshard	Stokes
Miller (WA)	Price	Studds
Mineta	Rahall	Swett
Mink	Rangel	Swift
Moakley	Ray	Synar
Mollohan	Reed	Tallon
Moody	Richardson	Tanner
Moran	Roe	Thomas (GA)
Morella	Roemer	Thornton
Mrazek	Rose	Torres
Murtha	Rostenkowski	Torricelli
Natcher	Rowland	Towns
Neal (MA)	Roybal	Traxler
Neal (NC)	Sabo	Unsoeld
Nowak	Sanders	Valentine
Oakar	Sangmeister	Vento
Oberstar	Savage	Visclosky
Obey	Scheuer	Washington
Olin	Schroeder	Waters
Olver	Schumer	Waxman
Ortiz	Serrano	Weiss
Owens (NY)	Sharp	Wheat
Owens (UT)	Shays	Williams
Pallone	Sikorski	Wilson
Panetta	Sisisky	Wise
Pastor	Skaggs	Wolpe
Payne (NJ)	Skelton	Wyden
Payne (VA)	Slattery	Zimmer

NOT VOTING—12

Barnard	Kennedy	Russo
Costello	Levine (CA)	Smith (IA)
Dannemeyer	Lewis (GA)	Whitten
Dingell	Martin	Yates

So the motion to recommit said conference report with instructions was not agreed to.

A motion to reconsider the vote whereby said conference report was not recommitted with instructions was, by unanimous consent, laid on the table.

The question being put, viva voce,

Will the House agree to said conference report?

The SPEAKER pro tempore, Mr. ECKART, announced that the yeas had it.

Mr. GEJDENSON demanded a recorded vote on agreeing to said conference report, 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 ..... 259 / Nays ..... 165 }

¶43.13 [Roll No. 79]

AYES—259

Abercrombie	Browder	Dellums
Ackerman	Brown	Derrick
Alexander	Bruce	Dicks
Anderson	Bryant	Dingell
Andrews (ME)	Bustamante	Dixon
Andrews (NJ)	Byron	Donnelly
Andrews (TX)	Campbell (CO)	Dooley
Annunzio	Cardin	Dorgan (ND)
Anthony	Carper	Downey
Aspin	Chapman	Duncan
Atkins	Clay	Durbin
AuCoin	Clement	Dwyer
Bacchus	Coleman (TX)	Dymally
Beilenson	Collins (IL)	Early
Berman	Collins (MI)	Eckart
Bevill	Condit	Edwards (CA)
Bilbray	Conyers	Edwards (TX)
Blackwell	Cooper	Engel
Boehlert	Cox (IL)	English
Bonior	Coyne	Erdreich
Borski	Cramer	Espy
Boucher	Darden	Evans
Boxer	de la Garza	Fascell
Brewster	DeFazio	Fazio
Brooks	DeLauro	Feighan

Fish
Flake
Foglietta
Ford (MI)
Ford (TN)
Frank (MA)
Gejdenson
Gephardt
Gibbons
Gilman
Glickman
Gonzalez
Gordon
Green
Guarini
Hall (OH)
Hamilton
Harris
Hatcher
Hayes (IL)
Hefner
Hertel
Hoagland
Hochbrueckner
Horn
Hoyer
Hubbard
Hughes
Jacobs
Jefferson
Jenkins
Johnson (SD)
Johnston
Jones (GA)
Jones (NC)
Jontz
Kanjorski
Kaptur
Kennedy
Kennelly
Kildee
Kleczka
Klug
Kolter
Kopetski
Kostmayer
LaFalce
Lancaster
Lantos
LaRocco
Laughlin
Leach
Lehman (CA)
Lehman (FL)
Levin (MI)
Lewis (GA)
Lipinski
Lloyd
Long
Lowey (NY)
Luken
Machtley
Manton
Markey
Marlenee
Martinez
Matsui
Mavroules
Mazzoli
McCloskey
McCurdy
McDermott
McHugh
McMillen (MD)
McNulty
Mfume
Miller (CA)
Miller (WA)
Mineta
Mink
Moakley
Mollohan
Montgomery
Moody
Moran
Morella
Morrison
Mrazek
Murtha
Natcher
Neal (MA)
Neal (NC)
Nowak
Oakar
Oberstar
Obey
Olver
Ortiz
Orton
Owens (NY)
Owens (UT)
Pallone
Panetta
Parker
Pastor
Patterson
Payne (NJ)
Payne (VA)
Pease
Pelosi
Penny
Peterson (FL)
Peterson (MN)
Petri
Pickle
Poshard
Price
Rahall
Rangel
Ray
Reed
Richardson
Ridge
Rinaldo
Roe
Roemer
Rose
Rostenkowski
Rowland
Roybal
Sabo
Sanders
Sangmeister
Savage
Sawyer
Scheuer
Schroeder
Schumer
Serrano
Sharp
Shays
Sikorski
Skaggs
Skelton
Slattery
Slaughter
Smith (FL)
Smith (NJ)
Snowe
Solarz
Spratt
Staggers
Stallings
Stark
Stenholm
Stokes
Studds
Swett
Swift
Synar
Tallon
Tanner
Thomas (GA)
Thornton
Torres
Torricelli
Towns
Traxler
Unsoeld
Valentine
Vento
Visclosky
Volkmer
Washington
Waters
Waxman
Weiss
Wheat
Williams
Wise
Wolpe
Wyden
Yatron
Zimmer

NOES—165

Allard
Allen
Applegate
Archer
Armey
Baker
Ballenger
Barrett
Barton
Bateman
Bennett
Bentley
Bereuter
Bilirakis
Bliley
Boehner
Broomfield
Bunning
Burton
Callahan
Camp
Campbell (CA)
Carr
Chandler
Clinger
Coble
Coleman (MO)
Combest
Coughlin
Cox (CA)
Crane
Cunningham
Davis
DeLay
Dickinson
Doolittle
Dornan (CA)
Dreier
Edwards (OK)
Emerson
Ewing
Fawell
Fields
Franks (CT)
Frost
Gallegly
Gallo
Gaydos
Gekas
Geren
Gilchrest
Gillmor
Gingrich
Goodling
Goss
Gradison
Grandy
Gunderson
Hall (TX)
Hammerschmidt
Hancock
Hansen
Hastert
Hayes (LA)
Hefley
Henry
Herger
Hobson
Holloway
Hopkins
Horton
Houghton
Huckaby
Hunter
Hutto
Hyde
Inhofe
Ireland
James
Johnson (CT)
Johnson (TX)
Kasich
Kolbe
Kyl
Lagomarsino
Lent
Lewis (CA)
Lewis (FL)
Lightfoot
Livingston
Lowery (CA)
McCandless
McCollum
McCrery
McDade
McEwen
McGrath
McMillan (NC)
Meyers
Michel
Miller (OH)
Molinari
Moorhead
Murphy
Myers
Nagle
Nichols
Nussle
Olin
Oxley
Packard
Paxon
Perkins
Pickett
Porter
Pursell
Quillen
Ramstad
Ravenel
Regula
Rhodes
Riggs
Ritter
Roberts
Rogers
Rohrabacher
Ros-Lehtinen
Roth
Roukema
Santorum
Sarpalius
Saxton
Schaefer
Schiff
Schulze
Sensenbrenner
Shaw
Shuster
Sisisky
Skeen
Smith (OR)
Smith (TX)
Solomon
Spence
Stearns
Stump
Sundquist
Tauzin
Taylor (MS)
Taylor (NC)
Thomas (CA)
Thomas (WY)
Traficant
Upton
Vander Jagt
Vucanovich
Walker
Walsh
Weber
Weldon
Wolf
Wylie
Young (AK)
Young (FL)
Zeliff

NOT VOTING—10

Barnard
Costello
Dannemeyer
Levine (CA)
Martin
Russo
Smith (IA)
Whitten
Wilson
Yates

So the conference report was agreed to.

A motion to reconsider the vote whereby said conference report was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶43.14 PRIVILEGES OF THE HOUSE

Mr. DOOLITTLE rose to a question of the privileges of the House and submitted the following resolution (H. Res. 430):

Whereas, pursuant to H.R. 340, the House directed the Committee on House Administration to investigate the operation and management of the Office of the Postmaster and;

Whereas, H.R. 340, required the committee to report its findings and recommendations no later than May 30, 1992 and;

Whereas, the chairman of the Committee on House Administration pledge before the House that the investigation would be handled equally by the majority and minority parties and;

Whereas, the chairman of the Committee on House Administration in a letter to the ranking minority members wrote that ''decisions will be made by a majority of the Task Force'' and;

Whereas, the Associated Press reported on April 9, 1992, an article that stated that a Member of the Committee had ordered aides/or committee staff to remove locks to a room and replace the locks where witnesses were being interviewed by members of the Ad Hoc investigating committee and;

Whereas, the integrity of House proceedings and the integrity of investigations must be protected from deliberate interference: Now therefore, be it

Resolved, That the chairman and vice chairman of the Ad Hoc Committee investigating the Post Office appear before the House by close of business on April 9, 1992 and explain the reported attempt to interfere with the ongoing investigation.

Resolved, That House again affirms the need for an expedited investigation into the Office of the Postmaster and condemns any attempt to interfere or impede this investigation.

After debate,

On motion of Mr. DOOLITTLE, the previous question was ordered on the resolution to its adoption or rejection.

The question being put viva voce,

Will the House agree to said resolution?

The SPEAKER pro tempore, Mr. MURTHA, announced that the yeas had it.

Mr. WALKER objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 4, rule XV, and the call was taken by electronic device.

When there appeared { Yeas ..... 417 / Nays ..... 1 }

¶43.15 [Roll No. 80]

YEAS—417

Abercrombie
Ackerman
Alexander
Allard
Allen
Anderson
Andrews (ME)
Andrews (NJ)
Andrews (TX)
Annunzio
Applegate
Archer
Armey
Aspin
Atkins
Bacchus
Baker
Ballenger
Barrett
Barton
Bateman
Beilenson
Bennett
Bentley
Bereuter
Berman
Bevill
Bilbray
Bilirakis
Blackwell
Bliley
Boehlert
Boehner
Bonior
Borski
Boucher
Boxer
Brewster
Brooks
Broomfield
Browder
Brown
Bruce
Bryant
Bunning
Bustamante
Byron
Callahan
Camp
Campbell (CA)
Campbell (CO)
Cardin
Carper
Carr
Chandler
Chapman
Clay
Clement
Clinger
Coble
Coleman (MO)
Coleman (TX)
Collins (IL)
Collins (MI)
Combest
Condit
Conyers
Cooper
Coughlin
Cox (CA)
Cox (IL)
Coyne
Cramer
Crane
Cunningham
Darden
Davis
de la Garza
DeFazio
DeLauro
DeLay
Dellums
Derrick
Dickinson
Dicks
Dingell
Dixon
Donnelly
Dooley
Doolittle
Dorgan (ND)
Dornan (CA)
Downey
Dreier
Duncan
Durbin
Dwyer
Dymally
Early
Eckart
Edwards (CA)
Edwards (OK)
Edwards (TX)
Emerson
Engel
English
Erdreich
Espy
Evans
Ewing
Fascell
Fawell
Fazio
Feighan
Fields
Fish
Flake
Foglietta
Ford (MI)
Ford (TN)
Frank (MA)
Franks (CT)
Frost
Gallegly
Gallo
Gaydos
Gejdenson
Gekas
Gephardt
Geren
Gibbons
Gilchrest
Gillmor
Gilman
Gingrich
Glickman
Gonzalez
Goodling
Gordon
Goss
Gradison
Grandy
Green
Guarini
Gunderson
Hall (OH)
Hall (TX)
Hamilton
Hammerschmidt
Hancock
Hansen
Harris
Hastert
Hatcher
Hayes (IL)
Hayes (LA)
Hefley
Hefner
Henry
Herger
Hertel
Hoagland
Hobson
Hochbrueckner
Holloway
Hopkins
Horn
Horton
Houghton
Hoyer
Hubbard
Huckaby
Hughes
Hunter
Hutto
Hyde
Inhofe
Ireland
Jacobs
James
Jefferson
Jenkins
Johnson (CT)
Johnson (SD)
Johnson (TX)
Johnston
Jones (GA)
Jones (NC)
Jontz
Kanjorski
Kaptur
Kasich
Kennedy
Kennelly
Kildee
Kleczka
Klug
Kolbe
Kolter
Kopetski
Kostmayer
Kyl
LaFalce
Lagomarsino
Lancaster
Lantos
LaRocco
Leach
Lehman (CA)
Lehman (FL)
Lent
Levin (MI)
Lewis (CA)
Lewis (FL)
Lewis (GA)
Lightfoot
Lipinski
Livingston
Lloyd
Long
Lowery (CA)
Lowey (NY)
Luken
Machtley
Manton
Markey
Marlenee
Martinez
Matsui
Mavroules
Mazzoli
McCandless
McCloskey
McCollum
McCrery
McCurdy
McDade
McDermott
McEwen
McGrath
McHugh
McMillan (NC)
McMillen (MD)
McNulty
Meyers
Mfume
Michel
Miller (CA)
Miller (OH)
Miller (WA)
Mineta
Mink
Moakley
Molinari
Mollohan

Montgomery
Moody
Moorhead
Moran
Morella
Morrison
Mrazek
Murphy
Murtha
Myers
Nagle
Natcher
Neal (MA)
Neal (NC)
Nichols
Nowak
Nussle
Oakar
Oberstar
Obey
Olin
Olver
Ortiz
Orton
Owens (NY)
Owens (UT)
Oxley
Packard
Pallone
Panetta
Parker
Pastor
Patterson
Paxon
Payne (NJ)
Payne (VA)
Pease
Pelosi
Penny
Perkins
Peterson (FL)
Peterson (MN)
Petri
Pickett
Pickle
Porter
Poshard
Price
Pursell
Quillen
Rahall
Ramstad
Rangel
Ravenel
Ray
Reed
Regula
Rhodes
Richardson
Ridge
Riggs
Rinaldo
Ritter
Roberts
Roe
Roemer
Rogers
Rohrabacher
Ros-Lehtinen
Rose
Rostenkowski
Roth
Roukema
Rowland
Roybal
Sabo
Sanders
Sangmeister
Santorum
Sarpalius
Savage
Sawyer
Saxton
Schaefer
Scheuer
Schiff
Schroeder
Schulze
Schumer
Sensenbrenner
Serrano
Sharp
Shaw
Shays
Shuster
Sikorski
Sisisky
Skaggs
Skeen
Skelton
Slattery
Slaughter
Smith (FL)
Smith (NJ)
Smith (OR)
Smith (TX)
Snowe
Solarz
Solomon
Spence
Spratt
Staggers
Stallings
Stark
Stearns
Stenholm
Stokes
Studds
Stump
Sundquist
Swett
Swift
Synar
Tallon
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Thomas (CA)
Thomas (GA)
Thomas (WY)
Thornton
Torres
Torricelli
Towns
Traficant
Traxler
Unsoeld
Upton
Valentine
Vander Jagt
Vento
Visclosky
Volkmer
Vucanovich
Walker
Walsh
Waters
Waxman
Weiss
Weldon
Wheat
Williams
Wilson
Wise
Wolf
Wolpe
Wyden
Wylie
Yatron
Young (FL)
Zimmer

NAYS—1

Washington

NOT VOTING—16

Anthony
AuCoin
Barnard
Burton
Costello
Dannemeyer
Laughlin
Levine (CA)
Martin
Russo
Smith (IA)
Weber
Whitten
Yates
Young (AK)
Zeliff

So the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶43.16 PRIVILEGES OF THE HOUSE

Mr. RIGGS rose to a question of the privileges of the House and submitted the following resolution (H. Res. 431):

Whereas recent press accounts have cited allegations of illegal hiring practices and ghost employees in the House of Representatives and;

Whereas such allegations violations reflect upon the integrity of the House of Representatives and;

Whereas the Code of Ethics for Government Services (H. Con. Res. 175, 72 Stat. Part 2, B 12) calls on each government official to: ''Never discriminate unfairly by the dispensing of special favors or privileges to anyone, whether for remuneration or not; and never accept for himself or his family, favors or benefits under circumstances which might be construed by reasonable persons as influencing the performance of his governmental duties.'' and;

Whereas such allegations would constitute violations of Rule XLIII, clauses 8, of the Code of Official Conduct which states that ''A member or officer of the House shall retain no one under his payroll authority who does not perform official duties commensurate with the compensation received * * *'' Now, therefore, be it

Resolved, That the Speaker and Minority Leader shall appoint an ad hoc committee of an equal number of Democrats and Republicans under the jurisdiction of the Committee of Standards of Official Conduct to investigate the published reports and report within 90 days to the full House any violations of House rules.

Resolved, This ad hoc committee is authorized to appoint a special counsel to assist in this investigation and that the funds necessary for this investigation shall be provided by specific resolution.

Mr. GEPHARDT moved to lay the resolution on the table.

The question being put, viva voce,

Will the House lay the resolution on the table?

The SPEAKER pro tempore, Mr. MURTHA, announced that the yeas had it.

Mr. WALKER demanded a recorded vote on said motion, 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 ..... 231 / Nays 181

¶43.17 [Roll No. 81]

AYES—231

Abercrombie
Ackerman
Alexander
Anderson
Andrews (ME)
Andrews (TX)
Annunzio
Anthony
Applegate
Aspin
Atkins
AuCoin
Bacchus
Beilenson
Berman
Bevill
Bilbray
Blackwell
Bonior
Borski
Boucher
Brewster
Brooks
Browder
Brown
Bruce
Bustamante
Byron
Campbell (CO)
Cardin
Carper
Carr
Chapman
Clay
Clement
Coleman (TX)
Collins (IL)
Collins (MI)
Condit
Conyers
Cooper
Cox (IL)
Coyne
Cramer
Darden
de la Garza
DeFazio
DeLauro
Dellums
Derrick
Dicks
Dixon
Donnelly
Dooley
Dorgan (ND)
Downey
Durbin
Dwyer
Early
Eckart
Edwards (CA)
Edwards (TX)
Engel
English
Espy
Evans
Fascell
Fazio
Feighan
Flake
Foglietta
Ford (MI)
Ford (TN)
Frank (MA)
Frost
Gaydos
Gejdenson
Gephardt
Gibbons
Gonzalez
Gordon
Guarini
Harris
Hatcher
Hayes (IL)
Hefner
Hertel
Hoagland
Hochbrueckner
Horn
Hoyer
Hubbard
Hughes
Hutto
Jefferson
Jenkins
Johnson (SD)
Johnston
Jones (GA)
Jones (NC)
Jontz
Kanjorski
Kaptur
Kennedy
Kennelly
Kildee
Kleczka
Kopetski
Kostmayer
LaFalce
Lancaster
Lantos
LaRocco
Lehman (CA)
Lehman (FL)
Levin (MI)
Lewis (GA)
Lipinski
Long
Lowey (NY)
Luken
Manton
Markey
Martinez
Matsui
Mavroules
Mazzoli
McCloskey
McCurdy
McDermott
McGrath
McMillen (MD)
McNulty
Mfume
Miller (CA)
Mineta
Mink
Moakley
Mollohan
Montgomery
Moran
Mrazek
Murtha
Nagle
Natcher
Neal (MA)
Neal (NC)
Nowak
Oakar
Oberstar
Obey
Olin
Olver
Ortiz
Orton
Owens (NY)
Owens (UT)
Panetta
Parker
Pastor
Patterson
Payne (NJ)
Payne (VA)
Pease
Pelosi
Perkins
Peterson (FL)
Peterson (MN)
Pickle
Poshard
Price
Rahall
Rangel
Ray
Reed
Richardson
Roe
Roemer
Rose
Rostenkowski
Rowland
Roybal
Sabo
Sanders
Sangmeister
Sarpalius
Savage
Sawyer
Scheuer
Schroeder
Schumer
Serrano
Sikorski
Sisisky
Skaggs
Skelton
Slaughter
Smith (FL)
Solarz
Spratt
Staggers
Stallings
Stark
Stenholm
Stokes
Studds
Swett
Swift
Synar
Tallon
Tanner
Thomas (GA)
Thornton
Torres
Torricelli
Towns
Traficant
Traxler
Unsoeld
Valentine
Vento
Visclosky
Volkmer
Washington
Waters
Waxman
Weiss
Wheat
Wise
Wolpe
Wyden

NOES—181

Allard
Allen
Andrews (NJ)
Archer
Armey
Baker
Ballenger
Barrett
Barton
Bateman
Bennett
Bentley
Bereuter
Bilirakis
Bliley
Boehlert
Boehner
Boxer
Broomfield
Bunning
Burton
Callahan
Camp
Campbell (CA)
Chandler
Clinger
Coble
Coleman (MO)
Combest
Coughlin
Cox (CA)
Crane
Cunningham
Davis
DeLay
Dickinson
Doolittle
Dornan (CA)
Dreier
Duncan
Edwards (OK)
Emerson
Erdreich
Ewing
Fawell
Fields
Fish
Franks (CT)
Gallegly
Gallo
Gekas
Geren
Gilchrest
Gillmor
Gilman
Gingrich
Glickman
Goodling
Goss
Gradison
Grandy
Green
Gunderson
Hall (TX)
Hamilton
Hammerschmidt
Hancock
Hansen
Hastert
Hayes (LA)
Hefley
Henry
Herger
Hobson
Holloway
Hopkins
Horton
Houghton
Huckaby
Hunter
Hyde
Inhofe
Ireland
Jacobs
James
Johnson (CT)
Johnson (TX)
Kasich
Klug
Kolbe
Kolter
Kyl
Lagomarsino
Leach
Lent
Lewis (CA)
Lewis (FL)
Lightfoot
Livingston
Lloyd
Lowery (CA)
Machtley
Marlenee
McCandless
McCollum
McCrery
McDade
McEwen
McMillan (NC)
Meyers
Michel
Miller (OH)
Miller (WA)
Molinari
Moody
Moorhead
Morella
Morrison
Murphy
Myers
Nichols
Nussle
Oxley
Packard
Pallone
Paxon
Penny
Petri
Porter
Pursell
Quillen
Ramstad
Regula
Rhodes
Ridge
Riggs
Rinaldo
Ritter
Roberts
Rogers
Rohrabacher
Ros-Lehtinen
Roth
Roukema
Santorum
Saxton
Schaefer
Schiff
Schulze
Sensenbrenner
Sharp
Shaw
Shays
Shuster
Skeen
Slattery
Smith (NJ)
Smith (OR)
Smith (TX)
Snowe
Solomon
Spence
Stearns
Stump
Sundquist
Tauzin
Taylor (MS)
Taylor (NC)
Thomas (CA)
Thomas (WY)
Upton
Vucanovich
Walker
Walsh
Weldon
Williams
Wolf
Wylie
Yatron
Young (FL)
Zimmer

NOT VOTING—22

Barnard
Bryant
Costello
Dannemeyer
Dingell
Dymally
Hall (OH)
Laughlin
Levine (CA)
Martin
McHugh
Pickett
Ravenel
Russo
Smith (IA)
Vander Jagt
Weber
Whitten
Wilson
Yates
Young (AK)
Zeliff

So the motion to lay the resolution on the table was agreed to.

A motion to reconsider the vote whereby said motion was agreed to was, by unanimous consent, laid on the table.

¶43.18 PROVIDING FOR THE CONSIDERATION OF H. RES. 423

Mr. MOAKLEY, by direction of the Committee on Rules, called up the following resolution (H. Res. 427):

Resolved, That upon adoption of this resolution it shall be in order to consider in the House the resolution (H. Res. 423) amending the Rules of the House of Representatives to provide for certain changes in the administrative operations of the House. The resolution shall be debatable for not to exceed one hour, to be equally divided and controlled by the majority and minority leaders. The previous question shall be considered as ordered on the resolution to find adoption without intervening motion except an amendment to be offered by Representative Michel of Illinois, consisting of the text printed in the report of the Committee on Rules accompanying the resolution, which shall be debatable for not to exceed one hour, to be equally divided and controlled by the proponent and a Member opposed thereto. All points of order against consideration of and against the resolution, and against the amendment are hereby waived.

When said resolution was considered.

After debate,

On motion of Mr. MOAKLEY, the previous question was ordered on the resolution to its adoption or rejection.

The question being put, viva voce,

Will the House agree to said resolution?

The SPEAKER pro tempore, Mr. MURTHA, announced that the yeas had it.

Mr. SOLOMON objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 4, rule XV, and the call was taken by electronic device.

When there appeared { Yeas ..... 257 / Nays ..... 159 }

¶43.19 [Roll No. 82]

YEAS—257

Abercrombie, Ackerman, Alexander, Anderson, Andrews (ME), Andrews (NJ), Andrews (TX), Annunzio, Anthony, Applegate, Aspin, Atkins, AuCoin, Bacchus, Beilenson, Bennett, Berman, Bevill, Bilbray, Blackwell, Bonior, Borski, Boucher, Boxer, Brewster, Brooks, Browder, Brown, Bruce, Bustamante, Byron, Campbell (CO), Cardin, Carper, Carr, Chapman, Clay, Clement, Coleman (TX), Collins (IL), Collins (MI), Condit, Conyers, Cooper, Cox (IL), Coyne, Cramer, Darden, de la Garza, DeFazio, DeLauro, Dellums, Derrick, Dicks, Dixon, Donnelly, Dooley, Dorgan (ND), Downey, Durbin, Dwyer, Dymally, Early, Eckart, Edwards (CA), Edwards (TX), Engel, English, Erdreich, Espy, Evans, Fascell, Fazio, Feighan, Flake, Foglietta, Ford (MI), Ford (TN), Frank (MA), Frost, Gaydos, Gejdenson, Gephardt, Geren, Gibbons, Glickman, Gonzalez, Gordon, Guarini, Hall (OH), Hall (TX), Hamilton, Harris, Hatcher, Hayes (IL), Hayes (LA), Hefner, Hertel, Hoagland, Hochbrueckner, Horn, Hoyer, Hubbard, Hughes, Hutto, Jacobs, Jefferson, Jenkins, Johnson (SD), Johnston, Jones (GA), Jones (NC), Jontz, Kanjorski, Kaptur, Kennedy, Kennelly, Kildee, Kleczka, Kolter, Kopetski, Kostmayer, LaFalce, Lancaster, Lantos, LaRocco, Lehman (CA), Lehman (FL), Levin (MI), Lewis (GA), Lipinski, Lloyd, Long, Lowey (NY), Luken, Manton, Markey, Martinez, Matsui, Mavroules, Mazzoli, McCloskey, McCurdy, McDermott, McHugh, McMillen (MD), McNulty, Mfume, Miller (CA), Mineta, Mink, Moakley, Mollohan, Montgomery, Moody, Moran, Mrazek, Murphy, Murtha, Nagle, Natcher, Neal (MA), Neal (NC), Nowak, Oakar, Oberstar, Obey, Olin, Olver, Ortiz, Orton, Owens (NY), Owens (UT), Pallone, Panetta, Parker, Pastor, Patterson, Payne (NJ), Payne (VA), Pease, Pelosi, Penny, Perkins, Peterson (FL), Peterson (MN), Pickett, Pickle, Poshard, Price, Rahall, Rangel, Ray, Reed, Richardson, Roe, Roemer, Rose, Rostenkowski, Rowland, Roybal, Sabo, Sanders, Sangmeister, Sarpalius, Savage, Sawyer, Scheuer, Schroeder, Schumer, Serrano, Sharp, Sikorski, Sisisky, Skaggs, Skelton, Slattery, Slaughter, Smith (FL), Solarz, Spratt, Staggers, Stallings, Stark, Stenholm, Stokes, Studds, Swett, Swift, Synar, Tallon, Tanner, Tauzin, Taylor (MS), Thomas (GA), Thornton, Torres, Torricelli, Towns, Traficant, Traxler, Unsoeld, Valentine, Vento, Visclosky, Volkmer, Washington, Waters, Waxman, Weiss, Wheat, Williams, Wilson, Wise, Wolpe, Wyden, Yatron

NAYS—159

Allard, Allen, Archer, Armey, Baker, Ballenger, Barrett, Barton, Bateman, Bentley, Bereuter, Bilirakis, Bliley, Boehlert, Boehner, Broomfield, Bunning, Burton, Callahan, Camp, Campbell (CA), Chandler, Clinger, Coble, Coleman (MO), Combest, Coughlin, Cox (CA), Crane, Cunningham, Davis, DeLay, Dickinson, Doolittle, Dreier, Duncan, Edwards (OK), Emerson, Ewing, Fawell, Fields, Fish, Franks (CT), Gallegly, Gallo, Gekas, Gilchrest, Gillmor, Gilman, Goodling, Goss, Gradison, Grandy, Green, Gunderson, Hammerschmidt, Hancock, Hansen, Hastert, Hefley, Henry, Herger, Hobson, Holloway, Hopkins, Horton, Houghton, Hunter, Hyde, Inhofe, Ireland, James, Johnson (CT), Johnson (TX), Kasich, Klug, Kolbe, Kyl, Lagomarsino, Leach, Lent, Lewis (CA), Lewis (FL), Lightfoot, Livingston, Lowery (CA), Machtley, Marlenee, McCandless, McCollum, McCrery, McDade, McEwen, McGrath, McMillan (NC), Meyers, Michel, Miller (OH), Miller (WA), Molinari, Moorhead, Morella, Morrison, Myers, Nichols, Nussle, Oxley, Packard, Paxon, Petri, Porter, Pursell, Quillen, Ramstad, Ravenel, Regula, Rhodes, Ridge, Riggs, Rinaldo, Ritter, Roberts, Rogers, Rohrabacher, Ros-Lehtinen, Roth, Roukema, Santorum, Saxton, Schaefer, Schiff, Schulze, Sensenbrenner, Shaw, Shays, Shuster, Skeen, Smith (NJ), Smith (OR), Smith (TX), Snowe, Solomon, Spence, Stearns, Stump, Sundquist, Taylor (NC), Thomas (CA), Thomas (WY), Upton, Vander Jagt, Vucanovich, Walker, Walsh, Weldon, Wolf, Wylie, Young (FL), Zimmer

NOT VOTING—18

Barnard, Bryant, Costello, Dannemeyer, Dingell, Dornan (CA), Gingrich, Huckaby, Laughlin, Levine (CA), Martin, Russo, Smith (IA), Weber, Whitten, Yates, Young (AK), Zeliff

So the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶43.20 HOUSE ADMINISTRATIVE REFORM

Mr. GEPHARDT, pursuant to House Resolution 427, called up the following resolution (H. Res. 423):

Resolved,

SECTION 1. SHORT TITLE.

This resolution may be cited as the ''House Administrative Reform Resolution of 1992''.

SEC. 2. AMENDMENTS TO RULE II RELATING TO THE ELECTION OF OFFICERS OF THE HOUSE.

Rule II of the Rules of the House of Representatives (relating to the election of officers) is amended—

(1) by striking ''Postmaster,''; and

(2) by adding at the end the following new sentence: ''The Clerk, Sergeant-at-Arms, and the Doorkeeper may be removed by the House or by the Speaker.''.

SEC. 3. AMENDMENTS TO RULE III RELATING TO THE DUTIES OF THE CLERK.

Clause 3 of rule III of the Rules of the House of Representatives (relating to duties of the Clerk) is amended—

(1) in the first sentence by striking '', make or approve all contracts, bargains, or agreements relative to furnishing any matter or thing, or for the performance of any labor for the House of Representatives in pursuance of law or order of the House, keep full and accurate accounts of the disbursements of the contingent fund of the House, keep the stationery account of Members, Delegates, and the Resident Commissioner from Puerto Rico, and pay them as provided by law,''and inserting a period; and

(2) by striking the second sentence.

SEC. 4. AMENDMENTS TO RULE IV RELATING TO THE DUTIES OF THE SERGEANT-AT-ARMS

Clause 1 of rule IV of the Rules of the House of Representatives (relating to duties of the Sergeant-at-Arms) is amended by striking ''; and keep the accounts for the pay and mileage of Members, Delegates, and the Resident Commissioner from Puerto Rico, and pay them as provided by law''.

SEC. 5. REPEAL OF RULE VI TO ELIMINATE THE POSITION OF POSTMASTER.

Rule VI of the Rules of the House of Representatives (relating to duties of the Postmaster) is repealed.

SEC. 6. AMENDMENT TO THE RULES TO CREATE THE POSITION OF DIRECTOR OF NON-LEGISLATIVE AND FINANCIAL SERVICES.

The Rules of the House of Representatives are amended by adding at the end the following new rule:

''RULE LII

''DIRECTOR OF NON-LEGISLATIVE AND FINANCIAL SERVICES

''1. The Director of Non-legislative and Financial Services shall be appointed for a

Congress by the Speaker, the majority leader, and the minority leader, acting jointly. The Director may be removed by the House or by the Speaker. The Director shall be paid at the same rate of basic pay as the elected officers of the House.

''2. The Director of Non-legislative and Financial Services shall have extensive managerial and financial experience.

''3. Subject to the policy direction and oversight of the Committee on House Administration, the Director shall have operational and financial responsibility for functions assigned by resolution of the House.

''4. Subject to the policy direction and oversight of the Committee on House Administration, the Director shall develop employment standards that provide that all employment decisions for functions under the Director's supervision be made in accordance with the non-discrimination provisions of clause 9 of rule XLIII and of rule LI, without regard to political affiliation, and solely on the basis of fitness to perform the duties involved. No adverse personnel action may be taken by the Director without cause.''.

SEC. 7. TRANSFER OF FUNCTIONS TO THE DIRECTOR OF NON-LEGISLATIVE AND FINANCIAL SERVICES.

(a) IN GENERAL.—As soon as practicable, but not later than the ninetieth day beginning after the date of adoption of this resolution, the functions and entities specified in subsection (d) shall be transferred to the Director of Non-legislative and Financial Services.

(b) REGULATIONS.—The Committee on House Administration shall have authority to prescribe regulations providing for—

(1) the orderly transfer of the functional and entities specified in subsection (d); and

(2) such additional transfers of functions and entities specified in subsection (d) with respect to the Clerk, Sergeant-at-Arms, Doorkeeper, and the Director as may be necessary for the improvement of non-legislative and financial services in the House.

(c) Except as provided in subsection (d), functions and entities within the jurisdiction of the Committee on House Administration under rule X of the Rules of the House of Representatives may not be transferred to the Director.

(d) SPECIFICATION.—The functions and entities referred to in subsection (a) are: Office of Employee Assistance, Finance Office, pay and mileage of Members, House Information Systems, Office Furnishings, Office Supply Service, Office Systems Management, Placement Office, Special Services Office, Telecommunications, Telephone Exchange, Typewriter Repair, Barber Shop, Beauty Shop, House Restaurant System, Office of Photography, Inside Mail and Internal Mail Operations (including coordination with postal substations to be operated by the United States Postal Service), Guide Service, and Child Care Center, and the non-legislative functions of the Printing Services, Recording Studio, and Records and Registration.

SEC. 8. AMENDMENTS TO THE RULES TO CREATE THE OFFICE OF INSPECTOR GENERAL.

The Rules of the House of Representatives are amended by adding at the end the following new rule:

''RULE LIII

''OFFICE OF INSPECTOR GENERAL

''1. There is established the Office of Inspector General.

''2. The Inspector General shall be appointed for a Congress by the Speaker, the Majority leader, and the minority leader, acting jointly.

''3. Subject to the policy direction and oversight of the Committee on House Administration, the Inspector General shall be responsible only for—

''(A) conducting periodic audits of the financial functions under the Director of Non-legislative and Financial Services, Clerk, Sergeant-at-Arms, and Doorkeeper;

''(B) informing the Director or other officer who is the subject of an audit of the results of that audit and suggesting appropriate curative actions;

''(C) notifying the Speaker, the majority leader, the minority leader, and the chairman and ranking minority party members of the Committee on House Administration in the case of any financial irregularity discovered in the course of carrying out responsibilities under this rule; and

''(D) submitting to the Speaker, the majority leader, the minority leader, and the chairman and ranking minority party member of the Committee on House Administration and to the Subcommittee on Administrative Oversight of the Committee on House Administration a report of each audit conducted under this rule.''.

SEC. 9. SUBCOMMITTEE ON ADMINISTRATIVE OVERSIGHT.

Clause 3 of rule X of the Rules of the House of Representatives is amended by adding at the end the following new paragraph:

''(j)(1) There is established a bipartisan Subcommittee on Administrative Oversight of the Committee on House Administration, to be chaired by the chairman of the Committee on House Administration. All of the members of the subcommittee shall be members of the Committee on House Administration, one-half from the majority party and one-half from the minority party.

''(2) The subcommittee shall receive all audit reports of the Inspector General and shall be responsible for providing oversight of the Clerk, Sergeant-at-Arms, Doorkeeper, Director of Non-legislative and Financial Services, and Inspector General.

''(3) Any matter that, by reason of a tie vote, cannot be resolved by the subcommittee shall be reported to the Committee on House Administration for its consideration. The Speaker, the majority leader, the minority leader, and the chairman and ranking minority party member of the Committee on House Administration shall be informed by the chairman of the subcommittee of any such matter.''.

SEC. 10. ADDITIONAL FUNCTIONS OF THE COMMITTEE ON HOUSE ADMINISTRATION.

Clause 4(d) of rule X of the Rules of the House of Representatives is amended—

(1) in subparagraph (2), by striking ''Sergeant-at-Arms'' and inserting ''Director of Non-legislative and Financial Services'';

(2) by repealing subparagraph (3); and

(3) by adding after subparagraph (2) the following new subparagraphs:

''(3) providing for transfers of functions and entities with respect to the Clark, Sergeant-at-Arms, Doorkeeper, and Director of Non-legislative and Financial Services as may be necessary for the improvement of non-legislative and financial services in the House; and

''(4) providing policy director for, and oversight of, the Clerk, Sergeant-at-Arms, Doorkeeper, Director of Non-legislative and Financial Services, and Inspector General.''.

SEC. 11. ELIMINATION OF PERQUISITES IN THE HOUSE OF REPRESENTATIVES.

The Committee on House Administration shall, in accordance with directives received from the Speaker, take such actions as may be necessary to eliminate designated perquisites in the House.

SEC. 12. OFFICE OF GENERAL COUNSEL.

The Committee on House Administration shall provide for an Office of General Counsel to the House in a manner which shall insure appropriate coordination with and participation by both the majority and minority leaderships and representational and litigation matters.

SEC. 13. TRANSITION AND EFFECTIVE DATE RULE.

Notwithstanding the amendments made by sections 3, 4, and 5, until the functions and entities referred to in section 7(d) are transferred, those functions and entities shall continue to be the responsibility of the officer responsible for those functions and entities on the day before the date of adoption of this resolution. The amendments made paragraph (1) of section 2 and section 5 shall take effect when all of the duties of the Postmaster have been transferred.

When said resolution was considered.

After debate,

Mr. THOMAS of California, pursuant to House Resolution 427, submitted the following amendment in the nature of a substitute:

Strike all after the resolving clause and insert the following:

TITLE I—CHIEF FINANCIAL OFFICER, GENERAL COUNSEL, AND CERTAIN OTHER REFORMS

Subtitle A—Chief Financial Officer Amendments to the Rules of the House and Related Provisions

SECTION 101. AMENDMENTS TO RULE II RELATING TO THE ELECTION OF OFFICERS OF THE HOUSE.

Rule II of the Rules of the House of Representatives (relating to the election of Officers of the House) is amended—

(1) by striking ''Doorkeeper, Postmaster,''; and

(2) by adding at the end the following new sentence: ''The individual chosen for election as the Sergeant-at-Arms should be a nationally-respected law enforcement professional.''.

SEC. 102. AMENDMENTS TO RULE III RELATING TO THE DUTIES OF THE CLERK.

Clause 3 of rule III of the Rules of the House of Representatives (relating to the duties of the Clerk) is amended—

(1) by striking '', make or approve all contracts, bargains, or agreements relative to furnishing any matter or thing, or for the performance of any labor for the House of Representatives in pursuance of law or order of the House, keep full and accurate accounts of the disbursements of the contingent fund of the House, keep the stationery account of Members, Delegates, and the Resident Commissioner from Puerto Rico, and pay them as provided by law.'' in the first sentence and inserting a period; and

(2) by amending the second sentence to read as follows: ''He shall cause to be announced at the door all messengers from the President and the Senate and, when requested by the Speaker, visitors to the floor of the House during joint meetings or joint sessions of the two Houses. He shall superintend the House document room and the Publications Distribution System (the folding rooms), the cloakrooms of the House and the telephone service available to Members therein. He shall supervise the pages that serve the House and various other facilities to Members.''.

SEC. 103. AMENDMENTS TO RULE IV RELATING TO THE DUTIES OF THE SERGEANT-AT-ARMS.

Clause 1 of rule IV of the Rules of the House of Representatives (relating to the duties of the Sergeant-at-Arms) is amended by striking ''; and keep the accounts for the pay and mileage of Members, Delegates, and the Resident Commission from Puerto Rico, and pay them as provided by law''.

SEC. 104. AMENDMENTS TO RULES V AND VI TO ELIMINATE THE POSITIONS OF DOORKEEPER AND POSTMASTER AND TO CREATE THE POSITION OF CHIEF FINANCIAL OFFICERS.

Rule V of the Rules of the House of Representatives (relating to the duties of the doorkeeper) and rule VI of the Rules of the House of Representatives (relating to the duties of the Postmaster) are amended to read as follows:

''RULE V

''CHIEF FINANCIAL OFFICER

''1. There shall be elected, by not less than two-thirds of Members voting, a quorum being present, the Chief Financial Officer of the House.

''2. The Chief Financial Officer should have appropriate education and training, have demonstrated an ability to manage large and complex administrative activities and resources, and have experience that is relevant to the management of the financial operations of the House.

''3. The Chief Financial Officer shall be responsible for—

''(A) reviewing and analyzing the financial operations of the House, including the efficiencies of its operations, the functions of its offices, and the cost-effectiveness of its operations, and providing periodic recommendations to the Speaker and minority leader respecting these operations;

''(B) conducting periodic audits of the financial operations of the House, simultaneously sending audit reports to the Speaker and minority leader, and making these audit reports available to the public;

''(C) keeping the accounts for the pay and mileage of Members, Delegates, and the Resident Commissioner from Puerto Rico, and paying them as provided by law; and

''(D) carrying out all other financial functions and operations that were exercised by the Clerk before the date of the adoption of this rule, including, but not limited to—

''(i) keeping full and accurate accounts of the disbursements of the contingent fund of the House,

''(ii) keeping the stationery account of the Members, Delegates, and Resident Commissioner of Puerto Rico,

''(iii) paying the salaries of officers and employees of the House, and

''(iv) making or approving all contracts, bargains, or agreements relative to furnishing any matter or thing, or for the performance of any labor for the House of Representatives in pursuant of law or order of the House.

''(E)(i) reviewing existing and proposed rules of the House to determine the effect of such rules on the economy and efficiency of the financial operations of the House, taking into consideration the need to prevent fraud, waste, and abuse in such operations;

''(ii) based on such review, providing periodic recommendations to the Speaker and the minority leader with respect to the Rules of the House;

''(F) keeping the House fully and currently informed of any instance of fraud, waste, or abuse, or any other serious deficiency in the financial operations of the House, including corrective actions taken or recommended;

''(G) reporting to the Speaker and the minority leader—

''(i) any such instance that, because of its particularly serious nature, requires immediate attention; and

''(ii) any lack of cooperation by a Member, officer, or employee of the House that inhibits the carrying out of the responsibilities of the Chief Financial Officer;

''(H) not later than October 31 of each year, submitting to the House with respect to the financial operations of the House in the preceding fiscal year a report of the activities of the Chief Financial Officer, including—

''(i) a description of significant problems, abuses, and deficiencies in the financial operations of the House, the recommendations made, the corrective actions completed, and the corrective actions uncompleted;

''(ii) a summary of matters the Chief Financial Officer referred to the Committee on Standards of Official Conduct and the actions which have resulted from such referrals; and

''(iii) a summary of each recommendation by the Chef Financial Officer to the Speaker and minority leader under these Rules;

''(I) receiving and investigating complaints from employees of the House with respect to fraud, waste, and abuse in the financial operations of the House, if such complaints assert the existence of a violation of law, a violation of thee Rules, mismanagement, gross waste of funds, or abuse of authority; and

''(J) developing and maintaining an integrated accounting and financial management system for the House, including financial reporting and internal controls to provide performance measurement, cost information, and integration of accounting and budgeting information; and

''(K) directing, managing, providing policy guidance for, and conducting oversight of, financial management personnel and operations, including preparation of a 5-year financial system plan, development of financial management budgets, recruitment, selection and training of personnel to carry out financial management functions, and implementation of asset management systems, such as cash and credit management, debt collection, and property and internal controls.

''4. (a) In carrying out clause 3(I), the Chief Financial Officer may not disclose the identity of a complaining employee without the consent of the employee, unless the Chief Financial Officer determines such disclosure is unavoidable.

''(b) Any intimidation of, or reprisal against, an employee of the House by an employing authority because of a complaint made by the employee is a violation of rule LI.

''5. In accordance with policies and procedures approved by the Committee on House Administration, the Chief Financial Officer shall appoint such employees as may be necessary for the prompt and efficient performance of the duties of the Chief Financial Officer under these Rules. Such employees shall serve at the pleasure of the Chief Financial Officer.

''RULE VI

''HOUSE POSTAL SERVICES

''The Chief Financial Officer shall superintend the post office in the Capitol and in the respective office buildings of the House for the accommodation of Representatives, Delegates, the Resident Commission from Puerto Rico, and officers of the House and shall be held responsible for the prompt and safe delivery of their mail.''

SEC. 105. CONFORMING AMENDMENT TO RULE XIV RELATING TO DECORUM AND DEBATE.

Clause 7 of the rule XIV of the Rules of the House of Representatives (relating to decorum and debate) is amended by striking ''and Doorkeeper''.

SEC. 106. OVERSIGHT REFORM.

Rule XI of the Rules of the House of Representatives is amended by adding at the end the following:

''7. (a) By March 1, of the first session of any Congress, each committee shall adopt and submit to the Committee on House Administration an oversight plan for that Congress.

''(b) No primary expenses resolution for a committee may be considered in the House unless and until it has adopted and submitted to the Committee on House Administration an oversight plan for the Congress involved.

''(c) After consultation with the majority and minority leaders, the Committee on House Administration shall report the plans to the House, together with its recommendations and those of the majority and minority leaders, to assure coordination between committees.

''(d) The Speaker is authorized to appoint ad hoc oversight committees for specific tasks from the memberships of committees with shared legislative jurisdictions.

''(e) Each committee shall include an oversight section in this final activity report at the end of a Congress.''.

SEC. 107. MAKING THE COMMITTEE ON HOUSE ADMINISTRATION BIPARTISAN.

Clause 6(a) of rule X of the Rules of the House of Representatives is amended by adding at the end the following:

''(3)(A) One-half of the members of the Committee on House Administration shall be from the majority party and one-half shall be from the minority party.

''(B) In the case of the Committee on House Administration, subpoenas may be authorized and issued as provided 2(m) of rule XI, except that either the chairman or ranking minority party member of that committee may authorize and issue subpoenas under that clause.''.

SEC. 108. EQUALITY OF MAJORITY AND MINORITY PARTY REPRESENTATION ON THE SUBCOMMITTEE ON LEGISLATIVE APPROPRIATIONS.

The membership of the Subcommittee on Legislative Appropriations of the Committee on Appropriations shall be divided equally between the majority party and the minority party. Staff positions for the subcommittee shall be divided in the same manner

SEC. 109. TASK FORCE ON REFORM OF THE HOUSE OF REPRESENTATIVES

Not later than 10 days after the date on which this resolution is agreed to, the Speaker shall appoint a task force for the purpose of recommending institutional reforms necessary to restore public confidence in the House of Representatives. The task force shall—

(1) be composed of 10 Members of the House of whom 5 Members shall be appointed upon the recommendation of the majority upon recommendation of the minority leader; and

(2) report its recommendations to the House not later than the end of the One Hundred Second Congress.

SEC. 110. LIMITATION ON REPROGRAMMING OF FUNDS IN THE HOUSE OF REPRESENTATIVES.

No funds may be reprogrammed or otherwise transferred between appropriation accounts of the House of Representatives without the written approval of the Speaker and the minority leader of the House of Representatives.

SEC. 111. LIMITATION ON INITIAL HOUSE OF REPRESENTATIVES APPROPRIATIONS FOR FISCAL YEAR 1993

In the second session of the One Hundred Second Congress, it shall not be in order to consider in the House any measure containing an appropriation for the House, if the measures provides appropriations for that purpose for any period after March 31, 1993.

SEC. 112. INSPECTOR GENERAL.

The Speaker, upon the recommendation of the majority leader and the minority leader, acting jointly, shall appoint an Inspector General for the House. The Inspector General shall—

(1) receive and investigate complaints from employees of the House with respect to fraud, waste, and abuse in the nonlegislative operations of the House, if such complaints assert the existence of a violation of law, a

violation of the Rules of the House, mismanagement, gross waste of funds, or abuse of authority; and

(2) report the results of such investigations to the Speaker, the majority leader, and the minority leader.

Subtitle B—Office of the General Counsel

SEC. 121. ESTABLISHMENT.

There is established in the House of Representatives an office to be known as the Office of the General Counsel, referred to hereinafter in this title as the ''Office''.

SEC. 122. ACCOUNTABILITY.

The Office shall be directly accountable to the Leadership Group, composed of—

(1) the Speaker of the House of Representatives;

(2) the majority leader and minority leader of the House of Representatives;

(3) the majority whip and minority whip of the House of Representatives;

(4) the chairman and ranking minority party member of the Committee on the Judiciary of the House of Representatives; and

(5) 2 Members of the house to be appointed by the Speaker of the House of Representatives, one of whom shall be appointed upon the recommendation of the majority leader and one of whom shall be appointed upon the recommendation of the minority leader.

SEC. 123. PURPOSE AND POLICY.

The purpose of the Office is to provide legal assistance to Members, officers, and employees of the House of Representatives on matters directly related to their duties, other than matters committed by law, rule, or other authority to the Office of the Parliamentarian, the Office of the Legislative Counsel, the Office of the Law Revision Counsel, the Legislative Classification Office, the Congressional Research Service, the Comptroller General, or the Office of Fair Employment Practices, or to another office, officer, or employee of the House of Representatives. The Office shall maintain—

(1) impartiality as to issues of policy to be determined by the House of Representatives; and

(2) the attorney-client relationship with respect to all communications between it and any Member or committee of the House.

SEC. 124. SPECIFIC APPROVAL REQUIREMENTS.

(a) APPROVAL BY RESOLUTION.—Unless approved by unanimous vote of the Leadership Group, the following actions of the Office require prior approval by resolution of the House of Representatives:

(1) Entering an appearance before any court.

(2) Filing a brief in any court.

(3) Representing any Member of the House of Representatives in any contested matter that will result in formal legal proceedings.

(b) APPROVAL BY THE LEADERSHIP GROUP.—The following activities of the Office require prior approval by the Leadership Group:

(1) Preparation of any legal memorandum or other item of legal research that requires more than 4 hours of preparation time.

(2) Work other than in the routine course of business of the Office.

(c) SPECIAL RULE.—In carrying out any action under this title, the Office, in the case of any matter that affects an area of responsibility committed to another office, officer, or employee referred to in section 123, shall consult the office, officer, or employee involved and coordinate such action with the office, officer, or employee.

SEC. 125. GENERAL COUNSEL.

The management, supervision, and administration of the Office are vested in the General Counsel, who shall be appointed by the Speaker of the House of Representatives, upon the recommendation of the majority leader and the minority leader of the House of Representatives, acting jointly, without regard for political affiliation and solely on the basis of fitness to perform the duties of the position. The General Counsel shall serve at the pleasure of the Leadership Group.

SEC. 126. STAFF.

With the approval of the Leadership Group or in accordance with policies and procedures approved by the Leadership Group, the General Counsel may employ such attorneys and other employees as may be necessary for the performance of the functions of the Office, except that not more than 4 attorneys and 3 other employees may be so employed and at least one attorney in the Office shall be appointed upon the recommendation of the minority leader. Any individual employed under this section may be removed by the General Counsel, with the approval of the Leadership Group.

SEC. 127. COMPENSATION.

(a) GENERAL COUNSEL.—The General Counsel shall be paid at a per annum gross rate fixed by the Leadership Group, but not more than the rate payable for positions at Level III of the Executive Schedule, under section 5314 of title 5, United States Code.

(b) STAFF.—Members of the staff of the Office shall be paid at per annum gross rates fixed by the General Counsel, with the approval of the Leadership Group or in accordance with policies and procedures approved by the Leadership Group, but not more than the rate payable for positions at level IV of the Executive Schedule, under section 5315 of title 5, United States Code.

SEC. 128. EXPENDITURES.

Subject to appropriation and in accordance with policies and procedures approved by the Leadership Group, the General Counsel may make such expenditures as may be appropriate for the functioning of the Office.

SEC. 129. TIME SHEETS.

The attorneys and professional staff in the Office shall maintain regular, written records of the time expended on legal matters, consistent with generally accepted practices in private law firms. Such time records shall be maintained on forms and according to procedures established by the General Counsel, and shall provide for the recordation of time allotted to legal work in increments of no more than one-quarter hour. The time records shall be reviewable by the Leadership Group and may not be made public other than by direction of the Leadership Group or resolution of the House.

TITLE II—LEGISLATIVE PROCESS REFORMS

SEC. 201. HOUSE SCHEDULING REFORM.

Rule I of the Rules of the House of Representatives is amended by adding at the end the following new clause:

''11. (a) At the beginning on each session of the Congress the Speaker shall, after consultation with the minority leader and the chairmen of the committees of the House, announce a legislative program for the session which shall include (1) target dates for the consideration of specified major budgetary, authorization, and appropriations bills; (2) an indication of those weeks during which the House will be in session (which, unless otherwise indicated, shall be assumed to be full, 5-day work weeks for the conduct of committee and House floor business); (3) those weeks set aside for district work periods (which shall be scheduled at periodic intervals), holidays, and other recesses; and (4) the target date for the adjournment of that session.

''(b) The Speaker shall ensure that the minority leader is fully consulted in developing the legislative program for the House each week.''.

SEC. 202. TREATMENT OF VETOED BILLS.

Rule I of the Rules of the House of Representatives is amended by adding at the end the following:

''11. Immediately after the receipt of a bill returned by the President, the Speaker shall state the question on the reconsideration of that bill, without intervening motion, and the House shall proceed to vote on the reconsideration of that bill.''.

SEC. 203. MULTIPLE REFERRAL OF LEGISLATION.

Clause 5(c) of rule X of the Rules of the House of Representatives is amended to read as follows:

''(c) In carrying out paragraphs (a) and (b) with respect to any matter, the Speaker shall initially refer the matter to one committee which he shall designate as the committee of principal jurisdiction; but, he may also refer the matter to one or more additional committees, for consideration in sequence (subject to appropriate time limitations), either on its initial referral or after the matter has been reported by the committee of principal jurisdiction; or refer portions of the matter to one or more additional committees (reflecting different subjects and jurisdictions) for the exclusive consideration of such portion or portions; or refer the matter to a special ad hoc committee appointed by the Speaker, with the approval of the House, from the members of the committees having legislative jurisdiction, for the specific purpose of considering that matter and reporting to the House thereon; or make such other provisions as may be considered appropriate.''

SEC. 204. PRESENTMENT OF BILLS TO THE PRESIDENT.

The Rules of the House of Representatives are amended by adding at the end the following:

''RULE LII.

''PRESENTMENT OF BILLS

''Not later than the tenth calendar day beginning after the date upon which a bill has been agreed to in identical form by the House of Representatives and the Senate, in the case of a bill originating in the House of Representatives, the bill shall be presented to the President.''.

SEC. 205. COMMITTEE RATIOS.

(a) Clause 6(a) of rule X of the Rules of the House of Representatives is amended by adding at the end the following new subparagraph:

''(3) The membership of each committee (and each subcommittee, task force, or other subunit thereof), shall reflect the ratio of majority to minority party Members of the House at the beginning of the Congress. This subparagraph shall not apply to the Committee on Standards of Official Conduct which shall be constituted as provided for in subparagraph (2). For the purposes of this clause, the Resident Commissioner from Puerto Rico and the Delegates to the House shall not be counted in determining the party ratio of the House.''.

(b) Clause 6(f) of rule X of the Rules of the House of Representatives is amended by inserting after the first sentence the following: ''The membership of each such select committee (and of any subcommittee, task force, or subunit thereof), and of each such conference committee, shall reflect the ratio of the majority to minority party Members of the House at the time of its appointment.''.

SEC. 206. SUBCOMMITTEE LIMITS.

(10) Clause 6(d) of rule X of the Rules of the House of Representatives is amended to read as follows:

''(d)(1) Each standing committee of the House (except the Committee on the Budget) that has more than 20 members, shall establish at least 4 subcommittees; but, in no event shall any standing committee (except the Committee on Appropriations) establish more than 6 subcommittees.

''(2) No member may serve at any one time as a member of more than 4 subcommittees of committees of the House.

''(3) For the purposes of this paragraph, the term 'subcommittee' includes any panel, task force, special subcommittee, or any subunit of a standing committee, or any select committee which is established for a period of longer than 6 months in any Congress.''.

SEC. 207. PROXY VOTING BAN.

Clause 2(f) of rule XI of the Rules of the House of Representatives is amended to read as follows:

''(f) No vote by any member of any committee or subcommittee with respect to any measure or matter may be cast by proxy.''.

SEC. 208. OPEN MEETING.

Clause 2(g)(1) of rule XI of the Rules of the House of Representatives is amended by striking the colon in the first sentence and all that follows thereafter and inserting the following: ''because disclosure of matters to be considered would endanger national security, would tend to defame, degrade, or incriminate any person or otherwise would violate any law or rule of the House, or involves committee personnel matters.''.

SEC. 209. MAJORITY QUORUMS.

Clause 2(h)(2) of rule XI of the Rules of the House of Representatives is amended to read as follows:

''(2) A majority of the members of each committee or subcommittee shall constitute a quorum for the transaction of any business, including the markup of legislation.''.

SEC. 210. REPORT ACCOUNTABILITY.

Clause 2(l)(2)(B) of rule XI of the Rules of the House of Representatives is amended to read as follows:

''(B) With respect to each rollcall vote on a motion to report any bill or resolution of a public character, the total number of votes cast for and against reporting, and the names of those Members voting for and against, shall be included in the committee report on the measure.''.

Clause 2(l)(2) of rule XI of the Rules of the House of Representatives is further amended by adding at the end the following:

''(C) With respect to each nonrecord vote on a motion to report any bill or resolution of a public character, the names of those members of the committee actually present at the time the bill or resolution is ordered reported shall be included in the committee report.''.

SEC. 211. COMMITTEE DOCUMENTS.

Clause 2(l) of rule XI of the Rules of the House of Representatives is amended by redesignating subparagraphs (6) and (7) as subparagraphs (7) and (8), respectively, and by inserting after subparagraph (5) the following new subparagraph:

''(6)(A) Any committee or subcommittee print, document, or other material, other than reports subject to the preceding provisions of this clause, prepared for public distribution, shall either be approved by the committee or subcommittee prior to such public distribution, and opportunity shall be afforded for the inclusion of supplemental, minority, or additional views in accordance with the provisions of subparagraph (5), of such print, document, or other material shall contain on its cover the following disclaimer in bold face type:

'This material has not been officially approved by the committee [or subcommittee, as the case may be] on [name of committee or subcommittee] and may not therefore necessarily reflect the views of its members.'

and any such print, document, or other material not approved by the committee or subcommittee may not include the names of its members, other than the name of the committee or subcommittee chairman releasing the document, but shall be made available to all of the members of the committee not less than three calendar days (excluding Saturdays, Sundays, and public holidays) prior to its being made public.

''(B) The provisions of this subparagraph do not apply to prints of bills or resolutions, summaries thereof, or prints containing the names of committee or subcommittee members, staff, or other factual information regarding the committee or its subcommittees, their jurisdictions or rules, or any matters pending before such committee or its subcommittees, provided that such documents do not also contain opinions, views, findings, or recommendations.

''(C) Nothing in this subparagraph shall be construed to authorize any subcommittee or chairman thereof to issue any print, document or other material not otherwise authorized by the rules of the committee.''.

SEC. 212. SAME DAY CONSIDERATION OF RULES COMMITTEE REPORTS.

The first sentence of clause 4(b) of rule XI of the Rules of the House of Representatives is amended by striking the matter in parentheses and inserting the following: ''(except that it shall not be called up for consideration on the same calendar day, nor on the subsequent calendar day of the same legislative day, that it is presented to the House, unless so determined by a vote of not less than two-thirds of the members voting, but this provision shall not apply during the last three days of the session)''.

SEC. 213. PERMITTING INSTRUCTIONS IN MOTIONS TO RECOMMIT.

The second sentence in clause 4(b) of rule XI of the Rules of the House of Representatives is amended by striking ''nor'' and all that follows thereafter and by inserting the following: ''nor shall it report any rule or order which would prevent the motion to recommit from being made as provided in clause 4 of rule XVI, including a motion with amendatory instructions (except in the case of a Senate measure for which the language of a House-passed measure has been submitted).''.

SEC. 214. RESTRICTIVE RULE LIMITATION.

Clause 4 of rule XI of the Rules of the House of Representatives is amended by adding at the end the following new paragraph:

''(e) It shall not be in order to consider any resolution reported from the Committee on Rules providing for the consideration of any bill or resolution otherwise subject to amendment under House rules if that resolution limits the right of Members to offer germane amendments to such bill or resolution unless the chairman of the Committee on Rules has orally announced in the House, at least four legislative days prior to the scheduled consideration of such matter by the Committee on Rules, that less than an open amendment process might be recommended by the Committee for the consideration of such bill or resolution.''.

SEC. 215. LIMITATION ON SELF-EXECUTING RULES.

Clause 4 of rule XI of the Rules of the House of Representatives is amended by adding at the end the following new paragraph:

''(f) It shall not be in order to consider any order of business resolution reported from the Committee on rules which provides that, upon the adoption of such resolution, the House shall be considered to have automatically adopted a motion, amendment, or resolution, or to have passed a bill, joint resolution, or conference report thereon, unless the consideration of such order of business resolution is agreed to by not less than two-thirds of the Members voting, and the yeas and nays shall be considered as ordered when the Speaker puts the question on consideration.''.

SEC. 216. BUDGET WAIVER LIMITATION.

Clause 4 of rule XI of the Rules of the House of Representatives (as amended by sections 214 and 215) is amended by adding at the end the following new paragraph:

''(g)(1) It shall not be in order to consider any resolution reported from the Committee on Rules for the consideration of any measure which waives any specified provisions of the Congressional Budget Act of 1974, unless the report accompanying such resolution includes an explanation of, and justification for, any such waiver, an estimated cost of the provisions to which the waiver applies, and a summary or text of any written comments on the waiver received by the committee from the Committee on the Budget.

''(2) It shall be in order after the previous question has been ordered on any such resolution, to offer motions proposing to strike one or more such waivers from the resolution, and each such motion shall be decided without debate and shall require for adoption the requisite number of affirmative votes as required by the Budget Act or the rules of the House. After disposition of any and all such motions, the House shall proceed to an immediate vote on adoption of the resolution.

''(3) It shall not be in order to consider a resolution which waives all House rules except by a vote of two-thirds of those Members voting.''.

SEC. 217. COMMITTEE STAFFING.

Clause 5 of rule XI of the Rules of the House of Representatives is amended by redesignating paragraphs (a) through (f) as paragraphs (b) through (g), respectively, and by inserting at the beginning the following new paragraph:

''(a)(1) It shall not be in order to consider any primary expense resolution until the Committee on House Administration has reported, and the House has adopted, a resolution establishing an overall ceiling for House committee staff personnel for that year, and any such resolution shall be privileged.

''(2) In developing any primary expense resolution, the Committee on House Administration shall specify in the resolution the number of staff positions authorized by the resolution. The committee shall verify in the report accompanying any such primary expense resolution that the number of staff positions authorized by such resolution is in conformity with the overall ceiling on such positions established by the House.

''(3) In no event shall the total number of additional staff positions authorized by all such primary expense resolutions, taken together with the number of staff positions authorized by clause 6 of this rule (providing for professional and clerical staff), exceed the ceiling established by the House for that year.

''(4) In allocating staff positions pursuant to the overall ceiling established by the House, the committee shall take into account the past and anticipated legislative and oversight activities of each committee.

''(5) In any supplemental expense resolution, and in any amendment thereto, the committee shall specify the number of additional thereto, the committee shall specify the number of additional staff positions, if any, authorized by such resolution, and shall indicate in the report accompanying any such resolution whether the additional staff positions are in conformity with or exceed the overall ceiling established by the House.

''(6) It shall not be in order to consider any supplemental expense resolution, or any amendment thereto, authorizing additional staff positions in excess of the overall ceiling established by the House except by a vote of two-thirds of the Members voting, a quorum being present.

''(7) It shall not be in order to consider any primary or supplemental expense resolution for one or more committees unless the report on such resolution includes a statement verifying that each such committee has adopted and complied with a committee rule enti-

tling the minority party on such committee, upon the request of a majority of such minority, to not less than one-third of the funds provided for committee staff pursuant to each primary or supplemental expense resolution.

''(8) For the purposes of the One Hundred Third Congress, the overall ceiling for committee staff in a resolution reported by the committee pursuant to subparagraph (1), or contained in any amendment thereto, shall not exceed 50 percent of the total committee staff personnel employed at the end of the One Hundred Second Congress.''.

SEC. 218. COMMEMORATIVE CALENDAR.

Rule XIII of the Rules of the House of Representatives is amended by redesignating clauses 6 and 7 as clauses 7 and 8, respectively, and by inserting after clause 5 the following new clause:

''6. There shall also be a Commemorative Calendar to be comprised of unreported bills and resolutions respecting commemorative holidays and celebrations referred to the Committee on Post Office and Civil Service and requested by the chairman and ranking minority member of such committee, in writing, to be placed thereon. On the first and third Tuesdays of each month, after the disposal of such business on the Speaker's table as requires reference only and resolutions called on the Private Calendar, the Speaker shall direct the Clerk to call the bills and resolutions on the Commemorative Calendar. Should objection be made by two or more Members to the consideration of any bill or resolution so called, it shall be removed from such Calendar. Such bills and resolutions, if considered, shall be considered in the House.''.

SEC. 219. AUTOMATIC ROLL CALL VOTES.

Rule XV of the Rules of the House of Representatives is amended by adding at the end the following new clause:

''7. The yeas and nays shall be considered as ordered when the Speaker puts the question upon final passage of any bill, joint resolution, or conference report thereon, making general appropriations, providing revenue, or adjusting the statutory rate of pay of Members of Congress, or on final adoption of any concurrent resolution on the budget or conference report thereon which provides an increase in the statutory debt limit.''.

SEC. 220. APPROPRIATION REFORMS.

Clause 2 of rule XXI of the Rules of the House of Representatives is amended by striking the second sentence of paragraph (c) and by amending paragraph (d) to read as follows:

''(d)(1) For the purposes of House Rules, a 'general appropriation bill' shall include any bill or joint resolution making continuing appropriations in a fiscal year for a period in excess of 30 days, and any such measure shall include the full text of the language proposed to be enacted (as opposed to mere references to measures, or amendments thereto, which have been reported or passed by either House, or agreed to by a committee of conference).

''(2) The provisions of clause 2(l)(3)(B) of rule XI shall apply to any 'general appropriation bill' as defined in subparagraph (1).

''(3) For the purposes of this clause, all points of order shall be considered as having been reserved against any general appropriation bill at the time it was reported.''.

(b) Clause 2 of rule XXI of the Rules of the House of Representatives is amended by inserting after paragraph (d) the following new paragraph:

''(e) It shall not be in order to consider any bill or joint resolution making continuing appropriations for a period of 30 days or less unless such measure only provides appropriations in the lesser amount and under the more restrictive authority of each pertinent appropriations measure: as passed by the House; as passed by the Senate; as agreed to by a committee of conference; or enacted for the preceding fiscal year.''.

(c) Clause 3 of rule XXI of the Rules of the House of Representatives is amended by inserting '', and shall contain a list of all appropriations contained in the bill for any expenditure not previously authorized by law'' before the period.

(d) Clause 2(l)(3)(B) of rule XI of the Rules of the House of Representatives is amended by striking ''(other than continuing appropriations)'' and inserting in lieu thereof ''(other than continuing appropriations, except as provided by clause 2(d) of rule XXI)''.

(e) Clause 4 of rule XI of the Rules of the House of Representatives is amended by adding at the end the following new paragraph:

''(h) It shall not be in order, except by a vote of not less than ⅗ of the Members of the House duly chosen and sworn, to consider any rule or order from the Committee on Rules which waives the provisions of clause 2 of rule XXI against the consideration of any short-term, continuing appropriations measure as defined therein; or which waives the provisions of clause 2 of rule XXI against, or denies amendment to, any provision in a long term, continuing appropriation measure as defined therein if that provision has not been previously considered and agreed to by the House.''.

SEC. 221. RECONCILIATION LIMITATION.

Rule XXI of the Rules of the House of Representatives is amended by adding at the end the following new clause:

''8. (a) No provision shall be reported in the House in any reconciliation bill pursuant to the most recently agreed to concurrent resolution on the budget, or be in order as an amendment thereto in the House or Committee of the Whole, which is not related to achieving the purposes of the directives to House committees contained in such concurrent resolution.

''(b) Nothing in this clause shall be construed to prevent the consideration of any provision in a reconciliation bill, or any amendment thereto, which achieves savings greater than those directed of a committee and which conforms to paragraph (c) of this clause, or to prevent the consideration of motions to strike made in order by the Committee on Rules to achieve the purposes of the directives.

''(c) For the purposes of this clause, a provision shall be considered related to achieving the purposes of directives contained in the most recently agreed to concurrent resolution on the budget if it is estimated by the House Committee on the Budget, in consultation with the Congressional Budget Office, to effectuate or implement a reduction in budget authority or in new spending authority described in section 401(c)(2)(C) of the Congressional Budget Act of 1974, or to raise revenues or both, and, in the case of an amendment, if it is within (in whole or in part) the jurisdiction of any committee instructed in the concurrent resolution.

''(d) The point of order provided for by this clause shall not apply to Senate amendments or to conference reports.

''(e) For the purposes of this clause, all points of order shall be considered as having been reserved against a reconciliation bill at the time it was reported.''.

SEC. 222. AUTHORIZATION REPORTING DEADLINE.

Rule XXI of the Rules of the House of Representatives (as amended by section 221) is amended by adding at the end the following new clause:

''9. It shall not be in order to consider in the House any bill or joint resolution which directly or indirectly authorizes the enactment of new budget authority for a fiscal year unless that bill or joint resolution is reported in the House on or before May 15 preceding the beginning of such fiscal year.''.

SEC. 223. PLEDGE OF ALLEGIANCE.

Clause 1 or rule XXIV of the Rules of the House of Representatives is amended by inserting after the second order of business the following new order of business (and by redesignating succeeding orders accordingly):

''Third. The Pledge of Allegiance to the Flag.''.

SEC. 224. SUSPENSION OF THE RULES.

Clause 1 of rule XXVII of the Rules of the House of Representatives is amended by inserting ''(a)'' after ''1''. and by inserting at the end the following new paragraphs:

''(b) It shall not be in order to entertain a motion to suspend the rules and pass or agree to any measure or matter unless by direction of the committee or committees of jurisdiction over the measure or matter, or unless a written request is filed with the Speaker by the chairman and ranking minority member of the committee or committees having jurisdiction over the measure or matter, asking for its consideration under suspension of the rules.

''(c) A motion to suspend the rules and pass or agree to any measure or matter shall not be in order if the measure or matter would enact or authorize the enactment of new budget authority or new spending authority in excess of $50,000,000 for any fiscal year; nor shall it be in order to entertain a motion to suspend the rules to pass any joint resolution which proposes to amend the Constitution.

''(d) It shall not be in order to entertain a motion to suspend the rules and pass or agree to any measure or matter unless written notice is placed in the Congressional Record of its scheduled consideration at least one calendar day prior to its consideration, and such notification shall include the numerical designation of the measure or matter, its short title, and the text of any amendments to be offered thereto, and the date on which the measure or matter is scheduled to be considered.

SEC. 225. DISCHARGE MOTION.

Clause (4) of rule XXVII of the Rules of the House of Representatives is amended by inserting after the fourth sentence the following new sentence: ''When 100 Members have signed the motion, the Clerk shall cause to be printed in the Congressional Record the name of each member who has signed or withdrawn a signature to the motion, and shall thereafter publish an updated list in the Congressional Record at the end of each succeeding week the House is in session.''.

SEC. 226. INCLUSION OF VIEWS WITH CONFERENCE REPORTS.

Clause 1 of rule XXVIII of the Rules of the House of Representatives is amended by adding at the end the following new paragraph:

''(e) If, on the day a report of any committee of conference has received the requisite number of signatures for approval by House conferees, any House conferee gives notice of intention to file supplemental, minority, or additional views, that Member shall be entitled to not less than 3 calendar days (excluding Saturdays, Sundays and legal holidays) in which to file such views with the principal manager on the part of the House, such views shall be in writing and signed by that Member. All such views so filed by one or more Members of the committee shall be published in the same volume as the report of the committee of conference and the joint explanatory statement filed in the House, and the volume shall bear on its cover a recital that any such supplemental, minority, or additional views are included as part of that volume. This paragraph shall not preclude the immediate filing or printing of a conference report if a timely request to file such view

was not made as provided by this paragraph.''.

SEC. 227. INTELLIGENCE COMMITTEE OATH.

(a) Clause 1 of rule XLVIII of the Rules of the House of Representatives is amended by adding at the end the following new paragraph:

''(d) At the time a Member is appointed to serve on the select committee, or within 30 days after the adoption by the House of this provision, whichever is later, the Member shall take the following oath:

'I do solemnly swear (or affirm) that I will not directly or indirectly disclose to any unauthorized person any classified information received in the course of my duties on the Permanent Select Committee on Intelligence, except with the formal approval of the committee or of the House.'.

The oath shall be administered by the Speaker of the House of Representatives. The Clerk of the House of Representatives of the One Hundred Second Congress and each succeeding Congress shall cause this oath to be printed, furnishing 2 copies to each Member appointed to the select committee who has taken this oath, which shall be subscribed to by the Member who shall deliver them to the Clerk, one to be filed in the records of the House of Representatives, and the other to be recorded in the Journal of the House and the Congressional Record.''.

(b) Clause 5 of rule XLVIII of the Rules of the House of Representative is amended by adding at the end the following new sentences: ''Each employee of the select committee and any person engaged by contract or otherwise to perform services for or at the request of the select committee who is required to subscribe to the agreement in writing referred to in the first sentence of this clause shall, at the time of the signing or within 30 days after the adoption of this provision, whichever is later, also take the oath set out in clause 1(d) of this rule. The oath shall be administered by the chairman or by any Member of the committee or of the committee staff designated by the chairman. The Clerk of the House of Representatives of the One Hundred Second Congress and each succeeding Congress shall cause this oath to be printed, furnishing 2 copies to each such person taking this oath, which shall be subscribed to by such person, who shall deliver them to the Clerk, one to be filed in the records of the House of Representatives, and the other to be recorded in the Journal of the House and in the Congressional Record.''.

(c) Clause 7(d) of rule XLVIII of the Rules of the House of Representatives is amended by inserting ''or the oath required by clause 1(d) of by clause 5,'' after ''paragraph (c)'' and by adding after the last sentence the following new sentences: ''The select committee may refer cases of unauthorized disclosure and violations of the required oaths to the Committee on Standards of Official Conduct for investigation. While a member of the committee is the subject of such a pending investigation, the select committee may determine by majority vote that the Member shall not be given access to classified information.''.

SEC. 228. ENHANCED RESCISSION AUTHORITY.

(a) The Committee on Rules and the Committee on Government Operations shall, not later than May 31, 1992, report legislation granting the President enhanced rescission authority with respect to any budget authority not authorized by law. Such legislation shall provide that any such budget authority shall be considered to be permanently canceled unless a joint resolution disapproving such rescission is enacted within 45 calendar days of continuous session of Congress (as defined by section 1011 of the Impoundment Control Act of 1974) after the date on which the President's special rescission message is received.

(b) If such legislation is not reported by the committees named above by the date specified, the committees not reporting shall be considered as having been discharged from the further consideration of the first such bill introduced and it shall be in order on any day after June 3, 1992, for any Member of the House (after consultation with the Speaker as to the most appropriate time for consideration), as a matter of highest privilege, to move to resolve into the Committee of the Whole House on the State of the Union for its consideration, and the bill shall be subject to 2 hours of general debate to be equally divided and controlled by the majority and minority leaders, or their designees, followed by consideration of the measure for amendment under the five-minute rule.

SEC. 229. BIENNIAL BUDGET-APPROPRIATIONS PROCESS.

The Committee on Rules is directed to conduct a complete and thorough study of the advisability and feasibility of converting to a biennial budget and appropriations process and corresponding multiyear authorizations, and to report its findings and recommendations to the House not later than December 31, 1992.

SEC. 230. APPLICABILITY OF CERTAIN LAWS TO THE HOUSE.

(a) It is the policy of the House that the laws of the United States set forth in subsection (b) should be amended to apply to the House of Representatives in the same or similar manner as such laws apply to the Executive Branch.

(b) Not later than June 30, 1992, the standing committees of the House with subject matter jurisdiction over the following laws of the United States shall report to the House legislation to implement subsection (a):

(1) The National Labor Relations Act.

(2) The Occupation Safety Act and Health Act of 1970.

(3) The Equal Pay Act of 1963.

(4) The Age Discrimination in Employment Act of 1967.

(5) Section 552 of title 5, United States Code (popularly known as the Freedom of Information Act).

(6) Section 552a of title 5, United States Code (popularly known as the Privacy Act of 1974).

(7) Title VII of the Civil Rights Act of 1964 (relating to equal employment opportunity).

(8) Chapter 39 of title 28, United States Code (relating to an independent counsel).

(c) The Committee on Rules shall, not later than 10 legislative days after any such legislation has been reported, report a resolution providing for the consideration of such measure in the Committee of the Whole House on the State of the Union under an open amendment process.

(d) If such legislation is not reported by all the committees named above by the date specified, the first bill introduced which implements the policy referred to in subsection (a) and which encompasses all the laws referred to in subsection (b) shall be considered as having been discharged from all the committees to which it was referred. It shall be in order on any day after July 15, 1992, for any Member of the House (after consultation with the Speaker as to the most appropriate time for consideration), as a matter of highest privilege, to move to resolve into the Committee of the Whole House on the State of the Union for its consideration, and the bill shall be subject to four hours of general debate to be equally divided and controlled by the majority and minority leaders, or their designees, followed by consideration of the measure for amendment under the five-minute rule.

SEC. 231. EQUITABLE COMMITTEE STAFF RATIOS.

Effective at the beginning of the One Hundred Third Congress, except as provided in sections 107 and 108, the ratio of majority party to minority party staff positions, consultants, details, and funding for each committee of the House of Representatives shall be the ratio of majority party to minority party Members of the House of Representatives.

SEC. 232. ELIMINATION OF CERTAIN SELECT COMMITTEES.

(a) SELECT COMMITTEE ON AGING.—Clause 6(i) of rule X of the Rules of the House of Representatives is repealed.

(b) ADDITIONAL SELECT COMMITTEES.—The Select Committee on Hunger, the Select Committee on Children, Youth, and Families, and the Select Committee on Narcotics Abuse and Control shall cease to exist upon the adoption of this resolution.

(c) TREATMENT OF RECORDS AND FILES.—The records, files, and materials of the select committees referred to in subsections (a) and (b) shall be transferred to the Clerk of the House.

SEC. 233. APPLICATION OF INFORMATION DISCLOSURE REQUIREMENTS TO CONGRESS.

(a) IN GENERAL.—Effective upon the enactment of this section into permanent law, notwithstanding any other provision of law, and subject to the amendment made by subsection (c), the provisions of section 552 of title 5, United States Code (popularly known as the ''Freedom of Information Act''), shall apply to the Congress.

(b) CONFORMING AMENDMENT.—Effective upon the enactment of this section into permanent law, section 551(1)(A) of title 5, United States Code (relating to the exclusion of the Congress from, among other matters, laws requiring the disclosure of public information), is amended to read as follows:

''(A) except as that term is used in section 552, the Congress;''.

(c) LIMITATION AMENDMENT.—Effective upon the enactment of this section into permanent law, section 552 of title 5, United States Code (relating to the disclosure of public information), is amended by adding at the end the following new subsection:

''(f) In the case of an authority of the Government of the United States (as that term is used in section 551(1) of this title) who is a Member of the House of Representatives or the Senate, this section shall not apply to information that is related to casework or consistent correspondence.''.

SEC. 234. LIMITATION ON THE DURATION OF PAYMENTS OF EXPENSES OF FORMER SPEAKERS OF THE HOUSE OF REPRESENTATIVES.

(a) IN GENERAL.—The period for which expenses of former Speakers of the House of Representatives may be paid shall end 3 years after the date of the expiration of the term of office as Representative of the former Speaker involved, except that, in the case of a former Speaker who is receiving such expenses on the date of the enactment of this Act, the period shall end 3 years after the date of the enactment of this Act.

(b) DEFINITION.—As used in this section, the term ''expenses of former Speakers of the House of Representatives'' means the office, allowance, and other expenses provided for former Speakers of the House of Representatives under House Resolution 1238, Ninety-first Congress, enacted into permanent law by chapter VIII of the Supplemental Appropriations Act, 1971 (2 U.S.C. 31b–1 et seq.).

SEC. 235. PROHIBITION ON FRANKED MASS MAILINGS BY MEMBERS OF THE HOUSE OF REPRESENTATIVES OUTSIDE THEIR CONGRESSIONAL DISTRICTS.

(a) AMENDMENT TO TITLE 39.—Effective upon the enactment of this section into permanent law, section 3210 of title 39, United States Code, is amended—

(1) in subsection (a)(7), by striking out '', except that—'' and all that follows through the end of subparagraph (B) and inserting in lieu thereof a period; and

(2) in subsection (d)(1), by striking out ''delivery—'' and all that follows through the end of subparagraph (B) and inserting in lieu thereof ''delivery within that area constituting the congressional district or State from which the Member was elected.''.

(b) OFFICIAL FUNDS LIMITATION.—The Committee on House Administration of the House of Representatives may not approve any payment, nor may a Member of the House of Representatives make any expenditure from, any allowance of the House of Representatives or any other official funds if any portion of the payment or expenditure is for any cost related to a mass mailing by a Member of the House of Representatives outside the congressional district of the Member.

SEC. 236. REQUIREMENT THAT LEGISLATION ADJUSTING PAY FOR MEMBERS OF CONGRESS BE CONSIDERED SEPARATELY.

Section 225 of the Federal Salary Act of 1967 (2 U.S.C. 351 and following) is amended by adding at the end the following:

''(o) LEGISLATION ADJUSTING MEMBERS' PAY TO BE CONSIDERED SEPARATELY.—It shall not be in order in the House of Representatives to consider any bill or resolution that would adjust, or have the effect of adjusting, the rate of pay of Members of Congress if the bill of resolution contains any item which does not relate to adjusting Members' rates of pay.''.

SEC. 237. LEGISLATIVE BRANCH APPROPRIATIONS TO BE FOR ONE YEAR ONLY.

It shall not be in order to consider in the House of Representatives any measure appropriating amounts for the legislative branch of the Government if such measure permits any such amount to remain available for obligation beyond the end of the fiscal year for which such amount is appropriated.

SEC. 238. ONE ATTORNEY IN THE OFFICE OF THE PARLIAMENTARIAN TO BE APPOINTED UPON THE RECOMMENDATION OF THE MINORITY LEADER.

Notwithstanding section 3 of House Resolution 502, Ninety-fifth Congress, agreed to April 20, 1977, as enacted into permanent law by section 115 of Public Law 95–94 (2 U.S.C. 278b), or any other law or other authority, at least one attorney appointed by the Parliamentarian under that section shall be appointed upon the recommendation of the minority leader.

SEC. 239. ROTATION OF CHAIRMANSHIP OF COMMITTEE ON STANDARDS OF OFFICIAL CONDUCT.

Clause 6(c) of rule X of the Rules of the House of Representatives is amended by inserting ''(1)'' after ''(c)'' and by adding at the end the following:

''(2) In the case of the Committee on Standards of Official Conduct—

''(A) the chairman elected under subparagraph (1) shall only be for the first session of a Congress; and

''(B) at the beginning of the second session of a Congress, one of the members of that committee shall be elected its chairman for that session by the House from nominations submitted by the minority party caucus or conference.''.

SEC. 240. EACH RULE OF THE HOUSE TO BE AGREED TO BY SEPARATE RESOLUTION OF THE HOUSE.

In adopting the Rules of the House of Representatives in the One Hundred Third Congress and any subsequent Congress, each rule shall be agreed to by separate resolution of the House.

After further debate,

Pursuant to House Resolution 427, the previous question was ordered on the amendment and on the resolution to its adoption or rejection.

The question being put, viva voce,

Will the House agree to said amendment in the nature of a substitute?

The SPEAKER pro tempore, Mr. MURTHA, announced that the nays had it.

Mr. MICHEL demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the negative { Yeas ..... 159 / Nays ..... 254 }

¶43.21 [Roll No. 83]

YEAS—159

Allard	Grandy	Oxley
Allen	Green	Packard
Archer	Gunderson	Paxon
Armey	Hammerschmidt	Petri
Baker	Hancock	Porter
Ballenger	Hansen	Pursell
Barrett	Hastert	Quillen
Barton	Hefley	Ramstad
Bateman	Henry	Ravenel
Bentley	Herger	Regula
Bereuter	Hobson	Rhodes
Bilirakis	Holloway	Ridge
Bliley	Hopkins	Riggs
Boehlert	Horton	Rinaldo
Boehner	Houghton	Ritter
Broomfield	Hunter	Roberts
Bunning	Hyde	Rogers
Burton	Inhofe	Rohrabacher
Callahan	Ireland	Ros-Lehtinen
Camp	James	Roth
Campbell (CA)	Johnson (CT)	Roukema
Chandler	Johnson (TX)	Santorum
Clinger	Kasich	Saxton
Coble	Klug	Schaefer
Coleman (MO)	Kolbe	Schiff
Combest	Kyl	Schulze
Coughlin	Lagomarsino	Sensenbrenner
Cox (CA)	Leach	Shaw
Crane	Lent	Shays
Cunningham	Lewis (CA)	Shuster
Davis	Lewis (FL)	Skeen
DeLay	Lightfoot	Smith (NJ)
Dickinson	Livingston	Smith (OR)
Doolittle	Lowery (CA)	Smith (TX)
Dreier	Machtley	Snowe
Duncan	Marlenee	Solomon
Edwards (OK)	McCandless	Spence
Emerson	McCollum	Stearns
Ewing	McCrery	Stump
Fawell	McDade	Sundquist
Fields	McEwen	Taylor (NC)
Fish	McGrath	Thomas (CA)
Franks (CT)	McMillan (NC)	Thomas (WY)
Gallegly	Meyers	Upton
Gallo	Michel	Vander Jagt
Gekas	Miller (OH)	Vucanovich
Gilchrest	Miller (WA)	Walker
Gillmor	Molinari	Walsh
Gilman	Moorhead	Weldon
Gingrich	Morella	Wolf
Goodling	Myers	Wylie
Goss	Nichols	Young (FL)
Gradison	Nussle	Zimmer

NAYS—254

Abercrombie	Bevill	Carper
Ackerman	Bilbray	Carr
Alexander	Blackwell	Chapman
Anderson	Bonior	Clay
Andrews (ME)	Borski	Clement
Andrews (NJ)	Boucher	Coleman (TX)
Andrews (TX)	Boxer	Collins (IL)
Annunzio	Brewster	Collins (MI)
Anthony	Brooks	Condit
Applegate	Browder	Conyers
Aspin	Brown	Cooper
Atkins	Bruce	Cox (IL)
AuCoin	Bryant	Coyne
Bacchus	Bustamante	Cramer
Beilenson	Byron	Darden
Bennett	Campbell (CO)	de la Garza
Berman	Cardin	DeFazio
DeLauro	Kolter	Price
Dellums	Kopetski	Rahall
Derrick	Kostmayer	Rangel
Dicks	LaFalce	Ray
Dixon	Lancaster	Reed
Donnelly	Lantos	Richardson
Dooley	LaRocco	Roe
Dorgan (ND)	Lehman (CA)	Roemer
Downey	Lehman (FL)	Rose
Durbin	Levin (MI)	Rowland
Early	Lewis (GA)	Roybal
Eckart	Lipinski	Sabo
Edwards (CA)	Lloyd	Sanders
Edwards (TX)	Long	Sangmeister
Engel	Lowey (NY)	Sarpalius
English	Luken	Savage
Erdreich	Manton	Sawyer
Espy	Markey	Scheuer
Evans	Martinez	Schroeder
Fascell	Matsui	Schumer
Fazio	Mavroules	Serrano
Feighan	Mazzoli	Sharp
Flake	McCloskey	Sikorski
Foglietta	McCurdy	Sisisky
Ford (MI)	McDermott	Skaggs
Ford (TN)	McHugh	Skelton
Frank (MA)	McMillen (MD)	Slattery
Frost	McNulty	Slaughter
Gaydos	Mfume	Smith (FL)
Gejdenson	Miller (CA)	Solarz
Gephardt	Mineta	Spratt
Geren	Mink	Staggers
Gibbons	Moakley	Stallings
Glickman	Montgomery	Stark
Gonzalez	Moody	Stenholm
Gordon	Moran	Stokes
Guarini	Mrazek	Studds
Hall (OH)	Murphy	Swett
Hall (TX)	Murtha	Swift
Hamilton	Nagle	Synar
Harris	Natcher	Tallon
Hatcher	Neal (MA)	Tanner
Hayes (IL)	Neal (NC)	Tauzin
Hayes (LA)	Nowak	Taylor (MS)
Hefner	Oberstar	Thomas (GA)
Hertel	Obey	Thornton
Hoagland	Olin	Torres
Hochbrueckner	Olver	Torricelli
Horn	Ortiz	Towns
Hoyer	Orton	Traficant
Hubbard	Owens (NY)	Traxler
Huckaby	Owens (UT)	Unsoeld
Hughes	Pallone	Valentine
Hutto	Panetta	Vento
Jacobs	Parker	Visclosky
Jefferson	Pastor	Volkmer
Jenkins	Patterson	Washington
Johnson (SD)	Payne (NJ)	Waters
Johnston	Payne (VA)	Waxman
Jones (GA)	Pease	Weiss
Jones (NC)	Pelosi	Wheat
Jontz	Penny	Williams
Kanjorski	Perkins	Wilson
Kaptur	Peterson (FL)	Wise
Kennedy	Peterson (MN)	Wolpe
Kennelly	Pickett	Wyden
Kildee	Pickle	Yatron
Kleczka	Poshard	

NOT VOTING—21

Barnard	Laughlin	Russo
Costello	Levine (CA)	Smith (IA)
Dannemeyer	Martin	Weber
Dingell	Mollohan	Whitten
Dornan (CA)	Morrison	Yates
Dwyer	Oakar	Young (AK)
Dymally	Rostenkowski	Zeliff

So the amendment in the nature of a substitute was not agreed to.

The question being put, viva voce,

Will the House agree to said resolution?

The SPEAKER pro tempore, Mr. MURTHA, announced that the yeas had it.

Mr. WALKER demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 269; Nays ..... 81; Answered present 64 }

¶43.22 [Roll No. 84]

YEAS—269

Abercrombie, Ackerman, Alexander, Anderson, Andrews (ME), Andrews (NJ), Andrews (TX), Annunzio, Anthony, Aspin, Atkins, AuCoin, Bacchus, Beilenson, Bennett, Berman, Bevill, Bilbray, Blackwell, Bonior, Borski, Boucher, Boxer, Brewster, Brooks, Browder, Bruce, Bryant, Bustamante, Byron, Campbell (CO), Cardin, Carper, Carr, Chapman, Clay, Clement, Coleman (TX), Collins (IL), Collins (MI), Condit, Conyers, Cooper, Cox (IL), Coyne, Cramer, Darden, de la Garza, DeFazio, DeLauro, Dellums, Derrick, Dicks, Dixon, Donnelly, Dooley, Dorgan (ND), Downey, Duncan, Durbin, Early, Eckart, Edwards (CA), Edwards (TX), Emerson, Engel, English, Erdreich, Espy, Evans, Fascell, Fazio, Feighan, Flake, Foglietta, Foley, Ford (MI), Ford (TN), Frank (MA), Frost, Gaydos, Gejdenson, Gephardt, Geren, Gibbons, Gilman, Glickman, Gonzalez, Gordon, Guarini, Hall (OH), Hall (TX), Hamilton, Harris, Hatcher, Hayes (IL), Hayes (LA), Hefner, Hoagland, Hochbrueckner, Horn, Hoyer, Hubbard, Huckaby, Hutto, Jacobs, Jefferson, Jenkins, Johnson (SD), Johnston, Jones (GA), Jones (NC), Jontz, Kanjorski, Kaptur, Kennedy, Kennelly, Kildee, Kleczka, Kolter, Kopetski, Kostmayer, LaFalce, Lancaster, Lantos, LaRocco, Lehman (CA), Lehman (FL), Levin (MI), Lewis (GA), Lipinski, Lloyd, Long, Lowey (NY), Luken, Machtley, Manton, Markey, Martinez, Matsui, Mavroules, Mazzoli, McCloskey, McCurdy, McDermott, McGrath, McHugh, McMillen (MD), McNulty, Mfume, Miller (CA), Miller (WA), Mineta, Mink, Moakley, Mollohan, Montgomery, Moody, Moran, Morella, Mrazek, Murphy, Murtha, Nagle, Natcher, Neal (MA), Neal (NC), Nowak, Oakar, Oberstar, Obey, Olin, Olver, Ortiz, Orton, Owens (NY), Owens (UT), Pallone, Panetta, Parker, Pastor, Patterson, Payne (NJ), Payne (VA), Pease, Pelosi, Penny, Peterson (FL), Peterson (MN), Petri, Pickett, Pickle, Poshard, Price, Quillen, Rahall, Ramstad, Rangel, Ray, Reed, Regula, Richardson, Rinaldo, Ritter, Roe, Roemer, Rogers, Rose, Rostenkowski, Rowland, Roybal, Sabo, Sanders, Sangmeister, Sarpalius, Savage, Sawyer, Scheuer, Schroeder, Schumer, Serrano, Sharp, Shays, Sikorski, Sisisky, Skaggs, Skelton, Slattery, Slaughter, Smith (FL), Solarz, Spratt, Staggers, Stallings, Stark, Stenholm, Stokes, Studds, Sundquist, Swett, Swift, Synar, Tallon, Tanner, Tauzin, Taylor (MS), Thomas (GA), Thornton, Torres, Torricelli, Towns, Traficant, Traxler, Unsoeld, Valentine, Vento, Visclosky, Volkmer, Washington, Waters, Waxman, Weiss, Wheat, Williams, Wilson, Wise, Wolpe, Wyden, Yatron

NAYS—81

Allard, Applegate, Archer, Armey, Baker, Bentley, Boehlert, Brown, Bunning, Callahan, Camp, Clinger, Coleman (MO), Combest, Crane, Cunningham, Davis, Dickinson, Dreier, Edwards (OK), Ewing, Franks (CT), Gallegly, Gallo, Gekas, Gilchrest, Goss, Gradison, Grandy, Hammerschmidt, Hancock, Hastert, Hefley, Herger, Hobson, Hopkins, Horton, Houghton, Hyde, Inhofe, Ireland, James, Kasich, Lagomarsino, Lent, McCandless, McEwen, Meyers, Miller (OH), Molinari, Moorhead, Myers, Nichols, Oxley, Packard, Paxon, Perkins, Porter, Ravenel, Rhodes, Ridge, Roberts, Roth, Roukema, Saxton, Schaefer, Schiff, Sensenbrenner, Shuster, Skeen, Smith (NJ), Smith (OR), Snowe, Stearns, Stump, Thomas (WY), Vucanovich, Walsh, Weldon, Young (FL), Zimmer

ANSWERED ''PRESENT''—64

Allen, Ballenger, Barrett, Barton, Bateman, Bereuter, Bilirakis, Bliley, Boehner, Broomfield, Burton, Campbell (CA), Chandler, Coble, Coughlin, Cox (CA), DeLay, Doolittle, Fawell, Fields, Fish, Gillmor, Gingrich, Goodling, Green, Gunderson, Hansen, Henry, Holloway, Hunter, Johnson (CT), Johnson (TX), Klug, Kolbe, Kyl, Leach, Lewis (CA), Lewis (FL), Lightfoot, Livingston, Lowery (CA), Marlenee, McCollum, McCrery, McDade, McMillan (NC), Nussle, Pursell, Riggs, Rohrabacher, Ros-Lehtinen, Santorum, Schulze, Shaw, Smith (TX), Solomon, Spence, Taylor (NC), Thomas (CA), Upton, Vander Jagt, Walker, Wolf, Wylie

NOT VOTING—21

Barnard, Costello, Dannemeyer, Dingell, Dornan (CA), Dwyer, Dymally, Hertel, Hughes, Laughlin, Levine (CA), Martin, Michel, Morrison, Russo, Smith (IA), Weber, Whitten, Yates, Young (AK), Zeliff

So the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶43.23 MESSAGES FROM THE PRESIDENT

Sundry messages in writing from the President of the United States were communicated to the House by Mr. McCathran, one of his secretaries.

¶43.24 MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. McCathran, one of his secretaries.

¶43.25 PROVIDING FOR THE CONSIDERATION OF H.R. 4364

Mr. MOAKLEY, by direction of the Committee on Rules, reported (Rept. No. 102–497) the resolution (H. Res. 432) providing for the consideration of the bill (H.R. 4364) to authorize appropriations to the National Aeronautics and Space Administration for research and development, space flight, control and data communications, construction of facilities, research and program management, and Inspector General, and for other purposes.

When said resolution and report were referred to the House Calendar and ordered printed.

¶43.26 PRIVILEGES OF THE HOUSE

Mr. WALKER rose to a question of the privileges of the House and submitted the following resolution (H. Res. 434):

Whereas, the Department of Justice is conducting a criminal investigation into the activities of the Office of the House Postmaster; and

Whereas, the investigation of criminal conduct includes allegations of the sale of narcotics, the embezzlement of public funds, and obstruction of justice by employees and or officers of the House; and

Whereas, allegations have been made publicly that officers of the House or employees may have engaged in obstructing justice by delaying or impeding an investigation by the Capitol police into alleged improprieties in the Office of the Postmaster; and

Whereas, public allegations have been made concerning conduct of the counsel to the Clerk of the House and the investigation by the Capitol police; and

Whereas, the Code of Conduct requires ''* * * employee * * * shall conduct himself at all times in a matter which shall reflect creditably on the House of Representatives''; and

Whereas, the allegations of illegal activities and of obstruction of justice impugn the integrity of the House; and

Whereas, the counsel to the Clerk of the House or any employee or officer of the House should refrain from potential conflicts of interest; and

Whereas, the Clerk of the House is authorized to receive judicial writs, warrants and subpoenas and thereby be involved with the specifics of any legal proceedings including the investigation by the Department of Justice: Now, therefore, be it

Resolved, That the House of Representatives directs the Clerk of the House to recuse his counsel from receiving, reviewing or drafting of any, and all, writs, warrants, subpoenas, and documents requested from or issued by the Department of Justice surrounding the legal proceedings on the criminal investigations of the Office of the Postmaster. The Clerk of House is further directed to instruct his counsel to refrain from participating in discussions with other employees or officers of the House with any matters with respect to the Department of Justice criminal investigation into the Office of the Postmaster.

Mr. GEPHARDT moved to lay the resolution on the table.

The question being put, viva voce,

Will the House lay the resolution on the table?

The SPEAKER announced that the yeas had it.

Mr. WALKER demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 239; Nays ..... 170 }

¶43.27 [Roll No. 85]

YEAS—239

Abercrombie, Ackerman, Alexander, Anderson, Andrews (ME), Andrews (NJ)

Andrews (TX)
Anthony
Applegate
Aspin
Atkins
AuCoin
Bacchus
Beilenson
Berman
Bevill
Bilbray
Blackwell
Bonior
Borski
Boucher
Boxer
Brewster
Brooks
Browder
Brown
Bruce
Bryant
Bustamante
Byron
Campbell (CO)
Cardin
Carper
Carr
Chapman
Clay
Clement
Coleman (TX)
Collins (IL)
Collins (MI)
Conyers
Cooper
Cox (IL)
Coyne
Cramer
Darden
de la Garza
DeFazio
DeLauro
Dellums
Derrick
Dicks
Dixon
Donnelly
Dooley
Dorgan (ND)
Downey
Durbin
Eckart
Edwards (CA)
Edwards (TX)
Engel
English
Espy
Evans
Fascell
Fazio
Feighan
Flake
Ford (MI)
Ford (TN)
Frank (MA)
Frost
Gaydos
Gejdenson
Gephardt
Gibbons
Glickman
Gonzalez
Gordon
Guarini
Hall (OH)
Hamilton
Harris
Hatcher
Hayes (IL)
Hefner
Hertel
Hoagland
Hochbrueckner
Horn
Hoyer
Hughes
Hutto
Jefferson
Jenkins
Johnson (SD)
Johnston
Jones (GA)
Jones (NC)
Jontz
Kanjorski
Kaptur
Kennedy
Kennelly
Kildee
Kleczka
Kolter
Kopetski
Kostmayer
LaFalce
Lancaster
Lantos
LaRocco
Lehman (CA)
Levin (MI)
Lewis (GA)
Lipinski
Lloyd
Long
Lowey (NY)
Luken
Markey
Martinez
Matsui
Mavroules
Mazzoli
McCloskey
McCurdy
McDermott
McHugh
McMillen (MD)
McNulty
Mfume
Miller (CA)
Mineta
Mink
Moakley
Mollohan
Montgomery
Moody
Moran
Mrazek
Murphy
Murtha
Nagle
Natcher
Neal (MA)
Neal (NC)
Nowak
Oakar
Oberstar
Obey
Olin
Olver
Ortiz
Orton
Owens (NY)
Owens (UT)
Pallone
Panetta
Parker
Pastor
Patterson
Payne (NJ)
Payne (VA)
Pease
Pelosi
Penny
Perkins
Peterson (FL)
Peterson (MN)
Pickett
Pickle
Poshard
Price
Rahall
Rangel
Ray
Reed
Richardson
Roe
Roemer
Rose
Rostenkowski
Rowland
Roybal
Sabo
Sanders
Sangmeister
Sarpalius
Savage
Sawyer
Scheuer
Schroeder
Schumer
Serrano
Sharp
Sikorski
Sisisky
Skaggs
Skelton
Slattery
Slaughter
Smith (FL)
Solarz
Spratt
Staggers
Stallings
Stark
Stenholm
Stokes
Studds
Swett
Synar
Tallon
Tanner
Thomas (GA)
Thornton
Torres
Torricelli
Towns
Traficant
Traxler
Unsoeld
Valentine
Vento
Visclosky
Volkmer
Washington
Waters
Weiss
Wheat
Williams
Wilson
Wise
Wolpe
Wyden
Yatron

NAYS—170

Allard
Allen
Archer
Armey
Baker
Ballenger
Barrett
Barton
Bateman
Bennett
Bentley
Bereuter
Bilirakis
Bliley
Boehlert
Boehner
Broomfield
Bunning
Burton
Callahan
Camp
Campbell (CA)
Chandler
Clinger
Coble
Coleman (MO)
Combest
Condit
Coughlin
Cox (CA)
Crane
Cunningham
Davis
DeLay
Dickinson
Doolittle
Dreier
Duncan
Edwards (OK)
Emerson
Erdreich
Ewing
Fawell
Fields
Fish
Franks (CT)
Gallegly
Gallo
Gekas
Geren
Gilchrest
Gillmor
Gilman
Gingrich
Goodling
Goss
Gradison
Grandy
Green
Gunderson
Hall (TX)
Hammerschmidt
Hancock
Hansen
Hastert
Hayes (LA)
Hefley
Henry
Herger
Hobson
Holloway
Hopkins
Horton
Houghton
Hubbard
Huckaby
Hunter
Hyde
Inhofe
Ireland
Jacobs
James
Johnson (CT)
Johnson (TX)
Kasich
Klug
Kolbe
Kyl
Lagomarsino
Leach
Lent
Lewis (CA)
Lewis (FL)
Lightfoot
Livingston
Lowery (CA)
Machtley
Marlenee
McCandless
McCollum
McCrery
McDade
McEwen
McGrath
McMillan (NC)
Meyers
Michel
Miller (OH)
Miller (WA)
Molinari
Moorhead
Morella
Myers
Nichols
Nussle
Oxley
Packard
Paxon
Petri
Porter
Pursell
Quillen
Ramstad
Ravenel
Regula
Rhodes
Ridge
Riggs
Rinaldo
Ritter
Roberts
Rogers
Rohrabacher
Ros-Lehtinen
Roth
Roukema
Santorum
Saxton
Schaefer
Schiff
Schulze
Sensenbrenner
Shaw
Shays
Shuster
Skeen
Smith (NJ)
Smith (OR)
Smith (TX)
Snowe
Solomon
Spence
Stearns
Stump
Sundquist
Tauzin
Taylor (MS)
Taylor (NC)
Thomas (CA)
Thomas (WY)
Upton
Vander Jagt
Vucanovich
Walker
Walsh
Weldon
Wolf
Wylie
Young (FL)
Zimmer

NOT VOTING—25

Annunzio
Barnard
Costello
Dannemeyer
Dingell
Dornan (CA)
Dwyer
Dymally
Early
Foglietta
Laughlin
Lehman (FL)
Levine (CA)
Manton
Martin
Morrison
Russo
Smith (IA)
Swift
Waxman
Weber
Whitten
Yates
Young (AK)
Zeliff

So the motion to lay the resolution on the table was agreed to.

A motion to reconsider the vote whereby said motion was agreed to was, by unanimous consent, laid on the table.

¶43.28 PROVIDING FOR CONSIDERATION OF A MOTION TO SUSPEND THE RULES

Mr. GORDON, by direction of the Committee on Rules, called up the following resolution (H. Res. 425):

Resolved, That it shall be in order for the Speaker on Thursday, April 9, 1992, to entertain a motion to suspend the rules to dispose of the Senate amendment to the bill (H.R. 2967) to amend the Older Americans Act of 1965 to authorize appropriations for fiscal years 1992 through 1995; to authorize a 1993 National Conference on Aging; to amend the Native American Programs Act of 1974 to authorize appropriations for fiscal years 1992 through 1995; and for other purposes.

When said resolution was considered.

After debate,

By unanimous consent, the previous question was ordered on the resolution to its adoption or rejection.

The question being put, viva voce,

Will the House agree to said resolution?

The SPEAKER pro tempore, Mr. KLECZKA, announced that the nays had it.

Mr. GORDON demanded a recorded vote on agreeing to said resolution, which demand was not supported by one-fifth of a quorum, so a recorded vote was refused.

Mr. HASTERT objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 4, rule XV, and the call was taken by electronic device.

When there appeared { Yeas ..... 269 / Nays ..... 139 }

¶43.29 [Roll No. 86]

YEAS—269

Ackerman
Alexander
Allard
Anderson
Andrews (NJ)
Anthony
Applegate
Atkins
AuCoin
Baker
Ballenger
Bentley
Berman
Bevill
Bilbray
Bilirakis
Blackwell
Boehlert
Boehner
Bonior
Borski
Boucher
Boxer
Brooks
Broomfield
Bruce
Bunning
Callahan
Camp
Campbell (CA)
Cardin
Carr
Chapman
Clement
Coble
Coleman (MO)
Coleman (TX)
Collins (MI)
Combest
Coughlin
Cox (CA)
Coyne
Cunningham
Darden
Davis
de la Garza
DeFazio
DeLauro
Dellums
Derrick
Dicks
Dixon
Doolittle
Dorgan (ND)
Downey
Eckart
Edwards (OK)
Emerson
Engel
English
Erdreich
Espy
Evans
Fascell
Feighan
Fish
Flake
Ford (MI)
Ford (TN)
Frank (MA)
Gallegly
Gallo
Gaydos
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gingrich
Gonzalez
Goodling
Gordon
Goss
Guarini
Gunderson
Hall (OH)
Hall (TX)
Hansen
Hastert
Hatcher
Hayes (LA)
Hefley
Hefner
Henry
Herger
Hertel
Hobson
Hochbrueckner
Holloway
Horton
Houghton
Hubbard
Huckaby
Hunter
Inhofe
James
Jefferson
Jenkins
Jones (GA)
Jontz
Kanjorski
Kaptur
Kennelly
Kildee
Kleczka
Klug
Kolter
Kopetski
LaFalce
Lagomarsino
Lancaster
Lantos
Leach
Lehman (CA)
Levin (MI)
Lewis (CA)
Lewis (GA)
Lightfoot
Lipinski
Lloyd
Lowery (CA)
Lowey (NY)
Machtley
Markey
Marlenee
Martinez
Mavroules
McCandless
McCloskey
McCrery
McDade
McGrath
McNulty
Meyers
Mfume
Michel
Miller (OH)
Miller (WA)
Mineta
Mink
Moakley
Molinari
Mollohan
Moorhead
Moran
Morella
Mrazek
Murphy
Murtha
Nagle
Natcher
Neal (MA)
Neal (NC)
Nowak
Oakar
Obey
Olver
Ortiz
Owens (NY)
Owens (UT)
Packard
Pallone
Pastor
Paxon
Payne (NJ)
Perkins
Peterson (MN)
Petri
Pickle
Poshard
Quillen
Rahall
Ramstad
Rangel
Ravenel
Reed
Regula
Rhodes
Richardson
Ridge
Riggs
Rinaldo
Ritter
Roemer
Rogers
Ros-Lehtinen
Rose
Rostenkowski
Roth
Roukema
Rowland
Roybal
Sangmeister
Santorum
Savage
Sawyer
Saxton
Schaefer
Scheuer
Schiff
Schumer
Sensenbrenner
Serrano
Shays
Shuster
Sikorski
Sisisky
Skeen
Skelton
Slaughter
Smith (FL)
Smith (NJ)
Smith (OR)
Snowe
Solarz
Solomon
Spence
Spratt
Staggers
Stallings
Stark
Stearns
Stokes
Studds
Sundquist
Tallon
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Thomas (GA)
Thomas (WY)
Thornton
Torres
Torricelli
Towns
Traficant
Traxler
Upton
Vander Jagt
Volkmer
Vucanovich
Walsh
Washington
Waters
Waxman
Weiss
Weldon
Wheat
Williams
Wilson

Wise	Wylie	Young (FL)
Wyden	Yatron	Zimmer

NAYS—139

Abercrombie	Franks (CT)	Myers
Allen	Frost	Nichols
Andrews (ME)	Geren	Nussle
Andrews (TX)	Glickman	Oberstar
Archer	Grandy	Olin
Armey	Green	Orton
Aspin	Hamilton	Oxley
Bacchus	Hammerschmidt	Panetta
Barrett	Hancock	Parker
Barton	Harris	Patterson
Bateman	Hayes (IL)	Payne (VA)
Beilenson	Hoagland	Pease
Bennett	Hopkins	Pelosi
Bereuter	Horn	Penny
Bliley	Hoyer	Peterson (FL)
Brewster	Hughes	Pickett
Browder	Hutto	Porter
Brown	Hyde	Price
Bryant	Ireland	Pursell
Burton	Jacobs	Ray
Bustamante	Johnson (CT)	Roberts
Byron	Johnson (SD)	Rohrabacher
Campbell (CO)	Johnson (TX)	Sabo
Carper	Johnston	Sanders
Chandler	Jones (NC)	Sarpalius
Clay	Kasich	Schroeder
Clinger	Kennedy	Schulze
Collins (IL)	Kolbe	Sharp
Condit	Kostmayer	Shaw
Conyers	Kyl	Skaggs
Cooper	LaRocco	Slattery
Cox (IL)	Lewis (FL)	Smith (TX)
Cramer	Livingston	Stenholm
Crane	Long	Stump
DeLay	Luken	Swett
Dickinson	Matsui	Swift
Donnelly	Mazzoli	Synar
Dooley	McCollum	Thomas (CA)
Dreier	McCurdy	Unsoeld
Duncan	McDermott	Valentine
Durbin	McEwen	Vento
Edwards (CA)	McHugh	Visclosky
Edwards (TX)	McMillan (NC)	Walker
Ewing	McMillen (MD)	Wolf
Fawell	Miller (CA)	Wolpe
Fazio	Montgomery	
Fields	Moody	

NOT VOTING—26

Annunzio	Foglietta	Roe
Barnard	Gradison	Russo
Costello	Laughlin	Smith (IA)
Dannemeyer	Lehman (FL)	Weber
Dingell	Lent	Whitten
Dornan (CA)	Levine (CA)	Yates
Dwyer	Manton	Young (AK)
Dymally	Martin	Zeliff
Early	Morrison	

So the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶43.30 OLDER AMERICANS ACT AUTHORIZATION

Mr. FORD of Michigan, pursuant to House Resolution 425, moved to suspend the rules and agree to the following resolution (H. Res. 433):

Resolved, That upon the adoption of this resolution the bill (H.R. 2967) to amend the Older Americans Act of 1965 to authorize appropriations for fiscal years 1992 through 1995; to authorize a 1993 National Conference on Aging; to amend the Native Americans Programs Act of 1974 to authorize appropriations for fiscal years 1992 through 1995; and for other purposes, be, and the same is hereby, taken from the Speaker's table to the end that the Senate amendment thereto be, and the same is hereby, agreed to with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment, insert the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Older Americans Act Amendments of 1992''.

(b) TABLE OF CONTENTS.—The table of contents is as follows:

Sec. 1. Short title; table of contents.

TITLE I—OBJECTIVES AND DEFINITIONS

Sec. 101. Objectives.
Sec. 102. Definitions.

TITLE II—ADMINISTRATION

Sec. 201. Administration on Aging.
Sec. 202. Functions of Commissioner.
Sec. 203. Federal agency consultation.
Sec. 204. Consultation with State agencies, area agencies on aging, and Native American grant recipients.
Sec. 205. Federal Council on the Aging.
Sec. 206. Nutrition officer.
Sec. 207. Evaluation.
Sec. 208. Reports.
Sec. 209. Nutrition education.
Sec. 210. Authorization of appropriations.
Sec. 211. Study of effectiveness of State long-term care ombudsman programs.
Sec. 212. Study on board and care facility quality.
Sec. 213. Study on home care quality.

TITLE III—STATE AND COMMUNITY PROGRAMS ON AGING

Sec. 301. Purpose of grants for State and community programs on aging.
Sec. 302. Definitions.
Sec. 303. Authorization of appropriations; uses of funds.
Sec. 304. Allotment; Federal share.
Sec. 305. Organization.
Sec. 306. Area plans.
Sec. 307. State plans.
Sec. 308. Planning, coordination, evaluation, and administration of State plans.
Sec. 309. Disaster relief reimbursements.
Sec. 310. Availability of surplus commodities.
Sec. 311. Rights relating to in-home services for frail older individuals.
Sec. 312. Supportive services.
Sec. 313. Congregate nutrition services.
Sec. 314. Home delivered nutrition services.
Sec. 315. Criteria.
Sec. 316. School-based meals for volunteer older individuals and multigenerational programs.
Sec. 317. Dietary guidelines; payment requirement.
Sec. 318. In-home services.
Sec. 319. Preventive health services.
Sec. 320. Supportive activities for caretakers who provide in-home services to frail older individuals.

TITLE IV—TRAINING, RESEARCH, AND DISCRETIONARY PROJECTS AND PROGRAMS

Sec. 401. Statement of purpose.
Sec. 402. Priorities for grants and discretionary projects.
Sec. 403. Purposes of education and training projects.
Sec. 404. Grants and contracts.
Sec. 405. Multidisciplinary centers of gerontology.
Sec. 406. Demonstration projects.
Sec. 407. Special projects in comprehensive long-term care.
Sec. 408. Ombudsman and advocacy demonstration projects.
Sec. 409. Demonstration projects for multigenerational activities.
Sec. 410. Supportive services in federally assisted housing demonstration program.
Sec. 411. Neighborhood senior care program.
Sec. 412. Information and assistance systems development projects.
Sec. 413. Senior transportation demonstration program grants.
Sec. 414. Resource Centers on Native American Elders.
Sec. 415. Demonstration programs for older individuals with developmental disabilities.
Sec. 416. Housing demonstration programs.
Sec. 417. Private resource enhancement projects.
Sec. 418. Career preparation for the field of aging.
Sec. 419. Pension information and counseling demonstration projects.
Sec. 420. Authorization of appropriations.
Sec. 421. Payments of grants for demonstration projects.
Sec. 422. Responsibilities of Commissioner.

TITLE V—COMMUNITY SERVICE EMPLOYMENT FOR OLDER AMERICANS

Sec. 501. Older American Community Service Employment Program.
Sec. 502. Coordination.
Sec. 503. Interagency cooperation.
Sec. 504. Equitable distribution of assistance.
Sec. 505. Authorization of appropriations.
Sec. 506. Dual eligibility.
Sec. 507. Treatment of assistance provided under the Older American Community Service Employment Act.

TITLE VI—GRANTS FOR NATIVE AMERICANS

Sec. 601. Applications by tribal organizations.
Sec. 602. Distribution of funds among tribal organizations.
Sec. 603. Applications by organizations serving Native Hawaiians.
Sec. 604. Distribution of funds among organizations.
Sec. 605. Authorization of appropriations.

TITLE VII—VULNERABLE ELDER RIGHTS PROTECTION ACTIVITIES

Sec. 701. Allotments for vulnerable elder rights protection activities.
Sec. 702. Ombudsman programs.
Sec. 703. Programs for prevention of elder abuse, neglect, and exploitation.
Sec. 704. State elder rights and legal assistance development program.
Sec. 705. Outreach, counseling, and assistance programs.
Sec. 706. Native American organization provisions.
Sec. 707. General provisions.
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TITLE VIII—AMENDMENTS TO OTHER LAWS; RELATED MATTERS

Subtitle A—Long-Term Health Cared Workers

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TITLE IX—GENERAL PROVISIONS

Sec. 901. Limitation on authority to enter into contracts.
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Sec. 903. Sense of Congress.
Sec. 904. Technical amendments.
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TITLE I—OBJECTIVES AND DEFINITIONS

SEC. 101. OBJECTIVES.

Section 101(4) of the Older Americans Act of 1965 (42 U.S.C. 3001(4)) is amended by inserting ‘‘, including support to family members and other persons providing voluntary care to older individuals needing long-term care services’’ after ‘‘homes’’.

SEC. 102. DEFINITIONS.

(a) IN GENERAL.—Section 102 of the Older Americans Act of 1965 (42 U.S.C. 3002) is amended by adding at the end the following:

‘‘(13) The term ‘abuse’ means the willful—

‘‘(A) infliction of injury, unreasonable confinement, intimidation, or cruel punishment with resulting physical harm, pain, or mental anguish; or

‘‘(B) deprivation by a person, including a caregiver, of goods or services that are necessary to avoid physical harm, mental anguish, or mental illness.

‘‘(14) The term ‘Administration’ means the Administration on Aging.

‘‘(15) The term ‘adult child with a disability’ means a child who—

‘‘(A) is 18 years of age or older;

‘‘(B) is financially dependent on an older individual who is a parent of the child; and

‘‘(C) has a disability.

‘‘(16) The term ‘aging network’ means the network of—

‘‘(A) State agencies, area agencies on aging, title VI grantees, and the Administration; and

‘‘(B) organizations that—

‘‘(i)(I) are providers of direct services to older individuals; or

‘‘(II) are institutions of higher education; and

‘‘(ii) receive funding under this Act.

‘‘(17) The term ‘area agency on aging’ means an area agency on aging designated under section 305(a)(2)(a) or a State agency performing the functions of an area agency on aging under section 305(b)(5).

‘‘(18) The term ‘art therapy’ means the use of art and artistic processes specifically selected and administered by an art therapist, to accomplish the restoration, maintenance, or improvement of the mental, emotional, or social functioning of an older individual.

‘‘(19) The term ‘board and care facility’ means an institution regulated by a State pursuant to section 1616(e) of the Social Security Act (42 U.S.C. 1382(e)).

‘‘(20) The term ‘caregiver’ means an individual who has the responsibility for the care of an older individual, either voluntarily, by contract, by receipt of payment for care, or as a result of the operation of law.

‘‘(21) The term ‘caretaker’ means a family member or other individual who provides (on behalf of such individual or of a public or private agency, organization, or institution) uncompensated care to an older individual who needs supportive services.

‘‘(22) The term ‘case management service’—

‘‘(A) means a service provided to an older individual, at the direction of the older individual or family member of the individual—

‘‘(i) by an individual who is trained or experienced in the case management skills that are required to deliver the services and coordination described in subparagraph (B); and

‘‘(ii) to assess the needs, and to arrange, coordinate, and monitor an optimum package of services to meet the needs, of the older individual; and

‘‘(B) includes services and coordination such as—

‘‘(i) comprehensive assessment of the older individual (including the physical, psychological, and social needs of the individual);

‘‘(ii) development and implementation of a service plan with the older individual to mobilize the formal and informal resources and services identified in the assessment to meet the needs of the older individual, including coordination of the resources and services—

‘‘(I) with any other plans that exist for various formal services, such as hospital discharge plans; and

‘‘(II) with the information and assistance services provided under this Act;

‘‘(iii) coordination and monitoring of formal and informal service delivery, including coordination and monitoring to ensure that services specified in the plan are being provided;

‘‘(iv) periodic reassessment and revision of the status of the older individual with—

‘‘(I) the older individual; or

‘‘(II) if necessary, a primary caregiver or family member of the older individual; and

‘‘(v) in accordance with the wishes of the older individual, advocacy on behalf of the older individual for needed services or resources.

‘‘(23) The term ‘dance-movement therapy’ means the use of psychotherapeutic movement as a process facilitated by a dance-movement therapist, to further the emotional, cognitive, or physical health of an older individual.

‘‘(24) The term ‘elder abuse’ means abuse of an older individual.

‘‘(25) The term ‘elder abuse, neglect, and exploitation’ means abuse, neglect, and exploitation, of an older individual.

‘‘(26) The term ‘exploitation’ means the illegal or improper act or process of an individual, including a caregiver, using the resources of an older individual for monetary or personal benefit, profit, or gain.

‘‘(27) The term ‘focal point’ means a facility established to encourage the maximum collocation and coordination of services for older individuals.

‘‘(28) The term ‘frail’ means, with respect to an older individual in a State, that the older individual is determined to be functionally impaired because the individual—

‘‘(A)(i) is unable to perform at least two activities of daily living without substantial human assistance, including verbal reminding, physical cueing, or supervision; or

‘‘(ii) at the option of the State, is unable to perform at least three such activities without such assistance; or

‘‘(B) due to a cognitive or other mental impairment, requires substantial supervision because the individual behaves in a manner that poses a serious health or safety hazard to the individual or to another individual.

‘‘(29) The term ‘greatest economic need’ means the need resulting from an income level at or below the poverty line.

‘‘(30) The term ‘greatest social need’ means the need caused by noneconomic factors, which include—

‘‘(A) physical and mental disabilities;

‘‘(B) language barriers; and

‘‘(C) cultural, social, or geographical isolation, including isolation caused by racial or ethnic status, that—

‘‘(i) restricts the ability of an individual to perform normal daily tasks; or

‘‘(ii) threatens the capacity of the individual to live independently.

‘‘(31) The term ‘information and assistance service’ means a service for older individuals that—

‘‘(A) provides the individuals with current information on opportunities and services available to the individuals within their communities, including information relating to assistive technology;

‘‘(B) assesses the problems and capacities of the individuals;

‘‘(C) links the individuals to the opportunities and services that are available;

‘‘(D) to the maximum extent practicable, ensures that the individuals receive the services needed by the individuals, and are aware of the opportunities available to the individuals, by establishing adequate followup procedures; and

‘‘(E) serves the entire community of older individuals, particularly—

‘‘(i) older individuals with greatest social need; and

‘‘(ii) older individuals with greatest economic need.

‘‘(32) The term ‘institution of higher education’ has the meaning given the term in section 1201(a) of the Higher Education Act of 1965 (20 U.S.C. 1141(a)).

‘‘(33) The term ‘legal assistance’—

‘‘(A) means legal advice and representation provided by an attorney to older individuals with economic or social needs; and

‘‘(B) includes

‘‘(i) to the extent feasible, counseling or other appropriate assistance by a paralegal or law student under the direct supervision of an attorney; and

‘‘(ii) counseling or representation by a nonlawyer where permitted by law.

‘‘(34) The term ‘long-term care facility’ means—

‘‘(A) any skilled nursing facility, as defined in section 1819(a) of the Social Security Act (423 U.S.C. 1395i–3(a));

‘‘(B) any nursing facility, as defined in section 1919(a) of the Social Security Act (42 U.S.C. 1396r(a));

‘‘(C) for purposes of section 307(a)(12) and 712, a broad and care facility; and

‘‘(D) any other adult care home similar to a facility or institution described in subparagraphs (A) through (C).

‘‘(35) The term ‘multipurpose senior center’ means a community facility for the organization and provision of a broad spectrum of services, which shall include provision of health (including mental health), social, nutritional, and educational services and the provision of facilities of recreational activities for older individuals.

‘‘(36) The term ‘music therapy’ means the use of musical or rhythmic interventions specifically selected by a music therapist to accomplish the restoration, maintenance, or improvement of social or emotional functioning, mental processing, or physical health of an older individual.

‘‘(37) The term ‘neglect’ means—

‘‘(A) the failure to provide for oneself the goods or services that are necessary to avoid physical harm, mental anguish, or mental illness; or

‘‘(B) the failure of a caregiver to provide the goods or services.

‘‘(38) The term ‘older individual’ means an individual who is 60 years of age or older.

‘‘(39) The term ‘physical harm’ means bodily injury, impairment, or disease.

‘‘(40) The term ‘planning and service area’ means an area designated by a State agency under section 305(a)(1)(E), including a single planning and service area described in section 305(b)(5)(A).

‘‘(41) The term ‘poverty line’ means the official poverty line (as defined by the Office of Management and Budget, and adjusted by the Secretary in accordance with section 673(2) of the Community Services Block Grant Act (42 U.S.C. 9902(2)).

‘‘(42) The term ‘representative payee’ means a person who is appointed by a governmental entity to receive, on behalf of an older individual who is unable to manage funds by reason of a physical or mental incapacity, any funds owed to such individual by such entity.

‘‘(43) The term ‘State agency’ means the agency designated under section 305(a)(1).

‘‘(44) The term ‘supportive service’ means a service described in section 321(a).’’.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—

(1)(A) Sections 102(2), 201(c)(1), 211, 301(b)(1), 402(a), and 411(b) of the Older Americans Act of 1965 (42 U.S.C. 3002(2), 3011(c)(1),

3020b, 3021(b)(1), 3030bb(a), and 3031(b)) are amended by striking ''Administration on Aging'' and inserting ''Administration''.

(B) Section 503(a) of the Older American Community Service Employment Act (42 U.S.C. 3056a(a) is amended by striking ''of the Administration on Aging''.

(2) Section 201(a) of the Older Americans Act of 1965 (42 U.S.C. 3011(a)) is amended in the first sentence by striking—

(A) ''(hereinafter in this Act referred to as the 'Administration')''; and

(B) ''(hereinafter in this Act referred to as the 'Commissioner')''.

(3) Section 302 of the Older Americans Act of 1965 (42 U.S.C. 3022) is amended—

(A) by striking paragraphs (2) through (6), (9), (11), and (14) through (21); and

(B) by redesignating paragraphs (7) and (8) as paragraphs (2) and (3).

(4) Paragraphs (2)(A) and (4) of section 306(a) and sections 307(a)(9), 422(c)(3), 614(a)(6), and 624(a)(7) (42 U.S.C. 3026(a)(2)(A) and (4), 3027(a)(9), 3035a(c)(3), 3057e(a)(6), and 3057j(a)(7)) are amended by striking ''information and referral'' each place the term appears and inserting ''information and assistance''.

(5) Section 307(a)(10) of the Older Americans Act of 1965 (42 U.S.C. 3027) is amended by striking ''section 342(1)'' and inserting ''section 342''.

(6) Section 341(b) of the Older Americans Act of 1965 (42 U.S.C. 303h) is amended by striking ''caregivers'' and inserting ''caretakers''.

(7) Section 342 of the Older Americans Act of 1965 (42 U.S.C. 3030i) is amended—

(A) by amending the heading to read as follows:

''DEFINITION OF IN-HOME SERVICES'';

(B) by striking paragraph (2);

(C) in paragraph (1)—

(i) in subparagraph (E) by striking ''; and'' and inserting a period; and

(ii) by indenting 2 ems the left margin of subparagraphs (A) through (E) and redesignating such subparagraphs as paragraphs (1) through (5), respectively; and

(D) by striking ''part—'' and all that follows through ''includes—'', and inserting ''part, the term 'in-home services' includes—''.

(8) Section 507(1) of the Older American Community Service Employment Act (42 U.S.C. 3056e(1)) is amended by striking ''poverty guidelines established by the Office of Management and Budget'' and inserting ''poverty line''.

(9)(A) Section 211 of the Older Americans Act of 1965 (42 U.S.C. 3020b) is amended by striking ''designated under section 305(a)(1)''.

(B) Section 305(a)(2) of the Older Americans Act of 1965 (42 U.S.C. 3025(a)(2)) is amended by striking ''designated under clause (1)''.

(C) Section 308(b)(3)(B)(iii) of the Older Americans Act of 1965 (42 U.S.C. 3028(b)(3)(B)(iii)) is amended by striking ''designated under section 305''.

(D) Section 426 of the Older Americans Act of 1965 (42 U.S.C. 3035e) is amended by striking ''designated under section 305(a)(1)''.

(E) Section 503(a) of the Older Americans Community Service Employment Act (42 U.S.C. 3056a(a)) is amended by striking ''on aging designated under section 305(a)(1)''.

(10)(A) Section 202(a)(18), 307(a)(14), 308(b)(3)(B)(iii), 310(a)(1), 311(d)(1), and 411(a)(2) (42 U.S.C. 3012(a)(18), 3027(a)(14), 3028(b)(3)(B)(iii), 3030(a)(1), 3030a(d)(1), and 3031(a)(2)) are amended by striking ''area agencies'' and inserting ''area agencies on aging''.

(B) Section 305(b)(5)(A) (42 U.S.C. 3025(b)(5)(A)) is amended in the second sentence by striking ''area agency'' each place the term appears and inserting ''area agency on aging''.

(C) Sections 305(c)(2), 306(a)(5)(A)(ii), 306(a)(6)(F), 306(b)(2)(C), 307(a)(13)(B), 307(a)(13)(I), 307(a)(15)(B), and 341(b) (42 U.S.C. 3025(c)(2), 3026(a)(5)(A)(ii), 3026(a)(6)(F), 3026(b)(2)(C), 3027(a)(13)(B), 3027(a)(13)(I), 3027(a)(15)(B), and 3030h(b)) are amended by striking ''area agency'' and inserting ''area agency on aging''.

(D) Section 305(c) (42 U.S.C. 3025(c)) is amended in the first sentence, in the matter following paragraph (5), by striking ''area agency'' and inserting ''area agency on aging''.

(E) Sections 306(a)(6)(N), 307(a)(13)(H), and 307(a)(22) (42 U.S.C. 3026(a)(6)(N), 3027(a)(13)(H), and 3027(a)(22)) are amended by striking ''area agency'' each place the term appears and inserting ''area agency on aging''.

(F) Section 307(a)(1) (42 U.S.C. 3027(a)(1)) is amended by striking ''agencies in'' and inserting ''agencies on aging in''.

(G) Section 362 (42 U.S.C. 3030n) is amended in the section heading by striking ''AREA AGENCIES'' AND inserting ''AREA AGENCIES ON AGING''.

(H) Section 411(b)(2 (42 U.S.C. 3031(b)(2)) is amended by striking ''State and area agency'' and inserting ''State agency and area agency on aging''.

(I) Section 412(a)(6) (42 U.S.C. 3032(a)(6)) is amended by striking ''State and area agencies'' and inserting ''State agencies and area agencies on aging''.

TITLE II—ADMINISTRATION

SEC. 201. ADMINISTRATION ON AGING.

(a) LIMITATION ON DELEGATION OF FUNCTIONS.—The last sentence of section 201(a) of the Older Americans Act of 1965 (42 U.S.C. 3011(a)) is amended by inserting ''(including the functions of the Commissioner carried out through regional offices)'' after ''Commissioner'' the first place it appears.

(b) COORDINATION.—Section 201(c)(3) of the Older Americans Act of 1965 (42 U.S.C. 3011(c)(3)) is amended—

(2) in subparagraph (B) by inserting '', with particular attention to services provided to Native Americans by the Indian Health Service'' after ''affecting older Native Americans'';

(2) in subparagraph (F) by inserting '', including information (compiled with assistance from public or nonprofit private entities, including institutions of high education, with experience in assessing the characteristics and health status of older individuals who are Native Americans) on elder abuse, in-home care, health problems, and other problems unique to Native Americans'' after ''Native Americans'';

(3) in subparagraph (G) by striking ''and'' at the end;

(4) in subparagraph (H) by striking the period at the end and inserting a semicolon; and

(5) by adding at the end the following:

''(I) promote coordination—

''(i) between the administration of title III and the administration of title VI; and

''(ii) between programs established under title III by the Commissioner and programs established under title VI by the Commissioner; including sharing among grantees information on programs funded, and on training and technical assistance provided, under such titles; and

''(J) serve as the effective and visible advocate on behalf of older individuals who are Indians, Alaskan Natives, and Native Hawaiians, in the States to promote the enhanced delivery of services and implementation of programs, under this Act and other Federal Acts, for the benefit of such individuals.''.

(c) OFFICE OF LONG-TERM CARE OMBUDSMAN PROGRAMS.—Section 201 of the Older Americans Act of 1965 (42 U.S.C. 3011) is amended by adding at the end the following:

''(d)(1) There is established in the Administration the Office of Long-Term Care Ombudsman Programs (in this subsection referred to as the 'Office').

''(2)(A) The Office shall be headed by an Associate Commissioner for Ombudsman Programs (in this subsection referred to as the 'Associate Commissioner') who shall be appointed by the Commissioner from among individuals who have expertise and background in the fields of long-term care advocacy and management. The Associate Commissioner shall report directly to the Commissioner.

''(B) No individual shall be appointed Associate Commissioner if—

''(i) the individual has been employed within the previous 2 years by—

''(I) a long-term care facility;

''(II) a corporation that then owned or operated a long-term care facility; or

''(III) an association of long-term care facilities;

''(ii) the individual—

''(I) has an ownership or investment interest (represented by equity, debt, or other financial relationship) in a long-term care facility or long-term care service; or

''(II) receives, or has the right to receive, directly or indirectly remuneration (in cash or in kind) under a compensation arrangement with an owner or operator of a long-term care facility; or

''(iii) the individual, or any member of the immediate family of the individual, is subject to a conflict of interest.

''(3) The Associate Commissioner shall—

''(A) serve as an effective and visible advocate on behalf of older individuals who reside in long-term care facilities, within the Department of Health and Human Services and with other departments, agencies, and instrumentalities of the Federal Government regarding all Federal policies affecting such individuals;

''(B) review and make recommendations to the Commissioner regarding—

''(i) the approval of the provisions in State plans submitted under section 307(a) that relate to State Long-Term Care Ombudsman programs; and

''(ii) the adequacy of State budgets and policies relating to the programs;

''(C) after consultation with State Long-Term Care Ombudsmen and the State agencies, make recommendations to the Commissioner regarding—

''(i) policies designed to assist State Long-Term Care Ombudsmen; and

''(ii) methods to periodically monitor and evaluate the operation of State Long-Term Care Ombudsman programs, to ensure that the programs satisfy the requirements of section 307(a)(12) and section 712, including provision of service to residents of board and care facilities and of similar adult care facilities;

''(D) keep the Commissioner and the Secretary fully and currently informed about—

''(i) problems relating to State Long-Term Care Ombudsman programs; and

''(ii) the necessity for, and the progress toward, solving the problems;

''(E) review, and make recommendations to the Secretary and the Commissioner regarding, existing and proposed Federal legislation, regulations, and policies regarding the operation of State Long-Term Care Ombudsman programs;

''(F) make recommendations to the Commissioner and the Secretary regarding the policies of the Administration, and coordinate the activities of the Administration with the activities of other Federal entities, State and local entities, and nongovernmental entities, relating to State Long-Term Care Ombudsman programs;

''(G) supervise the activities carried out under the authority of the Administration that relate to State Long-Term Care Ombudsman programs;

''(H) administer the National Ombudsman Resource Center established under section 202(a)(21) and make recommendations to the Commissioner regarding the operation of the National Ombudsman Resource Center;

''(I) advocate, monitor, and coordinate Federal and State activities of Long-Term Care Ombudsmen under this Act;

''(J) submit to the Speaker of the House of Representatives and the President pro tempore of the Senate an annual report on the effectiveness of services provided under section 307(a)(12) and section 712;

''(K) have authority to investigate the operation or violation of any Federal law administered by the Department of Health and Human Services that may adversely affect the health, safety, welfare, or rights of older individuals; and

''(L) not later than 180 days after the date of the enactment of the Older Americans Act Amendments of 1992, establish standards applicable to the training required by section 712(h)(4).''.

SEC. 202. FUNCTIONS OF COMMISSIONER.

(a) TECHNICAL AMENDMENTS.—Section 202(a) of the Older Americans Act of 1965 (42 U.S.C. 3012(a)) is amended—

(1) in paragraph (3) by inserting ''directly'' after ''(3)'';

(2) in paragraph (11) by striking ''provide for the coordination of'' and insert ''coordinate'';

(3) in paragraph (18)—

(A) by inserting '', and service providers,'' after ''agencies''; and

(B) by striking ''the greatest economic or social needs'' and inserting ''greatest economic need or individuals with greatest social need, with particular attention to and specific objectives for providing services to low-income minority individuals''; and

(4) in paragraph (19)—

(A) in subparagraph (A) by inserting ''or activity'' after ''service'' each place it appears; and

(B) in subparagraph (C) by striking ''and'' at the end.

(b) FUNCTIONS.—Section 202(a) of the Older Americans Act of 1965 (42 U.S.C. 3012(a)) is amended—

(1) in paragraph (20) by striking the period at the end and inserting a semicolon; and

(2) by adding at the end the following:

''(21)(A) establish and operate the National Ombudsman Resource Center (in this paragraph referred to as the 'Center'), under the administration of the Associate Commissioner for Ombudsman Programs, that will—

''(i) by grant or contract—

''(I) conduct research;

''(II) provide training, technical assistance, and information to State Long-Term Care Ombudsmen;

''(III) analyze laws, regulations, programs, and practices; and

''(IV) provide assistance in recruiting and retaining volunteers for State Long-Term Care Ombudsman programs by establishing a national program for recruitment efforts that utilizes the organizations that have established a successful record in recruiting and retaining volunteers for ombudsman or other programs:

relating to Federal, State, and local long-term care ombudsman policies; and

''(ii) assist State Long-Term Care Ombudsmen in the implementation of State Long-Term Care Ombudsman programs; and

''(B) make available to the Center not less than the amount of resources made available to the Long-Term Care Ombudsman National Resource Center for fiscal year 1990;

''(2) issue regulations, and conduct strict monitoring of State compliance with the requirements in effect, under this Act to prohibit conflicts of interest and to maintain the integrity and public purposes of services provided and service providers, under this Act in all contractual and commercial relationships, and include in such regulations a requirement that as a condition of being designated as an area agency on aging such agency shall—

''(A) disclose to the Commissioner and the State agency involved—

''(i) the identity of each non-governmental entity with which such agency has a contract or commercial relationship relating to providing any service to older individuals; and

''(ii) the nature of such contract or such relationship;

''(B) demonstrate that a loss or diminution in the quantity or quality of the services provided, or to be provided, under this Act by such agency has not resulted and will not result from such contract or such relationship;

''(C) demonstrate that the quantity or quality of the services to be provided under this Act by such agency will be enhanced as a result of such contract or such relationship; and

''(D) on the request of the Commissioner or the State, for the purpose of monitoring compliance with this Act (including conducting an audit), disclose all sources and expenditures of funds received or expended to provide services to older individuals;

''(23) encourage, and provide technical assistance to, States and area agencies on aging to carry out outreach to inform older individuals with greatest economic need who may be eligible to receive, but are not receiving, supplemental security income benefits under title XVI of the Social Security Act (42 U.S.C. 1381 et seq.) (or assistance under a State plan program under such title), medical assistance under title XIX of such Act (42 U.S.C. 1396 et seq.) and benefits under the Food Stamp Act of 1977 (7 U.S.C. 2011 et seq.) of the requirements for eligibility to receive such benefits and such assistance;

''(24) establish information and assistance services as priority services for older individuals;

''(25) develop guidelines for area agencies on aging to follow in choosing and evaluating providers of legal assistance;

''(26) develop guidelines and a model job description for choosing and evaluating legal assistance developers referred to in sections 307(a)(18) and 731(b)(2);

''(27)(A) conduct a study to determine ways in which Federal funds might be more effectively targeted to low-income minority older individuals, and older individuals residing in rural areas to better meet the needs of States with a disproportionate number of older individuals with greatest economic need and older individuals with greatest social need;

''(B) conduct a study to determine ways in which Federal funds might be more effectively targeted to better meet the needs of States with disproportionate numbers of older individuals, including methods of allotting funds under title III, using the most recent estimates of the population of older individuals; and

''(C) not later than January 1, 1994, submit a report containing the findings resulting from the studies described in subparagraphs (A) and (B) to the Speaker of the House of Representatives and the President pro tempore of the Senate;

''(28) provide technical assistance, training, and other means of assistance to State agencies, area agencies on aging, and service providers regarding State and local data collection and analysis;

''(29) design and implement, for purposes of compliance with paragraph (19), uniform data collection procedures for use by State agencies, including—

''(A) uniform definitions and nomenclature;

''(B) standardized data collection procedures;

''(C) a participant identification and description system;

''(D) procedures for collecting information on gaps in services needed by older individuals, as identified by service providers in assisting clients through the provision of the supportive services; and

''(E) procedures for the assessment of unmet needs for services under this Act; and

''(30) require that all Federal grants and contracts made under this title and title IV be made in accordance with a competitive bidding process established by the Commissioner by regulation.''.

''(c) COMMUNITY-BASED LONG-TERM CARE PROGRAM.—Section 202(b) of the Older Americans Act of 1965 (42 U.S.C. 3012 (b)) is amended—

(1) in paragraph (2) by striking ''and'' at the end;

(2) in paragraph (3) by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(4) participate in all departmental and interdepartmental activities to provide a leadership role for the Administration, State agencies, and area agencies on aging in the development and implementation of a national community-based long-term care program for older individuals.''.

(d) VOLUNTEER SERVICE COORDINATORS.—Section 202(c) of the Older Americans Act of 1965 (42 U.S.C. 3012(c)) is amended—

(1) by inserting ''(1)'' after ''(c)''; and

(2) by adding at the end the following:

''(2)(A) In executing the duties and functions of the Administration under this Act and in carrying out the programs and activities provided for by this Act, the Commissioner shall act to encourage and assist the establishment and use of—

''(i) area volunteer service coordinators, as described in section 306(a)(12), by area agencies on aging; and

''(ii) State volunteer service coordinators, as described in section 307(a)(31), by State agencies.

''(B) The Commissioner shall provide technical assistance to the area and State volunteer services coordinators.''.

(e) NATIONAL CENTER ON ELDER ABUSE.—Section 202 of the Older Americans Act of 1965 (42 U.S.C. 3012) is amended by adding at the end the following:

''(d)(1) The Commissioner shall establish and operate the National Center on Elder Abuse (in this subsection referred to as the 'Center').

''(2) In operating the Center, the Commissioner shall——

''(A) annually compile, publish, and disseminate a summary of recently conducted research on elder abuse, neglect, and exploitation;

''(B) develop and maintain an information clearinghouse on all programs (including private programs) showing promise of success, for the prevention, identification, and treatment of elder abuse, neglect, and exploitation;

''(C) compile, publish, and disseminate training materials for personnel who are engaged or intend to engage in the prevention, identification, and treatment of elder abuse, neglect, and exploitation;

''(D) provide technical assistance to State agencies and to other public and nonprofit private agencies and organizations to assist the agencies and organizations in planning, improving, developing, and carrying out programs and activities relating to the special problems of elder abuse, neglect, and exploitation; and

''(E) conduct research and demonstration projects regarding the causes, prevention,

identification, and treatment of elder abuse, neglect, and exploitation.

''(3)(A) The Commissioner shall carry out paragraph (2) through grants or contracts.

''(B) The Commissioner shall issue criteria applicable to the recipients of funds under this subsection. To be eligible to receive a grant or enter into a contract under subparagraph (A), an entity shall submit an application to the Commissioner at such time, in such manner, and containing such information as the Commissioner may require.

''(C) The Commissioner shall——

''(i) establish research priorities for making grants or contracts to carry out paragraph (2)(E); and

''(ii) not later than 60 days before the date on which the Commissioner establishes such priorities, publish in the Federal Register for public comment a statement of such proposed priorities.

''(4) The Commissioner shall make available to the Center such resources as are necessary for the Center to carry out effectively the functions of the Center under this Act and not less than the amount of resources made available to the Resource Center on Elder Abuse for fiscal year 1990.''.

(f) NATIONAL AGING INFORMATION CENTER.—Section 202 of the Older Americans Act of 1965 (42 U.S.C. 3012), as amended by subsection (e) of this section, is amended by adding at the end the following:

''(e)(1)(A) The Commissioner shall make grants or enter into contracts with eligible entities to establish the National Aging Information Center (in this subsection referred to as the 'Center') to——

''(i) provide information about education and training projects established under part A, and research and demonstration projects, and other activities, established under part B, of title IV to persons requesting such information;

''(ii) annually compile, analyze, publish, and disseminate—

''(I) statistical data collected under subsection (a)(19);

''(II) census data on aging demographics; and

''(III) data from other Federal agencies on the health, social, and economic status of older individuals and on the services provided to older individuals;

''(iii) biennially compile, analyze, publish, and disseminate statistical data collected on the functions, staffing patterns, and funding sources of State agencies and area agencies on aging;

''(iv) analyze the information collected under section 201(c)(3)(F) by the Associate Commissioner on American Indian, Alaskan Native, and Native Hawaiian Aging, and the information provided by the Resource Centers on Native American Elders under section 429E;

''(v) provide technical assistance, training, and other means of assistance to State agencies, area agencies on aging, and service providers, regarding State and local data collection and analysis; and

''(vi) be a national resource on statistical data regarding aging;

''(B) To be eligible to receive a grant or enter into a contract under subparagraph (A), an entity shall submit an application to the Commissioner at such time, in such manner, and containing such information as the Commissioner may require.

''(C) Entities eligible to receive a grant or enter into a contract under subparagraph (A) shall be organizations with a demonstrated record of experience in education and information dissemination.

''(2)(A) The Commissioner shall establish procedures specifying the length of time that the Center shall provide the information described in paragraph (1) with respect to a particular project or activity. The procedures shall require the Center to maintain the information beyond the term of the grant awarded, or contract entered into, to carry out the project or activity.

''(B) The Commissioner shall establish the procedures described in subparagraph (A) after consultation with—

''(i) practitioners in the field of aging;

''(ii) older individuals;

''(iii) representatives of institutions of higher education;

''(iv) national aging organizations;

''(v) State agencies;

''(vi) area agencies on aging;

''(vii) legal assistance providers;

''(viii) service providers; and

''(ix) other persons with an interest in the field of aging.''

(g) OBLIGATION OF FUNDS.—Not later than March 1, 1993, the Commissioner shall obligate, from the funds appropriated under the Older Americans Act of 1965 (42 U.S.C. 3001 et seq.) for fiscal year 1993——

(1) to carry out section 202(a)(21) of such Act (as added by subsection (b)(2) of this section), not less than the amount made available from appropriations for fiscal year 1990 under such Act for making grants and entering into contracts to establish and operate the National Long-Term Care Ombudsman Resource Center; and

(2) to carry out section 202(d)(4) of such Act (as added by subsection (e) of this section), not less than the amount made available from appropriations for fiscal year 1990 under such Act for making grants and entering into contracts to establish and operate the National Aging Resource Center on Elder Abuse.

(h) DEADLINE FOR DEVELOPMENT OF PROCEDURES.—Not later than 1 year after the date of the enactment of this Act, the data collection procedures required by section 202(a)(29) of the Older Americans Act of 1965 shall be developed by the Commissioner on Aging, jointly with the Assistant Secretary of Planning and Evaluation of the Department of Health and Human Services, after——

(1) requesting advisory information under such Act from State agencies, local governments, area agencies on aging, recipients of grants under title VI of such Act, and local providers of services under such Act; and

(2) considering the data collection systems carried out by State agencies in the States then identified as exemplary by the General Accounting Office. Not later than 1 year after developing such data collection procedures, the Commissioner on Aging shall test such procedures, submit to the Speaker of the House of Representatives and the President pro tempore of the Senate a report summarizing the results of such test, and implement such procedures (as modified, if appropriate, to reflect such results).

SEC. 203. FEDERAL AGENCY CONSULTATION.

(a) IN GENERAL.—Section 203(a) of the Older Americans Act of 1965 (42 U.S.C. 3013(a)) is amended to read as follows:

''(a)(1) The Commissioner, in carrying out the objectives and provisions of this Act, shall coordinate, advise, consult with, and cooperate with the head of each department, agency, or instrumentality of the Federal Government proposing or administering programs or services substantially related to the objectives of this Act, with respect to such programs or services. In particular, the Commissioner shall coordinate, advise, consult, and cooperate with the Secretary of Labor in carrying out title V and with the ACTION Agency in carrying out this Act.

''(2) The head of each department, agency, or instrumentality of the Federal Government proposing to establish programs and services substantially related to the objectives of this Act shall consult with the Commissioner prior to the establishment of such programs and services. To achieve appropriate coordination, the head of each department, agency, or instrumentality of the Federal Government administering any program substantially related to the objectives of this Act, particularly administering any program referred to in subsection (b), shall consult and cooperate with the Commissioner in carrying out such program. In particular, the Secretary of Labor shall consult and cooperate with the Commissioner in carrying out the Job Training Partnership Act (29 U.S.C. 1501 et seq.).

''(3) The head of each Federal department, agency, or instrumentality of the Federal Government administering programs and services substantially related to the objectives of this Act shall collaborate with the Commissioner in carrying out this Act, and shall develop a written analysis, for review and comment by the Commissioner, of the impact of such programs and services on—

''(A) older individuals (with particular attention to low-income minority older individuals) and eligible individuals (as defined in section 507); and

''(B) the functions and responsibilities of State agencies and area agencies on aging.''.

(b) RELATED PROGRAMS.—Section 203(b) of the Older Americans Act of 1965 (42 U.S.C. 3013(b)) is amended——

(1) in paragraph (16) by striking ''and'' at the end;

(2) in paragraph (17) by striking the period at the end and inserting '', and''; and

(3) by adding at the end the following:

''(18) the Edward Byrne Memorial State and Local Law Enforcement Assistance Programs, established under part E of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3750–3766(b)).''.

SEC. 204. CONSULTATION WITH STATE AGENCIES, AREA AGENCIES ON AGING, AND NATIVE AMERICAN GRANT RECIPIENTS.

The Older Americans Act of 1965 (42 U.S.C. 3001 et seq.) is amended by inserting after section 203 the following:

''SEC. 203A. CONSULTATION WITH STATE AGENCIES, ARE AGENCIES ON AGING, AND NATIVE AMERICAN GRANT RECIPIENTS.

''The Commissioner shall consult and coordinate with State agencies, area agencies on aging, and recipients of grants under title VI in the development of Federal goals, regulations, program instructions, and policies under this Act.''.

SEC. 205. FEDERAL COUNCIL ON THE AGING.

(a) ESTABLISHMENT.—Section 204(a) of the Older Americans Act of 1965 (42 U.S.C. 3015(a)) is amended—

(1) in paragraph (1)——

(A) in the second sentence by striking ''Members shall serve for terms of three years'' and inserting ''Except as provided in subsection (b)(1)(A), members shall serve for terms of 3 years, ending on March 31 regardless of the actual date of appointment,''; and

(B) in the third sentence by inserting ''from among individuals who have expertise and experience in the field of aging'' after ''appointed''; and

(2) in paragraph (2) by striking ''11984'' and inserting ''1992''.

(b) TERMS OF APPOINTMENT.—Section 204(b)(1)(A) of the Older Americans Act of 1965 (42 U.S.C. 3015(b)(1)(A)) is amended to read as follows:

''(A)(i) The initial members of the Federal Council on the Aging shall be appointed on April 1, 1993, as follows:

''(I) 5 members, who shall be referred to as class 1 members, shall be appointed for a term of 1 year;

''(II) 5 members, who shall be referred to as class 2 members, shall be appointed for a term of 2 years; and

''(III) 5 members, who shall be referred to as class 3 members, shall be appointed for a term of 3 years.

''(ii) Members appointed in 1994 and each third year thereafter shall be referred to as class 1 members. Members appointed in 1995 and each third year thereafter shall be referred to as class 2 members. Members appointed in 1996 and each third year thereafter shall be referred to as class 3 members.''.

(c) DUTIES OF COUNCIL.—Section 204(d) of the Older Americans Act of 1965 (42 U.S.C. 3015(d)) is amended——

(1) in paragraph (2) by inserting before the semicolon at the end the following: ''and of identifying duplication and gaps among the types of services provided under such programs and activities'';

(2) by redesignating paragraphs (2) through (5) as paragraph (3) through (6), respectively; and

(3) by inserting after paragraph (1) the following:

''(2) directly advise the Commissioner on matters affecting the special needs of older individuals for services and assistance under this Act;''.

(d) REPORTS.—Section 204(f) of the Older Americans Act of 1965 (42 U.S.C. 3015(f)) is amended by striking ''such interim reports as it deems advisable'' and inserting ''interim reports''.

(e) AUTHORIZATION OF APPROPRIATIONS.—Section 204(g) of the Older Americans Act of 1965 (42 U.S.C. 3015(g)) is amended to read as follows:

''(g) There are authorized to be appropriated to carry out this section $300,000 for fiscal year 1992 and such sums as may be necessary for fiscal years 1993, 1994 and 1995.''.

SEC. 206. NUTRITION OFFICER.

Section 205(a) of the Older Americans Act of 1965 (42 U.S.C. 3016(a)) is amended—

(1) by redesignating paragraphs (1) through (5) as subparagraphs (A) through (E), respectively;

(2) by inserting ''(1)'' after ''(a)''; and

(3) by adding at the end the following:

''(2)(A) the Commissioner shall designate an officer or employee who shall serve on a full-time basis and who shall be responsible for the administration of the nutrition services described in subparts 1, 2, and 3 of part C of title III and shall have duties that include—

''(i) designing, implementing, and evaluating nutrition programs;

(ii) developing guidelines for nutrition providers concerning safety, sanitary handling of food, equipment, preparation, and food storage;

''(iii) disseminating information to nutrition service providers about nutrition advancements and developments;

''(iv) promoting coordination between nutrition service providers and community-based organizations serving older individuals;

''(v) developing guidelines on cost containment;

''(vi) defining a long range role for the nutrition services in community-based care systems;

''(vii) developing model menus and other appropriate materials for serving special needs populations and meeting cultural meal preferences; and

''(viii) providing technical assistance to the regional offices of the Administration with respect to each duty described in clauses (i) through (vii).

''(B) The regional offices of the Administration shall be responsible for disseminating, and providing technical assistance regarding, the guidelines and information described in clauses (ii), (iii), and (v) of subparagraph (A) to State agencies, area agencies on aging, the persons that provide nutrition services under part C of title III.

''(C) The officer or employee designated under subparagraph (A) shall—

''(i) have expertise in nutrition and dietary services and planning; and

''(ii)(I) be a registered dietitian;

''(II) be a credentialed nutrition professional; or

''(III) have education and training that is substantially equivalent to the education and training for a registered dietitian or a credentialed nutrition professional.''.

SEC. 207. EVALUATION.

Section 206 of the Older Americans Act of 1965 (42 U.S.C. 3017) is amended—

(1) in the first sentence of subsection (a) by inserting after ''related programs,'' the following:

''their effectiveness in targeting for services under this Act unserved older individuals with greatest economic need (including low-income minority individuals) and unserved older individuals with greatest social need (including low-income minority individuals),''; and

(2) by striking subsection (g) and inserting the following:

''(g)(1) Not later than June 30, 1994, the Commissioner, in consultation with the Assistant Secretary for Planning and Evaluation of the Department of Health and Human Services, shall complete an evaluation of nutrition services provided under this Act, to evaluate for fiscal years 1992 and 1993—

''(A) their effectiveness in serving special populations of older individuals;

''(B) the quality of nutrition provided by such services;

''(C) average meal costs (including the cost of food, related administrative costs, and the cost of supportive services relating to nutrition services), taking into account regional differences and size of projects;

''(D) the characteristics of participants;

''(E) the applicability of health, safety, and dietary standards;

''(F) the appraisal of such services by recipients;

''(G) the efficiency of delivery and administration of such services;

''(H) the amount, sources, and ultimate uses of funds transferred under section 308(b)(5) to provide such services;

''(I) the amount, sources, and uses of other funds expended to provide such services, including the extent to which funds received under this Act are used to generate additional funds to provide such services;

''(J) the degree of nutritional expertise used to plan and manage coordination with other State and local services;

''(K) nonfood cost factors incidental to providing nutrition services under this Act;

''(L) the extent to which commodities provided by the Secretary of Agriculture under section 311(a) are used to provide such services;

''(M) and for the 8-year period ending September 30, 1992, the characteristics, and changes in the characteristics, of such nutrition services;

''(N) differences between older individuals who receive nutrition services under section 331 and older individuals who receive nutrition services under section 336, with specific reference to age, income, health status, receipt of food stamp benefits, and limitations on activities of daily living;

''(O) the impact of the increase in nutrition services provided under section 336, the factors that caused such increase, and the effect of such increase on nutrition services authorized under section 336;

''(P) how, and the extent to which, nutrition services provided under this Act generally, and under section 331 specifically, are integrated with long-term care programs;

''(Q) the impact of nutrition services provided under this Act on older individuals, including the impact on their dietary intake and opportunities for socialization;

''(R) the adequacy of the daily recommended dietary allowances described in section 339; and

''(S) the impact of transferring funds under section 308(b)(5) and how funds transferred under such section are expended to provide nutrition services.

''(2)(A)(i) The Commissioner shall establish an advisory council to develop recommendations for guidelines on efficiency and quality in furnishing nutrition services described in subparts 1, 2, and 3 of part C of title III.

''(ii) The council shall be composed of members appointed by the Commissioner from among individuals nominated by the Secretary of Agriculture, the American Dietetic Association, the Dietary Managers Association, the National Association of Nutrition and Aging Service Programs, the National Association of Meal Programs, the National Association of State Units on Aging, the National Association of Area Agencies on Aging, and other appropriate organizations.

''Not later than June 30, 1993, the Commissioner, in consultation with the Secretary of Agriculture and taking into consideration the recommendations of the council, shall publish interim guidelines of the kind described in subparagraph (A)(i).

''(3) Not later than September 30, 1994, the Secretary shall—

''(A) submit to the President, the Speaker of the House of Representatives, and the President pro tempore of the Senate recommendations and final guidelines to improve nutrition services provided under this Act; and

''(B) require the Commissioner to implement such recommendations administratively, to the extent feasible.

''(h) The Secretary may use such sums as may be necessary, but not to exceed $3,000,000 (of which not to exceed $1,500,000 shall be available from funds appropriated to carry out title III and not to exceed $1,500,000 shall be available from funds appropriated to carry out title IV), to conduct directly evaluations under this section. No part of such sums may be reprogrammed, transferred, or used for any other purpose. Funds expended under this subsection shall be justified and accounted for by the Secretary.''.

SEC. 208. REPORTS.

(A) ANNUAL REPORT.—Section 207(a) of the Older Americans Act of 1965 (42 U.S.C. 3018(a)) is amended—

(1) in paragraph (3) by striking ''and'' at the end;

(2) in paragraph (4) by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(5) a description of the implementation of the plan required by section 202(a)(17).''.

(b) DEADLINE.—Section 207(b)(1) of the Older Americans Act of 1965 (42 U.S.C. 3018(b)(1)) is amended by striking ''January 15'' and inserting ''March 1''.

(c) REPORT ON EVALUATIONS.—Section 207(c) of the Older Americans Act of 1965 (42 U.S.C. 3018(c)) is amended—

(1) in paragraph (3) by striking ''and'' at the end;

(2) in paragraph (4) by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(5) the effectiveness of State and local efforts to target older individuals with greatest economic need (including low-income minority individuals) and older individuals with greatest social need (including low-income minority individuals) to receive services under this Act.''.

SEC. 209. NUTRITION EDUCATION.

Title II of the Older Americans Act of 1965 (42 U.S.C. 3011–3020d) is amended by adding at the end the following:

''SEC. 214. NUTRITION EDUCATION.

''The Commissioner and the Secretary of Agriculture may provide technical assist-

ance and appropriate material to agencies carrying out nutrition education programs in accordance with section 307(a)(13)(J).''.

SEC. 210. AUTHORIZATION OF APPROPRIATIONS.

Title II of the Older Americans Act of 1965 (42 U.S.C. 3011–3020d), as amended by section 209, is amended by adding at the end the following:

''SEC. 215. AUTHORIZATION OF APPROPRIATIONS.

(a) ADMINISTRATION.—For purposes of carrying out this Act, there are authorized to be appropriated for the Administration such sums as may be necessary for fiscal years 1992, 1993, 1994, and 1995.

''(b) SALARIES AND EXPENSES.—There are authorized to be appropriated for salaries and expenses of the Administration on Aging——

''(1) 17,000,000 for fiscal year 1992, $20,000,000 for fiscal year 1993, $24,000,000 for fiscal year 1994, and $29,000,000 for fiscal year 1995; and

''(2) such additional sums as may be necessary for each such fiscal year to enable the Commissioner to provide for not fewer than 300 full-time employees (or the equivalent thereof) in the Administration on Aging.''.

SEC. 211. STUDY OF EFFECTIVENESS OF STATE LONG-TERM CARE OMBUDSMAN PROGRAMS.

Not later than January 1, 1994, the Commissioner on Aging shall, in consultation with State agencies, State Long-Term Care Ombudsmen, the National Ombudsman Resource Center established under section 202(a)(21) of the Older Americans Act of 1965 (as added by section 202(b)(2) of this Act), and professional ombudsmen associations, directly, or by grant or contract, conduct a study, and submit a report to the committees specified in section 207(b)(2) of such Act, analyzing separately with respect to each State——

(1) the availability of services, and the unmet need for services, under the State Long-Term Care Ombudsman programs in effect under sections 307(a)(12) and 712 of the Older Americans Act of 1965 (42 U.S.C. 3001 et seq.) to residents of long-term care facilities (as defined in section 102 of such Act);

(2) the effectiveness of the programs in providing the services to the residents of board and care facilities (as defined in section 102 of such Act) and of similar adult care facilities;

(3) the adequacy of Federal and other resources to carry out the programs on a statewide basis in each State;

(4) compliance and barriers to such compliance of the States in carrying out the programs.

(5) any actual and potential conflicts of interest in the administration and operation of the programs; and

(6) the need for and feasibility of providing ombudsman services to older individuals (as defined in section 102 of such Act) who are not in long-term care facilities and who use long-term care services and other health care services, by analyzing and assessing current State agency practices in programs in which the State Long-Term Care Ombudsmen provide services to older individuals in settings in addition to long-term care facilities, taking into account variations in——

(A) settings where services are provided;

(B) the types of clients served;

(C) the types of complaints and problems handled;

(D) State regulation of long-term care provided in settings other than long-term care facilities; and

(E) possible conflicts of interest between the State Long-Term Care Ombudsman programs under such Act and area agencies on aging (as defined in section 102 of such Act) who provide to older individuals long-term care services both in such settings and in long-term care facilities.

SEC. 212. STUDY ON BOARD AND CARE FACILITY QUALITY.

(a) ARRANGEMENT FOR STUDY COMMITTEE.—The Secretary of Health and Human Services shall enter into an arrangement, in accordance with subsection (d), to establish a study committee described in subsection (c) to conduct a study through the Institute of Medicine of the National Academy of Sciences on the quality of board and care facilities for older individuals (as defined in section 102 of the Older Americans Act of 1965 (42 U.S.C. 3001 et seq.)) and the disabled.

(b) SCOPE OF STUDY.—The study shall include—

(1) an examination of existing quality, health, and safety requirements for board and care facilities and the enforcement of such requirements for their adequacy and effectiveness, with special attention to their effectiveness in promoting good personal care;

(2) an examination of, and recommendations with respect, to, the appropriate role of Federal, State, and local governments in assuring the health and safety of residents of board and care facilities; and

(3) specific recommendations to the Congress and the Secretary, by not later than 20 months after the date of the enactment of this Act, concerning the establishment of minimum national standards for the quality, health, and safety of residents of such facilities and the enforcement of such standards.

(c) COMPOSITION OF STUDY COMMITTEE.—The study committee shall be composed of members as appointed from among the following:

(1) NATIONAL ACADEMY OF SCIENCES.—The members of the National Academy of Sciences with experience in long-term care. The members so appointed shall include—

(A) physicians;

(B) experts on the administration of drugs to older individuals, and disabled individuals receiving long-term care services; and

(C) experts on the enforcement of life-safety codes in long-term care facilities.

(2) RESIDENTS.—Residents of board and care facilities (including privately owned board and care facilities), and representatives of such residents or of organizations that advocate on behalf of such residents. Members so appointed shall include——

(A) residents of a nonprofit board and care facility; or

(B) individuals who represent——

(ii) residents of nonprofit board and care facilities; or

(iii) organizations that advocate on behalf of residents of nonprofit board and care facilities.

(3) OPERATIONS.—Operators of board and care facilities (including privately owned board and care facilities), and individuals who represent such operators or organizations that represent the interests of such operators. Members so appointed shall include——

(A) operators of a nonprofit board and care facility; or

(B) individuals who represent——

(i) operators of nonprofit board and care facilities; or

(ii) organizations that represent the interests of operators of nonprofit board and care facilities.

(4) OFFICERS.——

(A) STATE OFFICERS.—Elected and appointed State officers who have responsibility relating to the health and safety of residents of board and care facilities.

(B) REPRESENTATIVES.—Representatives of such officers or of organizations representing such officers.

(C) OTHER INDIVIDUALS.—Other individuals with relevant expertise.

(d) USE OF INSTITUTE OF MEDICINE.—The Secretary shall request the National Academy of Sciences, through the Institute of Medicine, to establish, appoint, and provide administrative support for the study committee under an arrangement under which the actual expenses incurred by the Academy in carrying out such functions will be paid by the Secretary. If the National Academy of Sciences is willing to do so, the Secretary shall enter into such arrangement with the Academy.

(e) INVOLVEMENT OF OTHERS.——

(1) GOVERNMENT OFFICIALS.—The study committee shall conduct its work in a manner that provides for the consultation with Members of Congress or their representatives, officials of the Department of Health and Human Services, and officials of State and local governments who are not members of the study committee.

(2) EXPERTS.—The study committee may consult with any individual or organization with expertise relating to the issues involved in the activities of the study committee.

(f) REPORT.—Not later than 20 months after an arrangement is entered into under subsection (d), the study committee shall submit, to the Secretary, the Speaker of the House of Representatives, and the President pro tempore of the Senate, a report containing the results of the study referred to in subsection (a) and the recommendations made under subsection (b).

(g) BOARD AND CARE FACILITY DEFINED.—In this section, the term ''board and care facility'' means a facility described in section 1616(e) of the Social Security Act (42 U.S.C. 1372e(e)).

(h) AUTHORIZATION.—There are authorized to be appropriated to carry out this section $1,500,000 for fiscal year 1992 and such sums as may be necessary for subsequent fiscal years.

SEC. 213. STUDY ON HOME CARE QUALITY.

(a) ESTABLISHMENT STUDY OF COMMITTEE.—The Secretary of Health and Human Services shall enter into an arrangement, in accordance with subsection (d), to establish a study committee described in subsection (c) to conduct a study through the Institute of Medicine of the National Academy of Sciences on the quality of home care services for older individuals and disabled individuals.

(b) SCOPE OF STUDY.—The study shall include—

(1) an examination of existing quality, health and safety requirements for home care services and the enforcement of such requirements for their adequacy, effectiveness, and appropriateness;

(2) an examination of, and recommendations with respect to, the appropriate role of Federal, State, and local governments in ensuring the health and safety of patients and clients of home care services; and

(3) specific recommendations to the Congress and the Secretary, not later than 20 months after the date of the enactment of this Act, concerning the establishment of minimum national standards for the quality, health, and safety of patients and clients of such services and the enforcement of such standards.

(c) COMPOSITION OF STUDY COMMITTEE.—The study committee shall be composed of members appointed from among—

(1) individuals with experience in long-term care, including nonmedical home care services;

(2) patients and clients of home care services (including privately provided home care services and services funded under the Older Americans Act of 1965) or individuals who represent such patients and clients or organizations that advocate on behalf of such patients and clients;

(3) providers of home care services (including privately provided home care services and services funded under the Older Ameri-

cans Act of 1965) or individuals who represent such providers or organizations that advocate on behalf of such providers;

(4) elected and appointed State officers who have responsibility relating to the health and safety of patients and clients of home care services, or representatives of such officers or of organizations representing such officers; and

(5) other individuals with relevant expertise.

(d) USE OF INSTITUTE OF MEDICINE.—The Secretary shall request the National Academy of Sciences, through the Institute of Medicine, to establish, appoint, and provide administrative support for the committee under an arrangement under which the actual expenses incurred by the Academy in carrying out such functions will be paid by the Secretary. If the National Academy of Sciences is willing to do so, the Secretary shall enter into such arrangement with the Academy.

(e) INVOLVEMENT OF OTHERS.—

(1) MEMBERS AND OFFICIALS.—The committee shall conduct its work in a manner that provides for consultation with Members of Congress or their representatives, officials of the Department of Health and Human Services, and officials of State and local governments who are not members of the committee.

(2) INDIVIDUAL OR ORGANIZATION WITH EXPERTISE.—The committee may consult with any individual or organization with expertise relating to the issues involved in the activities of the committee.

(f) REPORT.—Not later than 20 months after an arrangement is entered into under subsection (d), the committee shall submit, to the Secretary, the Speaker of the House of Representatives, and the President pro tempore of the Senate, a report containing the results of the study referred to in subsection (a).

(g) AUTHORIZATION.—There are authorized to be appropriated to carry out this section $1,000,000 for fiscal year 1992 and such sums as may be necessary for subsequent fiscal years.

TITLE III—STATE AND COMMUNITY PROGRAMS ON AGING

SEC. 301. PURPOSE OF GRANTS FOR STATE AND COMMUNITY PROGRAMS ON AGING.

Section 301(a) of the Older Americans Act of 1965 (42 U.S.C. 3021(a)) is amended to read as follows:

''(a)(1) It is the purpose of this title to encourage and assist State agencies and area agencies on aging to concentrate resources in order to develop greater capacity and foster the development and implementation of comprehensive and coordinated systems to serve older individuals by entering into new cooperative arrangements in each State with the persons described in paragraph (2), for the planning, and for the provision of, supportive services, and multipurpose senior centers, in order to—

''(A) secure and maintain maximum independence and dignity in a home environment for older individuals capable of self care with appropriate supportive services;

''(B) remove individual and social barriers to economic and personal independence for older individuals;

''(C) provide a continuum of care for vulnerable older individuals; and

''(D) secure the opportunity for older individuals to receive managed in-home and community-based long-term care services.

''(2) The persons referred to in paragraph (1) include—

''(A) State agencies and area agencies on aging;

''(B) other State agencies, including agencies that administer home and community care programs;

''(C) Indian tribes, tribal organizations, and Native Hawaiian organizations;

''(D) the providers, including voluntary organizations or other private sector organizations, of supportive services, nutrition services, and multipurpose senior centers; and

''(E) organizations representing or employing older individuals or their families.''.

SEC. 302. DEFINITIONS.

Section 302(1) of the Older Americans Act of 1965 (42 U.S.C. 3022(1)) is amended—

(1) in subparagraph (B) by striking ''and'' at the end;

(2) in subparagraph (C) by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(D) encourage and assist public and private entities that have unrealized potential for meeting the service needs of older individuals to assist the older individuals on a voluntary basis.''.

SEC. 303. AUTHORIZATION OF APPROPRIATIONS; USES OF FUNDS.

(a) AUTHORIZATION FOR PART B.—

(1) SUPPORTIVE SERVICES AND SENIOR CENTERS.—Section 303(a)(1) of the Older Americans Act of 1965 (42 U.S.C. 3012(a)(1)) is amended by striking ''$379,575,000'' and all that follows through ''1991'', and inserting ''$461,376,000 for fiscal year 1992 and such sums as may be necessary for fiscal years 1993, 1994, and 1995''.

(2) STATE LONG-TERM CARE OMBUDSMAN PROGRAMS.—Section 303(a)(2) of the Older Americans Act of 1965 (42 U.S.C. 3012(a)(2)) is amended to read as follows:

''(2) Funds appropriated under paragraph (1) shall be available to carry out section 712.''.

(3) REPEAL RELATING TO OUTREACH.—Section 303(a)(3) of the Older Americans Act of 1965 (42 U.S.C. 3012(a)(3)) is repealed.

(b) AUTHORIZATION FOR PART C.—

(1) CONGREGATE NUTRITION SERVICES.—Section 303(b)(1) of the Older Americans Act of 1965 (42 U.S.C. 3012(b)(1)) is amended by striking ''414,750,000'' and all that follows through ''1991'', and inserting ''$505,000,000 for fiscal year 1992 and such sums as may be necessary for fiscal years 1993, 1994, and 1995''.

(2) HOME-DELIVERED NUTRITION SERVICES.—Section 303(b)(2) of the Older Americans Act of 1965 (42 U.S.C. 3012(b)(2)) is amended by striking ''$79,380,000'' and all that follows through ''1991'', and inserting ''$120,000,000 for fiscal year 1992 and such sums as may be necessary for fiscal years 1993, 1994, 1995''.

(3) AUTHORIZATION OF APPROPRIATIONS FOR SCHOOL-BASED MEALS FOR OLDER INDIVIDUALS AND MULTIGENERATIONAL PROGRAMS.—Section 303(b) of the Older Americans Act of 1965 (42 U.S.C. 3023) is amended by adding at the end the following:

''(3) There are authorized to be appropriated $15,000,000 for fiscal year 1992 and such sums as may be necessary for fiscal years 1993, 1994, and 1995, to carry out subpart 3 of part C of this title (relating to school-based meals for volunteer older individuals and multigenerational programs).''.

(c) AUTHORIZATION FOR PART D (RELATING TO IN-HOME SERVICES).—Section 303(d) of the Older Americans Act of 1965 (42 U.S.C. 3012(d)) is amended by striking ''$25,000,000'' and all that follows through ''1991'', and inserting ''$45,388,000 for fiscal year 1992 and such sums as may be necessary for fiscal years 1993, 1994, and 1995,''.

(d) AUTHORIZATION FOR PART E (RELATING TO SPECIAL NEEDS).—Section 303(e) of the Older Americans Act of 1965 (42 U.S.C. 3012(e)) is amended by striking ''Subject to'' and all that follows through ''1991'', and inserting ''There are authorized to be appropriated such sums as may be necessary for the fiscal years 1992, 1993, 1994, and 1995,''.

(e) AUTHORIZATION FOR PART F (RELATING TO DISEASE PREVENTION AND HEALTH PROMOTION).—Section 303(f) of the Older Americans Act of 1965 (42 U.S.C. 3012(f)) is amended—

(1) by striking ''Subject to subsection (h), there'' and inserting ''There''; and

(2) by striking ''$5,000,000'' and all that follows through ''1991'', and inserting ''$25,000,000 for fiscal year 1992 and such sums as may be necessary for fiscal year 1992 and such sums as may be necessary for fiscal years 1993, 1994, and 1995,''.

(f) AUTHORIZATION FOR PART G (RELATING TO SUPPORTIVE ACTIVITIES FOR CARETAKERS).—Section 303(g) of the Older Americans Act of 1965 (42 U.S.C. 3023(g)) is amended to read as follows:

''(g) There are authorized to be appropriated $15,000,000 for fiscal year 1992 and such sums as may be necessary for fiscal years 1993, 1994, and 1995, to carry out part G (relating to supportive activities for caretakers).''.

(g) REPEAL OF LIMITATION.—Section 303(h) of the Older Americans Act of 1965 (42 U.S.C. 3023(h)) is repealed.

SEC. 304. ALLOTMENT; FEDERAL SHARE.

(a) AMOUNT OF ALLOTMENTS.—Section 304(a) of the Older Americans Act of 1965 (42 U.S.C. 3024(a)) is amended—

(1) in paragraph (2) by striking ''1984'' and inserting ''1987'';

(2) by amending paragraph (3) to read as follows:

''(3) No State shall be allotted, from the amount appropriated under section 303(g), less than $50,000 for any fiscal year.''; and

(3) in paragraph (4) by striking ''satisfactory data available'' and inserting ''data available from the Bureau of the Census, and other reliable demographic data satisfactory''.

(b) WITHHOLDING OF ALLOTMENTS.—Section 304(c) of the Older Americans Act of 1965 (42 U.S.C. 3024(c))'' is amended by inserting ''or the Commissioner does not approve funding formula required under section 305(a)(2)(C)'' after ''requirements of section 307''.

(c) OUTREACH DEMONSTRATION PROJECTS.—Section 304(d)(1)(C) of the Older Americans Act of 1965 (42 U.S.C. 3024(d)(1)(C)) is amended to read as follows:

''(C) not less than $150,000 and not more than 4 percent of the amount allotted to the State for carrying out part B, shall be available for conducting outreach demonstration project under section 706; and''.

(d) VOLUNTEER SERVICES COORDINATORS.—Section 304 of the Older Americans Act of 1965 (42 U.S.C. 3024) is amended by adding at the end the following:

''(e) Grants made from allotments received under this title may be used for paying for the costs of providing for an area volunteer services coordinator (as described in section 306(a)(12)) or a State volunteer services coordinator (as described in section 307(a)(31)).

SEC. 305. ORGANIZATION.

(a) PLANNING; CONSULTATION; LOW-INCOME MINORITY OBJECTIVES AND FOCUS.—Section 305(a) of the Older Americans Act of 1965 (42 U.S.C. 3025(a)) is amended—

(1) by amending paragraph (1)(C) to read as follows:

''(C) be primarily responsible for the planning, policy development, administration, coordination, prority setting, and evaluation of all State activities related to the objectives of this Act;''; and

(2) in paragraph (2)—

(A) by amending subparagraph (C) to read as follows:

''(C) in consultation with area agencies, in accordance with guidelines issued by the Commissioner, and using the best available data, develop and publish for review and comment a formula for distribution within the State of funds received under this title that takes into account—

''(i) the geographical distribution of older individuals in the State; and

''(ii) the distribution among planning and serive areas of older individuals with greatest economic need and older individuals with greatest social need, with particular attention to low-income minority older individuals;'';

(B) in subparagraph (D) by striking ''for review and comment'' and inserting ''for approval'';

(C) in subparagraph (E) by striking ''and'' at the end;

(D) by amending subparagraph (F) to read as follows:

''(F) provide assurances that the State agency will require use of outreach efforts described in section 307(a)(24); and''; and

(E) by adding at the end the following:

''(G)(i) set specific objectives, in consultation with area agencies on aging, for each planning and service area for providing services funded under this title to low-income minority older individuals;

''(ii) provide an assurance that the State agency will undertake specific program development, advocacy, and outreach efforts focused on the needs of low-income minority older individuals; and

''(iii) provide a description of the efforts described in clause (ii) that will be undertaken by the State agency.''.

(b) PROCEDURES; REVIEW OF BOUNDARIES.—Section 305(b)(5) of the Older Americans Act of 1965 (42 U.S.C. 3025(b)(5)) is amended by adding at the end the following:

''(C)(i) A State agency shall establish and follow appropriate procedures to provide due process to affected parties, if the State agency initiates an action or proceeding to—

''(I) revoke the designation of the area agency on aging under subsection (a);

''(II) designate an additional planning and service area in a State;

''(III) divide the State into different planning and services areas; or

''(IV) otherwise affect the boundaries of the planning and service areas in the State.

''(ii) The procedures described in clause (i) shall include procedures for—

''(I) providing notice of an action or proceeding described in clause (i);

''(II) documenting the need for the action or proceeding;

''(III) conducting a public hearing for the action or proceeding;

''(IV) involving area agencies on aging, service providers, and older individuals in the action or proceeding; and

''(V) allowing an appeal of the decision of the State agency in the action or proceeding to the Commissioner.

''(iii) An adversely affected party involved in an action or proceeding described in clause (i) may bring an appeal described in clause (ii)(V) on the basis of—

''(I) the facts and merits of the matter that is the subject of the action or proceeding; or

''(II) procedural grounds.

''(iv) In deciding an appeal described in clause (ii)(V), the Commissioner may affirm or set aside the decision of the State agency. If the Commissioner sets aside the decision, and the State agency has taken an action described in subclauses (I) through (III) of clause (i), the State agency shall nullify the action.''.

SEC. 306. AREA PLANS.

(a) CASE MANAGEMENT SERVICES.—Section 306(a)(2)(A) of the Older Americans Act of 1965 (42 U.S.C. 3026(a)(2)(A)), as amended by section 102(b)(4) of this Act, is amended by striking '', and information and assistance'' and inserting '', information and assistance, and case management services''.

(b) IDENTITY OF FOCAL POINT.—Section 306(a)(3) of the Older Americans Act of 1965 (42 U.S.C. 3026(a)(3)) is amended—

(1) by inserting ''(A)'' after ''(3)'';

(2) by inserting ''(including multipurpose senior centers operated by organizations referred to in paragraph (6)(E)(ii))'' after ''centers'';

(3) by inserting ''and'' after the semicolon at the end; and

(4) by adding at the end the following:

''(B) specify, in grants, contracts, and agreements implementing the plan, the identity of each focal point so designated;''.

(c) OBJECTIVES FOR LOW-INCOME MINORITY INDIVIDUALS.—

(1) INFORMATION AND ASSISTANCE SERVICES.—Section 306(a)(4) of the Older Americans Act of 1965 (42 U.S.C. 3026(a)(4)) is amended by inserting before the semicolon at the end the following: '', with particular emphasis on linking services available to isolated older individuals and older individuals with Alzheimer's disease or related disorders with neurological and organic brain dysfunction (and the caretakers of individuals with such disease or disorders)''.

(2) OUTREACH AND INFORMATION.—Section 306(a)(5) of the Older Americans Act of 1965 (42 U.S.C. 3026(a)(5)) is amended—

(A) in subparagraph (A)—

(i) in clause (i)—

(I) by striking ''preference will be given to'' and inserting ''the area agency on aging will set specific objectives for''; and

(II) by striking ''with particular attention'' and inserting ''include specific objectives for providing services''; (ii) in clause (ii)—

(I) in subclause (I) by striking ''and'' at the end;

(II) by amending subclause (II) to read as follows:

''(II) to the maximum extent feasible, provide services to low-income minority individuals in accordance with their need for such services; and''; and

(III) by adding at the end the following:

''(III) meet specific objectives established by the area agency on aging, for providing services to low-income minority individuals within the planning and service area; and''; and

(iii) in clause (ii)—

(I) by striking ''and'' at the end of subclause (I); and

(II) by adding at the end the following new subclause:

''(III) provide information on the extent to which the area agency on aging met the objectives described in clause (i);'';

(B) by amending subparagraph (B) to read as follows:

''(B) provide assurances that the area agency on aging will use outreach efforts that will—

''(i) identify individuals eligible for assistance under this Act, with special emphasis on—

''(I) older individuals residing in rural areas;

''(II) older individuals with greatest economic need (with particular attention to low-income minority individuals);

''(III) older individuals with greatest social need (with particular attention to low-income minority individuals);

''(IV) older individuals with severe disabilities;

''(V) older individuals with limited English-speaking ability; and

''(VI) older individuals with Alzheimer's disease or related disorders with neurological and organic brain dysfunction (and the caretakers of such individuals); and

''(ii) inform the older individuals referred to in subclauses (I) through (VI) of clause (i), and the caretakers of such individuals, of the availability of such assistance; and''; and

(C) by adding at the end the following:

''(C) contain an assurance that the area agency on aging will ensure that each activity undertaken by the agency, including planning, advocacy, and systems development, will include a focus on the needs of low-income minority older individuals;''.

(d) COORDINATION; HOUSING ARRANGEMENTS; TELEPHONE LISTING.—Section 306(a)(6) of the Older Americans Act of 1965 (42 U.S.C. 2026(a)(6)) is amended.—

(1) in subparagraph (B) by inserting '', and timely information in a timely manner,'' after ''assistance'';

(2) in subparagraph (D) by inserting ''(in cooperation with agencies, organizations, and individuals participating in activities under the plan)'' after ''community by'';

(3) in subparagraph (E)—

(A) by inserting ''(i)'' after ''(E)'';

(B) by inserting ''and'' after the semicolon at the end; and

(C) by adding at the end the following:

''(ii) if possible regarding the provision of services under this title, enter into arrangements and coordinate with organizations that have a proven record of providing services to older individuals, that—

''(I) were officially designated as community action agencies or community action programs under section 210 of the Economic Opportunity Act of 1964 (42 U.S.C. 2790) for fiscal year 1981, and did not lose the designation as a result of failure to comply with such Act; or

''(II) came into existence during fiscal year 1982 as direct successors in interest to such community action agencies or community action programs;

and that meet the requirements under section 675(c)(3) of the Community Services Block Grant Act (42 U.S.C. 9904(c)(3));'';

(4) by amending subparagraph (H) to read as follows:

''(H) establish effective and efficient procedures for coordination of—

''(i) entities conducting programs that receive assistance under this Act within the planning and service area served by the agency; and

''(ii) entities conducting other Federal programs for older individuals at the local level, with particular emphasis on entities conducting programs described in section 203(b), within the area;'';

(5) in subparagraph (I) by striking ''emphasize the development'' and all that follows through the semicolon at the end, and inserting ''include the development of case management services as a component of the long-term care services;'';

(6) in subparagraph (O) by striking ''and'' at the end;

(7) by striking subparagraph (P); and

(8) by adding at the end the following:

''(P) establish a grievance procedure for older individuals who are dissatisfied with or denied services under this title;

''(Q) enter into voluntary arrangements with nonprofit entities (including public and private housing authorities and organizations) that provide housing (such as housing under section 202 of the Housing Act of 1959 (12 U.S.C. 1701Q) to older individuals, to provide—

''(i) leadership and coordination in the development, provision, and expansion of adequate housing, supportive services, referrals, and living arrangements for older individuals; and

''(ii) advance notification and non-financial assistance to older individuals who are subject to eviction from such housing;

''(R) list the telephone number of the agency in each telephone directory that is published, by the provider of local telephone service, for residents in any geographical area that lies in whole or in part in the service and planning area served by the agency—

''(i) under the name 'Area Agency on Aging';

''(ii) in the unclassified section of the directory; and

''(iii) to the extent possible, in the classified section of the directory, under a subject heading designated by the Commissioner by regulation; and

''(S) identify the needs of older individuals and describe methods the area agency on aging will use to coordinate planning and delivery of transportation services (including the purchase of vehicles) to assist older individuals, including those with special needs, in the area;''.

(e) STATE LONG-TERM CARE OMBUDSMAN PROGRAM.—Section 306(a) of the Older Americans Act of 1965 (42 U.S.C. 3026(a)) is amended—

(1) in paragraph (9) by striking ''and'' at the end;

(2) in paragraph (10) by striking the period and inserting a semicolon; and

(3) by adding at the end the following:

''(11) provide assurances that the area agency on aging, in carrying out the State Long-Term Care Ombudsman program under section 307(a)(12), will expend not less than the total amount of funds appropriated under this Act and expended by the agency in fiscal year 1991 in carrying out such a program under this title;''.

(f) VOLUNTEERS TO ASSIST OLDER INDIVIDUALS; PUBLIC DISCLOSURE; RELATIONSHIP WITH PRIVATE SECTOR; ASSURANCES OF COORDINATION AND ACCESS.—Section 306(a) of the Older Americans Act of 1965 (42 U.S.C. 3026(a)), as amended by subsection (e) of this section, is amended by adding at the end the following:

''(12) in the discretion of the area agency on aging, provide for an area volunteer services coordinator, who shall—

''(A) encourage, and enlist the services of, local volunteer groups to provide assistance and services appropriate to the unique needs of older individuals within the planning and service area;

''(B) encourage, organize, and promote the use of older individuals as volunteers to local communities within the area; and

''(C) promote the recognition of the contribution made by volunteers to programs administered under the area plan;

''(13)(A) describe all activities of the area agency on aging, whether funded by public or private funds; and

''(B) provide an assurance that the activities conform with—

''(i) the responsibilities of the area agency on aging, as set forth in this subsection; and

''(ii) the laws, regulations, and policies of the State served by the area agency on aging;

''(14) provide assurance that the area agency on aging will—

''(A) maintain the integrity and public purpose of services provided, and service provides, under this title in all contractual and commercial relationships;

''(B) disclose to the Commissioner and the State agency—

''(21) the identity of each non-governmental entity with which such agency has a contract or commercial relationship relating to providing any service to older individuals; and

''(ii) the nature of such contract or such relationship;

''(C) demonstrate that a loss or diminution in the quantity or quality of the services provided, or to be provided, under this title by such agency has not resulted and will not result from such contract or such relationship;

''(D) demonstrate that the quantity or quality of the services to be provided under this title by such agency will be enhanced as a result of such contract or such relationship; and

''(E) on the request of the Commissioner or the State, for the purpose of monitoring compliance with this Act (including conducting an audit), disclose all sources and expenditures of funds such agency receives or expends to provide services to older individuals;

''(15) provide assurances that funds received under this title will not be used to pay any part of a cost (including an administrative cost) incurred by the area agency on aging to carry out a contract or commercial relationship that is not carried out to implement this title;

''(16) provide assurances that preference in receiving services under this title will not be given by the area agency on aging to particular older individuals as a result of a contract or commercial relationship that is not carried out to implement this title;

''(17) provide assurances that projects in the planning and service area will reasonably accommodate participants as described in section 307(a)(13)(G);

''(18) provide assurances that the area agency on aging will, to the maximum extent practicable, coordinate the services it provides under this title with services provide under title VI;

''(19)(A) provide an assurance that the area agency on aging will pursue activities to increase access by older individuals who are Native Americans to all aging programs and benefits provided by the agency, including programs and benefits under this title, if applicable; and

''(B) specify the ways in which the area agency on aging intends to implement the activities; and

''(20) provide that case management services provided under this title through the area agency on aging will—

''(A) not duplicate case management services provided through other Federal and State programs;

''(B) be coordinated with services described in subparagraph (A); and

''(C) be provided by—

''(i) a public agency; or

''(ii) a nonprofit private agency that—

''(I) does not provide, and does not have a direct or indirect ownership or controlling interest in, or a direct or indirect affiliation or relationship with, an entity that provides, services other than case management services under this title; or

''(II) is located in a rural area and obtains a waiver of the requirement described in subclause (I).''.

(g) WITHHOLDING OF AREA FUNDS.—Section 306 of the Older Americans Act of 1965 (42 U.S.C. 3026) is amended by adding at the end the following:

''(e)(1) If the head of a State agency finds that an area agency on aging has failed to comply with Federal or State laws, including the area plan requirements of this section, regulations, or policies, the State may withhold a portion of the funds to the area agency on aging available under this title.

''(2)(A) The head of a State agency shall not make a final determination withholding funds under paragraph (1) without first affording the area agency on aging due process in accordance with procedures established by the State agency.

''(B) At a minimum, such procedures shall include procedures for—

''(i) providing notice of an action to withhold funds;

''(ii) providing documentation of the need for such action; and

''(iii) at the request of the area agency on aging, conducting a public hearing concerning the action.

''(3)(A) If a State agency withholds the funds, the State agency may use the funds withheld to directly administer programs under this title in the planning and service area served by the area agency on aging for a period not to exceed 180 days, except as provided in subparagraph (B).

''(B) If the State agency determines that the area agency on aging has not taken corrective action, or if the State agency does not approve the corrective action, during the 180-day period described in subparagraph (A), the State agency may extend the period for not more than 90 days.''.

SEC. 307. STATE PLANS.

(a) COMPLIANCE WITH TITLE III.—Section 307(a) of the Older Americans Act of 1965 (42 U.S.C. 3027(a)) is amended—

(1) in the first sentence by inserting ''the succeeding sentence and'' after ''provided in'';

(2) by inserting after the first sentence the following:

''If the Commissioner determines, in the discretion of the Commissioner, that a State failed in 2 successive years to comply with the requirements under this title, then the State shall submit to the Commissioner a State plan for a 1-year period that meets such criteria, for subsequent years until the Commissioner determines that the State is in compliance with such requirements.''; and

(3) in paragraph (3)(A)—

(A) by inserting ''and transportation services'' after ''assistance''; and

(B) by adding at the end the following:

''To conduct the evaluation, the State agency shall use the procedures implemented under section 202(a)(29).''.

(b) PROCEDURES.—Section 307(a)(5) of the Older Americans Act of 1965 (42 U.S.C. 3027(a)(5)) is amended by adding at the end the following: ''The State agency shall establish and publish procedures for requesting and conducting such hearing.''.

(c) FISCAL CONTROL AND FUND ACCOUNTING.—Section 307(a)(7) of the Older Americans Act of 1965 (42 U.S.C. 3027(a)(7)) is amended—

(1) by inserting ''(A)'' after ''(7)''; and

(2) by adding at the end the following:

''(B) The plan shall provide assurances that—

''(i) no individual (appointed or otherwise) involved in the designation of the State agency or an area agency on aging, or in the designation of the head of any subdivision of the State agency or of an area agency on aging, is subject to a conflict of interest prohibited under this Act;

''(ii) no officer, employee, or other representative of the State agency or an area agency on aging is subject to a conflict of interest prohibited under this Act; and

''(iii) mechanisms are in place to identify and remove conflicts of interest prohibited under this Act.

''(C) The plan shall provide assurances that the State agency and each area agency on aging will—

''(i) maintain the integrity and public purpose of services provided, and service providers, under the State plan in all contractual and commercial relationships;

''(ii) disclose to the Commissioner—

''(I) the identity of each non-governmental entity with which the State agency or area agency on aging has a contract or commercial relationship relating to providing any service to older individuals; and

''(II) the nature of such contract or such relationship;

''(iii) demonstrate that a loss or diminution in the quantity or quality of the services provided, or to be provided, under this Act by such agency has not resulted and will not result from such contract or such relationship;

''(iv) demonstrate that the quantity or quality of the services to be provided under the State plan will be enhanced as a result of such contract or such relationship; and

''(v) on the request of the Commissioner, for the purpose of monitoring compliance with this Act (including conducting an

audit), disclose all sources and expenditures of funds the State agency and area agency on aging receive or expend to provide services to older individuals.''.

(d) EVALUATION.—Section 307(a)(8) of the Older Americans Act of 1965 (42 U.S.C. 3027(a)(8)) is amended by adding at the end the following:

''In conducting such evaluations and public hearings, the State agency shall solicit the views and experiences of entities that are knowledgeable about the needs and concerns of low-income minority older individuals.''.

(e) EMPLOYMENT PREFERENCE.—Section 307(a)(11) of the Older Americans Act of 1965 (42 U.S.C. 3027(a)(11)) is amended by striking ''governments,'' and all that follows through ''older'', and inserting the following:

''governments—

''(A) preference shall be given to older individuals; and

''(B) special consideration shall be given to individuals with formal training in the field of aging (including an educational specialty or emphasis in aging and a training degree or certificate in aging) or equivalent professional experience in the field of aging;''.

(f) STATE LONG-TERM CARE OMBUDSMAN PROGRAM.—Section 307(a)(12) of the Older Americans Act of 1965 (42 U.S.C. 3027(a)(12)) is amended to read as follows:

''(12) The plan shall provide assurances that the State agency will carry out, through the Office of the State Long-Term Care Ombudsman, a State Long-Term Care Ombudsman program in accordance with section 712 and this title.''.

(g) USE OF FUNDS; NUTRITION EDUCATION AND SANITARY HANDLING OF MEALS.—Section 307(a)(13) of the Older Americans Act of 1965 (42 U.S.C. 3027(a)(13)) is amended—

(1) in subparagraph (B) by inserting ''(other than under section 303(b)(3))'' after ''available under this title'';

(2) in subparagraph (F)—

(A) by striking ''may'' and inserting ''will''; and

(B) by inserting ''dietitians (or individuals with comparable expertise),'' after ''advice of'';

(3) in subparagraph (H) by striking ''and'' at the end;

(4) in subparagraph (I) by striking the period at the end and inserting a semicolon;

(5) by adding at the end the following:

''(J) each nutrition project shall provide nutrition education on at least a semiannual basis to participants in programs described in part C;

''(K) each project shall comply with applicable provisions of State or local laws regarding the safe and sanitary handling of food, equipment, and supplies used in the storage, preparation, service, and delivery of meals to an older individual;

''(L) the State agency will monitor, coordinate, and assist in the planning of nutritional services, with the advice of a dietitian or an individual with comparable expertise; and

''(M) the State agency will—

''(i) develop nonfinancial criteria for eligibility to receive nutrition services under section 336; and

''(ii) periodically evaluate recipients of such services to determine whether they continue to meet such criteria.''.

(h) LEGAL PROBLEMS.—Section 307(a)(15) of the Older Americans Act of 1965 (42 U.S.C. 3027(a)(15)) is amended—

(1) in subparagraph (C) by striking ''and'' at the end;

(2) in subparagraph (D) by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(E) the plan contains assurances that area agencies on aging will give priority to legal assistance related to income, health care, long-term care, nutrition, housing, utilities, protective services, defense of guardianship, abuse, neglect, and age discrimination.''.

(i) PROGRAMS FOR PREVENTION OF ABUSE, NEGLECT, AND EXPLOITATION.—Section 307(a)(16) of the Older Americans Act of 1965 (42 U.S.C. 3027(a)(16)) is amended in the matter preceding subparagraph (A)—

(1) by striking ''that'' the first place it appears and inserting a comma; and

(2) by striking '', if funds are not appropriated under section 303(g) for a fiscal year, provide that for such'' and inserting ''provide for a''.

(j) LEGAL ASSISTANCE DEVELOPER.—Section 307(a)(18) of the Older Americans Act of 1965 (42 U.S.C. 3027(a)(18)) is amended by inserting ''(one of whom shall be known as a legal assistance developer)'' after ''personnel''.

(k) EXPENDITURES UNDER STATE LONG-TERM CARE OMBUDSMAN PROGRAM.—Section 307(a)(21) of the Older Americans Act of 1965 (42 U.S.C. 3027(a)(21)) is amended to read as follows:

''(21) The plan shall provide assurances that the State agency, in carrying out the State Long-Term Care Ombudsman program under section 307(a)(12), will expend not less than the total amount expended by the agency in fiscal year 1991 in carrying out such a program under this title.''.

(l) OUTREACH AND INFORMATION.—Section 307(a)(24) of the Older Americans Act of 1965 (42 U.S.C. 3027(a)(24)) is amended to read as follows:

''(24) The plan shall provide assurances that the State agency will require outreach efforts that will—

''(A) identify individuals eligible for assistance under this Act, with special emphasis on—

''(i) older individuals residing in rural areas;

''(ii) older individuals with greatest economic need (with particular attention to low-income minority individuals);

''(iii) older individuals with greatest social need (with particular attention to low-income minority individuals);

''(iv) older individuals with severe disabilities;

''(v) older individuals with limited English-speaking ability; and

''(vi) older individuals with Alzheimer's disease or related disorders with neurological and organic brain dysfunction (and the caretakers of such individuals); and

''(B) inform the older individuals referred to in clauses (i) through (vi) of subparagraph (A), and the caretakers of such individuals, of the availability of such assistance;''.

(m) ELDER RIGHTS REQUIREMENTS.—Section 307(a)(30) of the Older Americans Act of 1965 (42 U.S.C. 3027(a)(30)) is amended to read as follows:

''(30) The plan shall include the assurances and description required by section 705(a).''.

(n) REQUIREMENTS.—Section 307(a) of the Older Americans Act of 1965 (42 U.S.C. 3027(a)) is amended by striking paragraph (31) and inserting the following:

''(31)(A) If 50 percent or more of the area plans in the State provide for an area volunteer services coordinator, as described in section 306(a)(12), the State plan shall provide for a State volunteer services coordinator, who shall—

''(i) encourage area agencies on aging to provide for area volunteer services coordinators;

''(ii) coordinate the volunteer services offered between the various area agencies on aging;

''(iii) encourage, organize, and promote the use of older individuals as volunteers to the State;

''(iv) provide technical assistance, which may include training, to area volunteer services coordinators; and

''(v) promote the recognition of the contribution made by volunteers to the programs administered under the State plan.

''(B) If fewer than 50 percent of the area plans in the State provide for an area volunteer services coordinator, the State plan may provide for the State volunteer services coordinator described in subparagraph (A).

''(32) The plan shall provide assurances that special efforts will be made to provide technical assistance to minority providers of services.

''(33) The plan—

''(A) shall include the statement and the demonstration required by paragraphs (2) and (4) of section 305(d); and

''(B) may not be approved unless the Commissioner approves such statement and such demonstration.

''(34) The plan shall provide an assurance that the State agency will coordinate programs under this title and title VI, if applicable.

''(35) The plan shall—

''(A) provide an assurance that the State agency will pursue activities to increase access by older individuals who are Native Americans to all aging programs and benefits provided by the agency, including programs and benefits under this title, if applicable; and

''(B) specify the ways in which the State agency intends to implement the activities.

''(36) If case management services are offered to provide access to supportive services, the plan shall provide that the State agency shall ensure compliance with the requirements specified in section 306(a)(20).

''(37) The plan shall identify for each fiscal year, the actual and projected additional costs of providing services under this title, including the cost of providing access to such services, to older individuals residing in rural areas in the State (in accordance with a standard definition of rural areas specified by the Commissioner).

''(38) The plan shall provide assurances that funds received under this title will not be used to pay any part of a cost (including an administrative cost) incurred by the State or an area agency on aging to carry out a contract or commercial relationship that is not carried out to implement this title.

''(39) The plan shall provide assurances that preference in receiving services under this title will not be given by the area agency on aging to particular older individuals as a result of a contract or commercial relationship that is not carried out to implement this title.

''(40) The plan shall provide assurances that if the State receives funds appropriated under section 303(g) the State agency and area agencies on aging will expend such funds to carry out part G.

''(41) The plan shall provide assurances that demonstrable efforts will be made—

''(A) to coordinate services provided under this Act with other State services that benefit older individuals; and

''(B) to provide multigenerational activities, such as opportunities for older individuals to serve as mentors or advisers in child care, youth day care, educational assistance, at-risk youth intervention, juvenile delinquency treatment, and family support programs.

''(42) The plan shall provide assurances that the State will coordinate public services within the State to assist older individuals to obtain transportation services associated with access to services provided under this title, to services under title VI, to comprehensive counseling services, and to legal assistance.

''(43) The plan shall provide that the State agency shall issue guidelines applicable to grievance procedures required by section 306(a)(6)(P).

''(44) The plan shall include assurances that the State has in effect a mechanism to provide for quality in the provision of in-home services under this title.''.

(o) APPROVAL OF STATE PLAN.—Section 307(b)(1) of the Older Americans Act of 1965 (42 U.S.C. 3017(b)(1)) is amended by inserting before the period at the end the following: '', except the Commissioner may not approve such plan unless the Commissioner determines that the formula submitted under section 305(a)(2)(D) complies with the guidelines in effect under section 305(a)(2)(C)''.

(p) DETERMINATION OF DISAPPROVAL.—Section 307(c) of the Older Americans Act of 1965 (42 U.S. 3027(c)) is amended—

(1) by inserting ''(1)'' after ''(c)''; and

(2) by adding at the end the following:

''(2) Not later than 30 days after such final determination, a State dissatisfied with such final determination may appeal such final determination to the Secretary for review. If the State timely appeals such final determination in accordance with subsection (e)(1), the Secretary shall dismiss the appeal filed under this paragraph.

''(3) If the State is dissatisfied with the decision of the Secretary after review under paragraph (2), the State may appeal such decision not later than 30 days after such decision and in the manner described in subsection (e). For purposes of appellate review under the preceding sentence, a reference in subsection (e) to the Commissioner shall be deemed to be a reference to the Secretary.''.

(q) REPEAL OF EXPIRED PROVISION.—Section 307(f) of the Older Americans Act of 1965 (42 U.S.C. 3027(f)) is repealed.

(r) PROTECTION OF COMMERCIAL INFORMATION.—Section 307(g) of the Older Americans Act of 1965 (42 U.S.C. 3027(g)) is amended—

(1) by striking ''(g)'' and inserting ''(f)(1)''; and

(2) by adding at the end the following:

''(2) Information disclosed under section 306(a)(14)(B)(i) or subsection (a)(7)(C)(ii)(I) may be disclosed to the public by the State agency or the State only if such information could be disclosed under section 552 of title 5, United States Code, by an agency of the United States.''.

SEC. 308. PLANNING, COORDINATION, EVALUATION, AND ADMINISTRATION OF STATE PLANS.

Section 308 of the Older Americans Act of 1965 (42 U.S.C. 3028) is amended—

(1) in subsection (a)(3) by inserting ''been'' after ''which has''; and

(2) in subsection (b)—

(A) in paragraph (4)—

(i) by inserting ''(A)'' after ''(4)'';

(ii) in the first sentence—

(I) by inserting ''and except as provided in subparagraph (B)'' after ''this title'';

(II) by striking ''received under section 303(b) (1) and (2), a'' and inserting ''received by a State and attributable to funds appropriated under paragraph (1) or (2) of section 303(b), the''; and

(III) by striking ''a portion of the funds appropriated'' and inserting ''not more than 30 percent of the funds so received''; and

(iii) by adding at the end the following:

''(B) If a State demonstrates, to the satisfaction of the Commissioner, that funds received by the State and attributable to funds appropriated under paragraph (1) or (2) of section 303(b), including funds transferred under subparagraph (A) without regard to this subparagraph, for fiscal year 1993, 1994, 1995, or 1996 are insufficient to satisfy the need for services under subpart 1 or subpart 2 of part C, then the Commissioner may grant a waiver that permits the State to transfer under subparagraph (A) to satisfy such need—

''(i) an additional 18 percent of the funds so received for fiscal year 1993;

''(ii) an additional 15 percent of the funds so received for each of the fiscal year 1994 and 1995; and

''(iii) an additional 10 percent of the funds so received for fiscal year 1996.''; and

(B) by striking paragraph (5) and inserting the following:

''(5)(A) Notwithstanding any other provision of this title and except as provided in subparagraph (B), of the funds received by a State attributable to funds appropriated under subsection (a)(1), and paragraphs (1) and (2) of subsection (b), of section 303, the State may elect to transfer not more than 30 percent for fiscal year 1993, not more than 25 percent for fiscal year 1994, not more than 25 percent for fiscal year 1995, and not more than 20 percent for fiscal year 1996, between programs under part B and part C, for use as the State considers appropriate. The State shall notify the Commissioner of any such election.

''(B)(i) If a State demonstrates, to the satisfaction of the Commissioner, that funds received by the State and attributable to funds appropriated under part B or part (C) (including funds transferred under subparagraph (A) without regard to this paragraph) for fiscal year 1994 or 1995 are insufficient to satisfy the need for services under such part, then the Commissioner may grant a waiver that permits the State transfer under subparagraph (A) to satisfy such need an additional 5 percent of the funds so received for such fiscal year.

''(ii) If a State demonstrates, to the satisfaction of the Commissioner, that funds received by the State and attributable to funds appropriated under part B or part C (including funds transferred under subparagraph (A) without regard to this subparagraph) for fiscal year 1996 are insufficient to satisfy the need for services under such part, then the Commissioner may grant a waiver that permits the State to transfer under subparagraph (A) to satisfy such need an additional 8 percent of the funds so received for such fiscal year.

''(C) At a minimum, the application described in subparagraph (A) shall include a description of the amount to be transferred, the purposes of the transfer, the need for the transfer, and the impact of the transfer on the provision of services from which the funding will be transferred. The Commissioner shall approve or deny the application in writing.

''(6) A State agency may not delegate to an area agency on aging or any other entity the authority to make a transfer under paragraph (4)(A) or (5)(A).

''(7) The Commissioner shall annually collect, and include in the report required by section 207(a), data regarding the transfers described in paragraphs (4)(A) and (5)(A), including—

''(A) the amount of funds involved in the transfers, analyzed by State;

''(B) the rationales for the transfers;

''(C) in the case of transfers described in paragraphs (4)(A) and (5)(A), the effect of the transfers of the provision of services, including the effect on the number of meals served, under—

''(i) subpart 1 of part C; and

''(ii) subpart 2 of part C; and

''(D) in the case of transfers described in paragraph (5)(A)—

''(i) in the case of transfers to part B, information on the supportive services, or services provided through senior centers, for which the transfers were used; and

''(ii) the effect of the transfers on the provision of services provided under—

''(I) part B; and

''(II) part C, including the effect on the number of meals served.''.

SEC. 309. DISASTER RELIEF REIMBURSEMENTS.

Section 310 of the Older Americans Act of 1965 (42 U.S.C. 3030) is amended—

(1) in subsection (a)—

(A) in paragraph (1) by inserting ''(and related supplies)'' after ''supportive services''; and

(B) by adding at the end the following:

''(3) If the Commissioner decides, in the 5-day period beginning on the date such disaster is declared by the President, to provide an amount of reimbursement under paragraph (1) to a State, then the Commissioner shall provide not less than 75 percent of such amount to such State not later than 5 days after the date of such decision.''; and

(2) in subsections (a)(2) and (b)—

(A) by striking ''5 percent'' each place it appears and inserting ''2 percent''; and

(B) by striking ''for carrying out the purposes of section 422'' each place it appears and inserting ''to carry out title IV''.

SEC. 310. AVAILABILITY OF SURPLUS COMMODITIES.

Section 311 of the Older Americans Act of 1965 (42 U.S.C. 3030a) is amended—

(1) in subsection (a)(4)—

(A) by designating the first sentence as subparagraph (A);

(B) by designating the second and third sentence as subparagraph (B), and indenting accordingly; and

(C) in subparagraph (A), as designated by subparagraph (A) of this paragraph, by striking ''shall maintain'' and all that follows, and inserting the following;

''shall maintain—

''(i) for fiscal year 1992, a level of assistance equal to the greater of—

''(I) a per meal rate equal to the amount appropriated under subsection (c) for fiscal year 1992, divided by the number of meals served in the preceding fiscal year; or

''(II) 61 cents per meal; and

''(ii) for fiscal year 1993 and each subsequent fiscal year, an annually programmed level of assistance equal to the greater of—

''(I) a per meal rate equal to the amount appropriated under subsection (c) for fiscal year, divided by the number of meals served in the preceding fiscal year; or

''(II) 61 cents per meal, adjusted in accordance with changes in the series for food away from home, of the Consumer Price Index For All Urban Consumers, published by the Bureau of Labor Statistics of the Department of Labor, based on the 12-month period ending on July 1 of the preceding year.''; and

(2) in subsection (c)—

(A) in paragraph (1)(A) by striking ''$151,000,000'' and all that follows through ''1991'', and inserting ''$250,000,000 for fiscal year 1992, $310,000,000 for fiscal year 1993, $380,000,000 for fiscal year 1994, and $460,000,000 for fiscal year 1995''; and

(B) in paragraph (2)—

(i) by striking ''(2) In'' and inserting ''(2)(A) Except as provided in subparagraph (B), in''; and

(ii) by adding at the end the following new subparagraph:

''(B) In each fiscal year, the final reimbursement claims shall be adjusted to use the full amount appropriated under this subsection for the fiscal year.''.

SEC. 311. RIGHTS RELATING TO IN-HOME SERVICES FOR FRAIL OLDER INDIVIDUALS.

Part A of title III of the Older Americans Act of 1965 (42 U.S.C. 3021–3030c) is amended by adding at the end the following:

''SEC. 314. RIGHTS RELATING TO IN-HOME SERVICES FOR FRAIL OLDER INDIVIDUALS.

''(a) PROMOTION.—The Commissioner shall require entities that provide in-home services under this title to promote the rights of each older individual who receives such services. Such rights include the following:

''(1) The right—

''(A) to be fully informed in advance about each in-home service provided by such entity

under this title and about any change in such service that may affect the well-being of such individual; and

''(B) to participate in planning and changing an in-home service provided under this title by such entity unless such individual is judicially adjudged incompetent.

''(2) The right to voice a grievance with respect to such service that is or fails to be so provided, without discrimination or reprisal as a result of voicing such grievance.

''(3) The right to confidentiality of records relating to such individual.

''(4) The right to have the property of such individual treated with respect.

''(5) The right to be fully informed (orally and in writing), in advance of receiving an in-home service under this title, of such individual's rights and obligations under this title.''.

SEC. 312. SUPPORTIVE SERVICES.

Section 321(a) of the Older Americans Act of 1965 (42 U.S.C. 3030d(a)) is amended—

(1) in paragraph (3) by inserting ''(including information and assistance services)'' after ''and services'';

(2) in paragraph (3) by inserting before the semicolon at the end the following: '', including language translation services to assist older individuals with limited-English speaking ability to obtain services under this title'';

(3) in paragraph (4)—

(A) by striking ''or (C)'' and inserting ''(C)''; and

(B) by inserting ''; or (D) to receive applications from older individuals for housing under section 202 of the Housing Act of 1959 (12 U.S.C. 1701Q)'' before the semicolon at the end;

(4) by amending paragraph (6) to read as follows:

''(6) Services designed to provide to older individuals legal assistance and other counseling services and assistance, including—

''(A) tax counseling and assistance, financial counseling, and counseling regarding appropriate health and life insurance coverage;

''(B) representation—

''(i) of individuals who are wards (or are allegedly incapacitated); and

''(ii) in guardianship proceedings of older individuals who seek to become guardians, if other adequate representation is unavailable in the proceedings; and

''(C) provision, to older individuals who provide uncompensated care to their adult children with disabilities, of counseling to assist such older individuals with permanency planning for such children;'';

(5) in paragraph (7) by striking ''physical activity and exercise'' and inserting ''physical activity, exercise, music therapy, art therapy, and dance-movement therapy'';

(6) in paragraph (9) by striking ''preretirement'' and all that follows and inserting '', for older individuals, preretirement counseling and assistance in planning for and assessing future postretirement needs with regard to public and private insurance, public benefits, lifestyle changes, relocation, legal matters, leisure time, and other appropriate matters;'';

(7) in paragraph (11) by inserting before the semicolon the following: '', and of older individuals who provide uncompensated care to their adult children with disabilities'';

(8) in paragraph (12) by inserting ''and second career'' after ''including job'';

(9) in paragraph (17) by inserting '', including information concerning prevention, diagnosis, treatment, and rehabilitation of age-related diseases and chronic disabling conditions'' before the semicolon at the end;

(10) in paragraph (18) by striking ''or'' at the end;

(11) by redesignating paragraph (19) as paragraph (22); and

(12) by inserting after paragraph (18) the following:

''(19) services designed to support family members and other persons providing voluntary care to older individuals that need long-term care services;

''(20) services designed to provide information and training for individuals who are or may become guardians or representative payees of older individuals, including information on the powers and duties of guardians and representative payees and on alternatives to guardianships;

''(21) services to encourage and facilitate regular interaction between school-age children and older individuals, including visits in long-term care facilities, multipurpose senior centers, and other settings; or''.

SEC. 313. CONGREGATE NUTRITION SERVICES.

Section 331(1) of the Older Americans Act of 1965 (42 U.S.C. 3030e(1)) is amended—

(1) by inserting ''(except in a rural area where such frequency is not feasible (as defined by the Commissioner by regulation) and a lesser frequency is approved by the State agency)'' after ''week''; and

(2) by striking '', each of which'' and all that follows through ''Research Council''.

SEC. 314. HOME DELIVERED NUTRITION SERVICES.

Section 336 of the Older Americans Act of 1965 (42 U.S.C. 3030f) is amended—

(1) by inserting ''(except in a rural area where such frequency is not feasible (as defined by the Commissioner by regulation) and a lesser frequency is approved by the State agency)'' after ''week''; and

(2) by striking '', each of which'' and all that follows through ''Research Council''.

SEC. 315. CRITERIA.

Section 337 of the Older Americans Act of 1965 (42 U.S.C. 3030g) is amended by inserting ''the Dietary Managers Association,'' after ''Dietetic Association,''.

SEC. 316. SCHOOL-BASED MEALS FOR VOLUNTEER OLDER INDIVIDUALS AND MULTIGENERATIONAL PROGRAMS.

(a) ESTABLISHMENT OF PROGRAM.—Part C of title III of the Older Americans Act of 1965 (42 U.S.C. 3030e et seq.) is amended by adding at the end the following:

''Subpart 3—School-Based Meals for Volunteer Older Individuals and Multigenerational Programs

"SEC. 338. ESTABLISHMENT.

''(a) IN GENERAL.—The Commissioner shall establish and carry out, under State plans approved under section 307, a program for making grants to States to pay for the Federal share of establishing and operating projects in public elementary and secondary schools (including elementary and secondary schools for Indian children operated with Federal assistance, or operated by the Department of the Interior, and referred to in section 1005(d)(2) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 2711(d)(2)) that—

''(1) provide hot meals, each of which ensures a minimum of one-third of the daily recommended dietary allowances as established by the Food and Nutrition Board of the National Research Council of the National Academy of Sciences, to volunteer older individuals—

''(A) while such schools are in session;

''(B) during the summer; and

''(C) unless waived by the State involved, on the weekdays in the school year when such schools are not in session;

''(2) provide multigenerational activities in which volunteer older individuals and students interact;

''(3) provide social and recreational activities for volunteer older individuals;

''(4) develop skill banks that maintain and make available to school officials information on the skills and preferred activities of volunteer older individuals, for purposes of providing opportunities for such individuals to serve as tutors, teacher aides, living historians, special speakers, playground supervisors, lunchroom assistants, and in other roles; and

''(5) provide opportunities for volunteer older individuals to participate in school activities (such as classes, dramatic programs, and assemblies) and use school facilities.

''(b) FEDERAL SHARE.—The Federal share of the cost of establishing and operating nutrition and multigenerational activities projects under this subpart shall be 85 percent.

"SEC. 338A. APPLICATION AND SELECTION OF PROVIDERS.

''(a) CONTENTS OF APPLICATION.—To be eligible to carry out a project under the program established under this subpart, an entity shall submit an application to a State agency. Such application shall include—

''(1) a plan describing the project proposed by the applicant and comments on such plan from the appropriate area agency on aging and the appropriate local educational agency (as defined in section 1471 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 2891));

''(2) an assurance that the entity shall pay not more than 85 percent of the cost of carrying out such project from funds awarded under this subpart;

''(3) an assurance that the entity shall pay not less than 15 percent of such cost, in cash or in kind, from non-Federal sources;

''(4) information demonstrating the need for such project, including a description of—

''(A) the nutrition services and other services currently provided under this part in the geographic area to be served by such project; and

''(B) the manner in which the project will be coordinated with such services; and

''(5) such other information and assurances as the Commissioner may require by regulation.

''(b) SELECTION AMONG APPLICANTS.—In selecting grant recipients from among entities that submit applications under subsection (a) for fiscal year, the State agency shall—

''(1) give first priority to entities that carried out a project under this subpart in the preceding fiscal year;

''(2) give second priority to entities that carried out a nutrition project under subpart 1 of title VI in the preceding fiscal year; and

''(3) give third priority to entities whose applications include a plan that involves a school with greatest need (as measured by the dropout rate, the level of substance abuse, and the number of children who have limited-English proficiency or who participate in projects under section 1015 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 2025)).

"SEC. 338B. REPORTS.

''(a) REPORTS BY STATES.—Not later than 60 days after the end of a fiscal year for which a State receives a grant under this subpart, such State shall submit to the Commissioner a report evaluating the projects carried out under this subpart by such State in such fiscal year. Such report shall include for each project—

''(1) a description of—

''(A) persons served;

''(B) multigenerational activities carried out; and

''(C) additional needs of volunteer older individuals and students; and

''(2) recommendations for any appropriate modifications to satisfy the needs described in paragraph (1)(C).

''(b) REPORTS BY COMMISSIONER.—Not later than 120 days after the end of a fiscal year for which funds are appropriated to carry out

this subpart, the Commissioner shall submit to the Speaker of the House of Representatives and the President pro tempore of the Senate a report summarizing, with respect to each State, the reports submitted under subsection (a) for such fiscal year.''.

(b) LIMITATION ON ADMINISTRATIVE COSTS.—Section 303(c) of the Older Americans Act of 1965 (42 U.S.C. 3023(c)) is amended—

(1) by striking ''parts B and C'' and inserting ''part B, and subparts 1 and 2 of part C,''; and

(2) in paragraph (2) by inserting ''under subparts 1 and 2 of part C'' after ''nutrition services''.

SEC. 317. DIETARY GUIDELINES; PAYMENT REQUIREMENT.

Part C of title III of the Older Americans Act of 1965 (42 U.S.C. 3030e et seq.), as amended by section 316, is amended by adding at the end the following:

''Subpart 4—General Provisions

''SEC. 339. COMPLIANCE WITH DIETARY GUIDELINES.

''A State that establishes and operates a nutrition project under this part shall ensure that the meals provided through the project—

''(1) comply with the Dietary Guidelines for Americans, published by the Secretary and the Secretary of Agriculture; and

''(2) provide to each participating older individual—

''(A) a minimum of 33⅓ percent of the daily recommended dietary allowances as established by the Food and Nutrition Board of the National Research Council of the National Academy of Sciences, if the project provides 1 meal per day;

''(B) a minimum of 66⅔ percent of the allowances if the project provides 2 meals per day; and

''(C) 100 percent of the allowances if the project provides 3 meals per day.''.

''SEC. 339A. PAYMENT REQUIREMENT.

''Payments made by a State agency or an area agency on aging for nutrition services (including meals) provided under part A, B, or C may not be reduced to reflect any increase in the level of assistance provided under section 311.''.

SEC. 318. IN-HOME SERVICES.

Section 342 of the Older Americans Act of 1965 (42 U.S.C. 3030i), as amended by section 102(b)(7) of this Act, is amended—

(1) in paragraph (4) by striking ''and'' at the end;

(2) in paragraph (5) by striking the period at the end and inserting a semicolon; and

(3) by adding at the end the following:

''(6) personal care services; and

''(7) other in-home services as defined—

''(A) by the State agency in the State plan submitted in accordance with section 307; and

''(B) by the area agency on aging in the area plan submitted in accordance with section 306.''.

SEC. 319. PREVENTIVE HEALTH SERVICES.

(a) PROGRAM AUTHORIZED.—Section 361 of the Older Americans Act of 1965 (42 U.S.C. 3030m) is amended)—

(1) by amending subsection (a) to read as follows:

''(a) The Commissioner shall carry out a program for making grants to States under State plans approved under section 307 to provide disease prevention and health promotion services and information at multipurpose senior centers, at congregate meal sites, through home delivered meals programs, or at other appropriate sites. In carrying out such program, the Commissioner shall consult with the Directors of the Centers for Disease Control and the National Institute on Aging.'';

(2) by striking subsection (b); and

(3) by redesignating subsection (c) as subsection (b).

(b) DEFINITION.—Section 363 of the Older Americans Act of 1965 (42 U.S.C. 3030o) is amended to read as follows:

''SEC. 363. DEFINITION.

''As used in this part, the term 'disease prevention and health promotion services' means—

''(1) health risk assessments;

''(2) routine health screening, which may include hypertension, glaucoma, cholesterol, cancer, vision, hearing, diabetes, and nutrition screening;

''(3) nutritional counseling and educational services for individuals and their primary caregivers;

''(4) health promotion programs, including programs relating to chronic disabling conditions (including osteoporosis and cardiovascular disease) prevention and reduction of effects, alcohol and substance abuse reduction, smoking cessation, weight loss and control, and stress management;

''(5) programs regarding physical fitness, group exercise, and music, art, and dance-movement therapy, including programs for multigenerational participation that are provided by—

''(A) an institution of higher education;

''(B) a local educational agency, as defined in section 1471 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 2891); or

''(C) a community-based organization;

''(6) home injury control services, including screening of high-risk home environments and provision of educational programs on injury prevention (including fall and fracture prevention) in the home environment;

''(7) screening for the prevention of depression, coordination of community mental health services, provision of educational activities, and referral to psychiatric and psychological services;

''(8) educational programs on the availability, benefits, and appropriate use of preventive health services covered under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.);

''(9) medication management screening and education to prevent incorrect medication and adverse drug reactions;

''(10) information concerning diagnosis, prevention, treatment, and rehabilitation of age-related diseases and chronic disabling conditions, including osteoporosis, cardiovascular diseases, and Alzheimer's disease and related disorders with neurological and organic brain dysfunction; and

''(11) gerontological counseling; and

''(12) counseling regarding social services and followup health services based on any of the services described in paragraphs (1) through (11).

The term shall not include services for which payment may be made under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.).''.

(c) CONFORMING AMENDMENT.—Part F of title III of the Older Americans Act of 1965 (42 U.S.C. 3030m et seq.) is amended in the part heading by striking ''PREVENTIVE HEALTH SERVICES'' and inserting ''DISEASE PREVENTION AND HEALTH PROMOTION SERVICES''.

SEC. 320. SUPPORTIVE ACTIVITIES FOR CARETAKERS WHO PROVIDE IN-HOME SERVICES TO FRAIL OLDER INDIVIDUALS.

Part G of title III of the Older Americans Act of 1965 (42 U.S.C. 3021–3030p) is amended to read as follows:

''PART G—SUPPORTIVE ACTIVITIES FOR CARETAKERS WHO PROVIDE IN-HOME SERVICES TO FRAIL OLDER INDIVIDUALS

''SEC. 381. PROGRAM AUTHORIZED.

''The Commissioner shall carry out a program for making grants to States under State plans approved under section 307 to carry out a program to provide supportive activities for caretakers who provide in-home services to frail older individuals (including older individuals who are victims of Alzheimer's disease or related disorders with neurological and organic brain dysfunction). Such supportive activities may include—

''(1) providing training and counseling for such caretakers;

''(2) technical assistance to such caretakers to assist them to form or to participate in support groups;

''(3) providing information—

''(A) to frail older individuals and their families regarding how to obtain in-home services and respite services; and

''(B) to caretakers who provide such services, regarding—

''(i) how to provide such services; and

''(ii) sources of nonfinancial support available to them as a result of their providing such services; and

''(4) maintaining lists of individuals who provide respite services for the families of frail older individuals.

''SEC. 382. DEFINITIONS.

''For purposes of this part, the term 'in-home services' has the meaning given such term in section 342.

SEC. 383. MAINTENANCE OF EFFORT.

''Section 344 shall apply with respect to funds made available under this part, in the same manner as such section applies to funds made available under part D.''.

TITLE IV—TRAINING, RESEARCH, AND DISCRETIONARY PROJECTS AND PROGRAMS

SEC. 401. STATEMENT OF PURPOSE.

Section 401 of the Older Americans Act of 1965 (42 U.S.C. 3030aa) is amended in the matter preceding paragraph (1) by inserting ''and publicly disseminate the results of the tests, to replicate such programs and services under this Act,'' after ''individuals,''.

SEC. 402. PRIORITIES FOR GRANTS AND DISCRETIONARY PROJECTS.

Section 402 of the Older Americans Act of 1965 (42 U.S.C. 3030bb) is amended by adding at the end the following:

''(d) The Commissioner shall, in developing priorities, consistent with the requirements of this title, for awarding grants and entering into contracts under this title, consult annually with State agencies, area agencies on aging, recipients of grants under title VI, institutions of higher education, organizations representing beneficiaries of services under this Act, and other organizations, and individuals, with expertise in aging issues.

''(e) The Commissioner shall ensure that grants and contracts awarded under this title—

''(1) are evaluated for their benefit to older individuals, and to programs under this Act; and

''(2) comply with the requirements under this Act.''.

SEC. 403 PURPOSES OF EDUCATION AND TRAINING PROJECTS.

Section 410(3) of the Older Americans Act of 1965 (42 U.S.C. 303jj(3)) is amended by inserting '', with particular emphasis on attracting minority individuals,'' after ''qualified personnel''.

SEC. 404. GRANTS AND CONTRACTS.

(a) IN GENERAL.—Section 411(a) of the Older Americans Act of 1965 (42 U.S.C. 3031(a)) is amended—

(1) in paragraph (1) by inserting ''gerontology,'' after ''(including mental health) care,'';

(2) in paragraph (2)—

(A) by inserting ''and counseling'' after ''nutrition''; and

(B) by inserting '', with special emphasis on using culturally sensitive practices'' before the period; and

(3) by adding at the end the following:

''(5) To provide annually a national meeting to train directors of programs under title VI.''.

(b) TRAINING OF SERVICE PROVIDERS.—Section 411 of the Older Americans Act of 1965 (42 U.S.C. 3031) is amended by adding at the end the following:

''(e) From amounts appropriated under 431(b), the Commissioner shall make grants and enter into contracts under this part to establish and carry out a program under which service providers (including family physicians, clergy, and order professionals) will receive training—

''(1) comprised of—

''(A) intensive training regarding normal aging, recognition of problems of older individual, and communication with providers of mental health services; and

''(B) advanced clinical training regarding means of assessing and treating the problems of older individuals;

''(2) provided by—

''(A) faculty and graduate students in programs of human development and family studies at an institution of higher education;

''(B) mental health professionals; and

''(C) nationally recognized consultants with expertise regarding the mental health problems of individuals residing in rural areas; and

''(3) held in public hospitals throughout each State in which the program is carried out.''.

SEC. 405. MULTIDISCIPLINARY CENTERS OF GERONTOLOGY.

Section 412(a) of the Older Americans Act of 1965 (42 U.S.C. 3032(a)) is amended—

(1) in the first sentence by inserting ''counseling services,'' after ''maintenance,''; and

(2) in paragraph (4) by inserting ''social work, and psychology,'' after ''education,''.

SEC. 406 DEMONSTRATION PROJECTS.

Section 422 of the Older Americans Act of 1965 (42 U.S.C. 3035a) is amended—

(1) in subsection (a)(2) by striking ''preventive health service programs'' and inserting ''disease prevention and health promotion programs (including coordinated multidisciplinary research projects on the aging process)'';

(2) in subsection (b)—

(A) in paragraph (8) by striking ''and'' at the end;

(B) in paragraph (9) by striking ''include'' and all that follows and inserting the following: ''include projects furnishing multigenerational services by older individuals addressing the needs of children, such as—

''(A) tutorial services in elementary and special schools;

''(B) after school programs for latchkey children; and

''(C) voluntary services for child care and youth day care programs;''; and

(C) by adding at the end the following:

''(10) meet the service needs of older individuals who provide uncompensated care to their adult children with disabilities, for supportive services relating to such care, including—

''(A) respite services; and

''(B) legal advice, information, and referral services to assist such older individuals with permanency planning for such children;

''(11) advance the understanding of the efficacy and benefits of providing music therapy, art therapy, or dance-movement therapy to older individuals through—

''(A) projects that—

''(i) study and demonstrate the provision of music therapy, art therapy, or dance-movement therapy to older individuals who are institutionalized or at risk of being institutionalized; and

''(ii) provide music therapy, art therapy, or dance-movement therapy—

''(I) in nursing homes, hospitals, rehabilitation centers, hospices, or senior centers;

''(II) through disease prevention and health promotion services programs established under part F of title III;

''(III) through in-home services programs established under part D of title III;

''(IV) through multigenerational activities described in section 307(a)(41)(B) or subpart 3 of part C of title III;

''(V) through supportive services described in section 321(a)(21); or

''(VI) through disease prevention and health promotion services described in section 363(5); and

''(B) education, training, and information dissemination projects, including—

''(i) projects for the provision of gerontological training to music therapists, and education and training of individuals in the aging network regarding the efficacy and benefits of music therapy for older individuals; and

''(ii) projects for disseminating to the aging network and to music therapists background materials on music therapy, best practice manuals, and other information on providing music therapy to older individual; and

''(12)(A) establish, in accordance with subparagraph (B), nationwide, statewide, regional, metropolitan area, county, city, or community model volunteer service credit projects to demonstrate methods to improve or expand supportive services or nutrition services, or otherwise promote the wellbeing of older individuals;

''(B) for purposes of paying part or all of the cost of developing or operating the projects, in the fiscal year, make not fewer than three and not more than five grants to, or contracts with, public agencies or nonprofit private organizations in such State; and

''(C) ensure that the projects will be operated in consultation with the ACTION Agency and will permit older individuals who are volunteers to earn, for services furnished, credits that may be redeemed later for similar volunteer services.''; and

(3) in subjection (d)(2)—

(A) by inserting ''(A)'' after the paragraph designation; and

(B) by adding at the end the following:

''(B) An agency or organization that receives a grant or enters into a contract to carry out a project described in subparagraph (A) or (B)(i) of subsection (b)(11) shall submit to the Commissioner a report containing—

''(i) the results, and findings based on the results, of such project; and

''(ii) the recommendations of the agency or organization, if the agency or organization provided music therapy, regarding means by which music therapy could be made available, in an efficient and effective manner, to older individuals who would benefit from the therapy.''.

SEC. 407. SPECIAL PROJECTS IN COMPREHENSIVE LONG-TERM CARE.

(a) IN GENERAL.—Section 423 of the Older Americans Act of 1965 (42 U.S.C. 3035b) is amended to read as follows:

''SEC. 423. SPECIAL PROJECTS IN COMPREHENSIVE LONG-TERM CARE.

''(a) DEFINITIONS.—As used in this section:

''(1) PROJECT.—The term 'Project' means a Project to Improve the Delivery of Long-Term Care Services.

''(2) RESOURCE CENTER.—The term 'Resource Center' means a Resource Center for Long-Term Care.

''(b) RESOURCE CENTERS.—

''(1) GRANTS AND CONTRACTS.—The Commissioner shall award grants to, or enter into contracts with, eligible entities to support the establishment or operation of not fewer than four and not more than seven Resource Centers in accordance with paragraph (2).

''(2) REQUIREMENTS.—

''(A) FUNCTIONS.—Each Resource Center that receives funds under this subsection shall, with respect to subjects within an area of specialty of the Resource Center—

''(i) perform research;

''(ii) provide for the dissemination of results of the research; and

''(iii) provide technical assistance and training to State agencies and area agencies on aging.

''(B) AREA OF SPECIALTY.—For purposes of subparagraph (A) the term 'area of specialty' means—

''(i) Alzheimer's disease and related dementias, and other cognitive impairments;

''(ii) client assessment and case management;

''(iii) data collection and analysis;

''(iv) home modification and supportive services to enable older individuals to remain in their homes;

''(v) consolidation and coordination of services;

''(vi) linkages between acute care, rehabilitative services, and long-term care, facilities and providers;

''(vii) decisionmaking and bioethics;

''(viii) supply, training, and quality of long-term care personnel, including those who provide rehabilitative services;

''(ix) rural issues, including barriers to access to services;

''(x) chronic mental illness;

''(xi) populations with greatest social need and populations with greatest economic need, with particular attention to low-income minorities; and

''(xii) an area of importance as determined by the Commissioner.

''(c) PROJECTS.—The Commissioner shall award grants to, or enter into contracts with, eligible entities to support the entities in establishing and carrying out not fewer than 10 projects.

''(d) USE OF FUNDS.—

''(1) IN GENERAL.—Except as provided in paragraph (2), an eligible entity may use funds received under a grant or contract—

''(A) described in subsection (b)(1) to pay for part or all of the cost (including startup cost) of establishing and operating a new Resource Center, or of operating a Resource Center in existence on the day before the date of the enactment of the Older Americans Act Amendments of 1992; or

''(B) described in subsection (c) to pay for part or all of the cost (including startup cost) of establishing and carrying out a Project.

''(2) REIMBURSABLE DIRECT SERVICES.—None of the funds may be used to pay for direct services that are eligible for reimbursement under title XVIII, XIX, or XX of the Social Security Act (42 U.S.C. 1395 et seq., 1396 et seq., or 1397 et seq.).

''(e) PREFERENCE.—In awarding grants, and entering into contracts, under this section, the Commissioner shall give preference to entities that demonstrate that—

''(1) adequate State standards have been developed to ensure the quality of services provided under the grant or contract; and

''(2) the entity has made a commitment to carry out programs under the grant or contract with each State agency responsible for the administration of title XIX or XX of the Social Security Act.

''(f) APPLICATION.—

''(1) IN GENERAL.—To be eligible to receive funds under a grant or contract described in subsection (b)(1) or (c), an entity shall submit an application to the Commissioner at such time, in such manner, and containing such information as the Commissioner may require.

''(2) PROJECT APPLICATION.—An entity seeking a grant or contract under subsection

(c) shall submit an application to the Commissioner containing, at a minimum—

''(A) information identifying and describing gaps, weaknesses, or other problems in the delivery of long-term care services in the State or geographic area to be served by the entity, including—

''(i) duplication of functions in the delivery of such services, including duplication at the State and local level;

''(ii) fragmentation of systems, especially in coordinating services to populations of older individuals and other populations;

''(iii) barriers to access for populations with greatest social need and populations with greatest economic need, including minorities and residents of rural areas;

''(iv) lack of financing for such services;

''(v) lack of availability of adequately trained personnel to provide such services; and

''(vi) lack of a range of chronic care services (including rehabilitative strategies) that promote restoration, maintenance, or improvement of function in older individuals;

''(B) a plan to address the gaps, weaknesses, and problems described in clauses (i) through (v); and

''(C) information describing the extent to which the entity will coordinate with area agencies on aging and service providers in carrying out the proposed Project.

''(g) ELIGIBLE ENTITIES.—

''(1) RESOURCE CENTERS.—Entities eligible to receive grants, or enter into contracts, under subsection (B)(1) shall be—

''(A) institutions of higher education; and

''(B) other public agencies and nonprofit private organizations.

''(2) PROJECTS.—Entities eligible to receive grants, or enter into contracts, under subsection (c) include—

''(A) State agencies; and

''(B) in consultation with State agencies—

''(i) area agencies on aging;

''(ii) institutions of higher education; and

''(iii) other public agencies and non-profit private organizations.

''(h) REPORT.—The Commissioner shall include in the annual report to the Congress required by section 207, a report on the grants awarded, and contracts entered into, under this section, including—

''(1) an analysis of the relative effectiveness, and recommendations for any changes, of the projects of Resource Centers funded under subsection (b)(1) in the fiscal year for which the Commissioner is preparing the annual report; and

''(2) an evaluation of the needs identified, the agencies utilized, and the effectiveness of the approaches used by projects funded under subsection (c).

''(i) AVAILABILITY OF FUNDS.—The Commissioner shall make available for carrying out subsection (b) for each fiscal year not less than the amount made available in fiscal year 1991 for making grants and entering into contracts to establish and operate Resource Centers under section 423 as in effect on the day before the date of the enactment of the Older Americans Act Amendments of 1992.''.

(b) OBLIGATION.—Not later than 60 days after the date of enactment of this Act, the Commissioner shall obligate, from the funds appropriated under section 431(a)(1) of the Older Americans Act of 1965 (42 U.S.C. 3037(a)(1)) for fiscal year 1992—

(1) not less than the amount described in section 423(i) of such Act (42 U.S.C. 3035(i)) for carrying out section 423(b)(1) of such Act; and

(2) such sums as may be necessary for carrying out section 423(c) of such Act.

SEC. 408. OMBUDSMAN AND ADVOCACY DEMONSTRATION PROJECTS.

Section 427(a) of the Older Americans Act of 1965 (42 U.S.C. 3035f(a)) is amended by inserting '', legal assistance agencies,'' after ''ombudsman program''.

SEC. 409. DEMONSTRATION PROJECTS FOR MULTIGENERATIONAL ACTIVITIES.

Part B of title IV of the Older Americans Act of 1965 (42 U.S.C. 3034–3035g) is amended by adding at the end the following:

"SEC. 429. DEMONSTRATION PROJECTS FOR MULTIGENERATIONAL ACTIVITIES.

''(a) GRANTS AND CONTRACTS.—The Commissioner may award grants and enter into contracts with eligible organizations to establish demonstration projects that provide older individuals with multigenerational activities.

''(b) USE OF FUNDS.—An eligible organization shall use funds made available under a grant awarded, or a contract entered into, under subsection (a)—

''(1) to carry out a demonstration project that provides multigenerational activities, including any professional training appropriate to such activities for older individuals; and

''(2) to evaluate the project in accordance with subsection (f).

''(c) AWARDS.—In awarding grants and entering into contracts under subsection (a), the Commissioner shall give preference to—

''(1) eligible organizations with a demonstrated record of carrying out multigenerational activities; and

''(2) eligible organizations proposing projects that will serve older individuals with greatest economic need (with particular attention to low-income minority individuals).

''(d) APPLICATION.—To be eligible to receive a grant or enter into a contract under subsection (a), an organization shall submit an application to the Commissioner at such time, in such manner, and accompanied by such information as the Commissioner may reasonably require.

''(e) ELIGIBLE ORGANIZATIONS.—Organizations eligible to receive a grant or enter into a contract under subsection (a) shall be organizations that employ, or provide opportunities for, older individuals in multigenerational activities.

''(f) LOCAL EVALUATION AND REPORT.—

''(1) EVALUATION.—Each organization receiving a grant or a contract under subsection (a) to carry out a demonstration project shall evaluate the activities assisted under this project to determine the effectiveness of multigenerational activities, the impact of such activities on child care and youth day care programs, and the impact on older individuals involved in such project.

''(2) REPORT.—The organization shall submit a report to the Commissioner containing the evaluation not later than 6 months after the expiration of the period for which the grant or contract is in effect.

''(g) REPORT TO CONGRESS.—Not later than 6 months after the Commissioner receives the reports described in subsection (f)(2), the Commissioner shall prepare and submit to the Speaker of the House of Representatives and the President pro tempore of the Senate a report that assesses the evaluations and includes, at a minimum—

''(1) the names or descriptive titles of the demonstration projects funded under subsection (a);

''(2) a description of the nature and operation of the projects;

''(3) the name and address of the individual or governmental entity that conducted the projects;

''(4) a description of the methods and success of the projects in recruiting older individuals as employees and volunteers to participate in the project;

''(5) a description of the success of the projects retaining older individuals involved in the projects as employees and as volunteers; and

''(6) the rate of turnover of older individual employees and volunteers in the projects.

''(g) DEFINITION.—As used in this section, the term 'multigenerational activity' includes an opportunity to serve as a mentor or adviser in a child care program, a youth day care program, an educational assistance program, an at-risk youth intervention program, a juvenile delinquency treatment program, or a family support program.''.

SEC. 410. SUPPORTIVE SERVICES IN FEDERALLY ASSISTED HOUSING DEMONSTRATION PROGRAM.

Part B of title IV of the Older Americans Act of 1965 (42 U.S.C. 3034–3035g) (as amended by section 409) is amended by adding at the end the following:

"SEC. 429A. SUPPORTIVE SERVICES IN FEDERALLY ASSISTED HOUSING DEMONSTRATION PROGRAM.

''(a) GRANTS.—The Commissioner shall award grants to eligible agencies to establish demonstration programs to provide services described in subsection (b) to older individuals who are residents in federally assisted housing (referred to in this section as 'residents').

''(b) USE OF GRANTS.—An eligible agency shall use a grant awarded under subsection (a) to conduct outreach and to provide to residents services including—

''(1) meal services;

''(2) transportation;

''(3) personal care, dressing, bathing, and toileting;

''(4) housekeeping and chore assistance;

''(5) nonmedical counseling;

''(6) case management;

''(7) other services to prevent premature and unnecessary institutionalization; and

''(8) other services provided under this Act.

''(c) AWARD OF GRANTS.—The Commissioner shall award grants under subsection (a) to agencies in a variety of geographic settings, including urban and rural settings.

''(d) APPLICATION.—To be eligible to receive a grant under subsection (a), an agency shall submit an application to the Commissioner at such time, in such manner, and containing such information as the Commissioner may require, including, at a minimum—

''(1) information demonstrating a lack of, and need for, services described in subsection (b) in federally assisted housing projects in the geographic area proposed to be served by the applicant;

''(2) a comprehensive plan to coordinate with housing facility management to provide services to frail older individuals who are in danger of premature or unnecessary institutionalization;

''(3) information demonstrating initiative on the part of the agency to address the supportive service needs of residents;

''(4) information demonstrating financial, in-kind, or other support available to the applicant from State or local governments, or from private resources;

''(5) an assurance that the agency will participate in the development of the comprehensive housing affordability strategy under section 105 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12705) and seek funding for supportive services under the Department of Housing and Urban Development or the Farmers Home Administration;

''(6) an assurance that the agency will target services to low-income minority older individuals and conduct outreach;

''(7) an assurance that the agency will comply with the guidelines described in subsection (f); and

''(8) a plan to evaluate the eligibility of older individuals for services under the federally assisted housing demonstration program, which plan shall include a professional assessment committee to identify such individuals.

''(e) ELIGIBLE AGENCIES.—Agencies eligible to receive grants under this section shall be State agencies and area agencies on aging.

''(f) GUIDELINES.—The Commissioner shall issue guidelines for use by agencies that receive grants under this section—

''(1) regarding the level of frailty that older individuals shall meet to be eligible for services under a demonstration program established under this section; and

''(2) for accepting voluntary contributions from residents who receive services under such a program.

''(g) EVALUATIONS AND REPORTS.—

''(1) AGENCIES.—Each agency that receives a grant under subsection (a) to establish a demonstration program shall, not later than 3 months after the end of the period for which the grant is awarded—

''(A) evaluate the effectiveness of the program; and

''(B) submit a report containing the evaluation to the Commissioner.

''(2) COMMISSIONER.—The Commissioner shall, not later than 6 months after the end of the period for which the commissioner awards grants under subsection (a)—

''(A) evaluate the effectiveness of each demonstration program that receives a grant under subsection (a); and

''(B) submit a report containing the evaluation to the Speaker of the House of Representatives and the President pro tempore of the Senate.''.

SEC. 411. NEIGHBORHOOD SENIOR CARE PROGRAM.

Part B of title IV of the Older Americans Act of 1965 (42 U.S.C. 3034–3035g) (as amended by the preceding sections) is amended by adding at the end the following:

''SEC. 429B. NEIGHBORHOOD SENIOR CARE PROGRAM.

''(a) DEFINITIONS.—As used in this section:

''(1) HEALTH AND SOCIAL SERVICES.—The term 'health and social services' includes skilled nursing care, personal care, social work services, homemaker services, health and nutrition education, health screening, home health aid services, and specialized therapies.

''(2) VOLUNTEER SERVICES.—The term 'volunteer services' includes peer counseling, chore services, help with mail and taxes, transportation, socialization, health and social services, and other similar services.

''(b) SERVICE GRANTS.—

''(1) IN GENERAL.—The Commissioner may award grants to eligible entities to establish neighborhood senior care programs, in order to encourage professionals to provide volunteer services to local residents who are older individuals and who might otherwise have to be admitted to nursing homes and to hospitals.

''(2) PREFERENCE.—In awarding grants under this section, the Commissioner shall give preference to applicants experienced in operating community programs meeting the independent living needs of older individuals.

''(3) ADVISORY BOARD.—The Commissioner shall establish an advisory board to provide guidance to grant recipients regarding the neighborhood senior care programs. Not fewer than two-thirds of the members of the advisory board shall be residents in communities served by the grant recipients.

''(4) APPLICATION.—To be eligible to receive a grant under this section, an entity shall submit an application to the Commissioner at such time, in such manner, and containing such information as the Commissioner may reasonably require. Each application shall—

''(A) describe the activities in the program for which assistance is sought;

''(B) describe the neighborhood in which volunteer services are to be provided under the program, and a plan for integration of volunteer services within the neighborhood;

''(C)(i) provide assurances that nurses, social workers, and community volunteers providing volunteer services and an outreach coordinator involved with the project live in the neighborhood; or

''(ii)(I) reasons that it is not possible to provide such assurances; and

''(II) assurances that nurses, social workers, community volunteers and the outreach coordinator will be assigned repeatedly to the particular neighborhood; and

''(D) provide for an evaluation of the activities for which assistance is sought.

''(c) TECHNICAL RESOURCE CENTER.—The Commissioner shall, to the extent appropriations are available, enter into a contract with an applicant described in subsection (b)(2) to establish a technical resource center that will—

''(1) assist the Commissioner in developing criteria for, and in awarding grants to communities to establish, neighborhood senior care organizations that will implement neighborhood senior care programs under subsection (b);

''(2) assist communities interested in establishing such a neighborhood senior care program;

''(3) coordinate the neighborhood senior care programs;

''(4) provide ongoing analysis of and collection of data on the neighborhood senior care programs and provide such data to the Commissioner;

''(5) serve as a liaison to State agencies interested in establishing neighborhood senior care programs; and

''(6) take any further actions as required by regulation by the Commissioner.''.

SEC. 412. INFORMATION AND ASSISTANCE SYSTEMS DEVELOPMENT PROJECTS.

Part B of title IV of the Older Americans Act of 1965 (42 U.S.C. 3034–3035g) (as amended by the preceding sections) is amended by adding at the end the following:

''SEC. 429C. INFORMATION AND ASSISTANCE SYSTEMS DEVELOPMENT PROJECTS.

''(a) GRANTS.—The Commissioner may—

''(1) make grants to State agencies, and, in consultation with State agencies, to area agencies on aging to support the improvement of information and assistance services, and systems of services, operated at the State and local levels; and

''(2) make grants to organizations to provide training and technical assistance to State agencies, area agencies on aging, and providers of supportive services—

''(A) to support a national telephone access service to inform older individuals, families, and caregivers about State and local information and assistance services funded under this Act; and

''(B) to support the improvement of information and assistance services, and systems of services, operated at the State and local levels.

''(b) APPLICATION.—To be eligible to receive a grant under subsection (a) an agency or organization shall submit an application to the Commissioner at such time, in such manner, and containing such information as the Commissioner may specify.

''(c) GUIDELINES.—The Commissioner shall establish guidelines for the operation of the national telephone access service described in subsection (a)(2)(A).

''(d) EVALUATION AND REPORT.—

''(1) EVALUATION.—The Commissioner shall conduct an evaluation of the effectiveness of the national telephone service described in subsection (a)(2)(A) in providing information and assistance services to older individuals, families, and caregivers about State and local information and assistance services.

''(2) REPORT.—Not later than January 1, 1995, the Commissioner shall submit the evaluation described in paragraph (1) to the Speaker of the House of Representatives and the President pro tempore of the Senate.''.

SEC. 413. SENIOR TRANSPORTATION DEMONSTRATION PROGRAM GRANTS.

Part B of title IV of the Older Americans Act of 1965 (42 U.S.C. 3034–3035g) (as amended by the preceding sections) is amended by adding at the end of the following:

''SEC. 429D. SENIOR TRANSPORTATION DEMONSTRATION PROGRAM GRANTS.

''(a) ESTABLISHMENT.—The Commissioner shall establish and carry out senior transportation demonstration programs. In carrying out the programs, the Commissioner shall award grants to not fewer than five eligible entities for the purpose of improving the mobility of older individuals and transportation services for older individuals (referred to in this section as 'senior transportation services').

''(b) USE OF FUNDS.—Grants made under subsection (a) may be used to—

''(1) develop innovative approaches for improving access by older individuals to supportive services under part B of title III, nutrition services under part C of title III, health care, and other important services;

''(2) develop comprehensive and integrated senior transportation services; and

''(3) leverage additional resources for senior transportation services by—

''(A) coordinating various transportation services; and

''(B) coordinating various funding sources for transportation services, including—

''(i) sources of assistance under—

''(I) sections 9, 16(b)(2), and 18 of the Urban Mass Transportation Act of 1964 (49 U.S.C. App.); and

''(II) titles XIX and XX of the Social Security Act (42 U.S.C. 1396 et seq. and 1397 et seq.); and

''(ii) State and local sources.

''(c) AWARD OF GRANTS.—

''(1) PREFERENCE.—In awarding grants under subsection (a), the Commissioner shall give preference to entities that—

''(A) demonstrate special needs for enhancing senior transportation services and resources for the services within the geographic area served by the entities;

''(B) establish plans to ensure that senior transportation services are coordinated with general public transportation services and other specialized transportation services;

''(C) demonstrate the ability to utilize the broadest range of available transportation and community resources to provide senior transportation services;

''(D) demonstrate the capacity and willingness to coordinate senior transportation services with services provided under title III and with general public transportation services and other specialized transportation services; and

''(E) establish plans for senior transportation demonstration programs designed to serve the special needs of low-income, rural, frail, and other at-risk, transit-dependent older individuals.

''(2) RURAL ENTITIES.—The Commissioner shall award not less than 50 percent of the grants authorized under this section to entities located in, or primarily serving, rural areas.

''(d) APPLICATION.—An entity that seeks a grant under this section shall submit an application to the Commissioner at such time, in such manner, and containing such information as the Commissioner may require, including at a minimum—

''(1) information describing senior transportation services for which the entity seeks assistance;

''(2) a comprehensive strategy for developing a coordinated transportation system or leveraging additional funding resources, to provide senior transportation services;

''(3) information describing the extent to which the applicant intends to coordinate the services of the applicant with the services of other transportation providers;

''(4) a plan for evaluating the effectiveness of the proposed senior transportation demonstration program and preparing a report containing the evaluation to be submitted to the Commissioner; and

''(5) such other information as may be required by the Commissioner.

''(e) ELIGIBLE ENTITIES.—Entities eligible to receive grants under this section shall be—

''(1) State agencies;

''(2) area agencies on aging; and

''(3) other public agencies and nonprofit organizations.

''(f) REPORT.—

''(1) PREPARATION.—The Commissioner shall prepare, either directly or through grants or contracts, annual reports on the senior transportation demonstration programs established under this section. The reports shall contain an assessment of the effectiveness of each demonstration project and recommendations regarding legislative, administrative, and other initiatives needed to improve the access to and effectiveness of transportation services for older individuals.

''(2) SUBMISSION.—The Commissioner shall submit the report described in paragraph (1) to the Speaker of the House of Representatives and the President pro tempore of the Senate.''.

SEC. 414. RESOURCE CENTERS ON NATIVE AMERICAN ELDERS.

Part B of title IV of the Older Americans Act of 1965 (42 U.S.C. 3034–3035g) (as amended by the preceding sections) is amended by adding at the end the following:

''SEC. 429E. RESOURCE CENTERS ON NATIVE AMERICAN ELDERS.

''(a) ESTABLISHMENT.—The Commissioner shall make grants or enter into contracts with not fewer than two and not more than four eligible entities to establish and operate Resource Centers on Native American Elders (referred to in this section as 'Resource Centers'). The Commissioner shall make such grants or enter into such contracts for periods of not less than 3 years.

''(b) FUNCTIONS.—

''(1) IN GENERAL.—Each Resource Center that receives funds under this section shall—

''(A) gather information;

''(B) perform research;

''(C) provide for the dissemination of results of the research; and

''(D) provide technical assistance and training to entities that provide services to Native Americans who are older individuals.

''(2) AREAS OF CONCERN.—In conducting the functions described in paragraph (1), a Resource Center shall focus on priority areas of concern for the Resource Centers regarding Native Americans who are older individuals, which areas shall be—

''(A) health problems;

''(B) long-term care, including in-home care;

''(C) elder abuse; and

''(D) other problems and issues that the Commissioner determines are of particular importance to Native Americans who are older individuals.

''(c) PREFERENCE.—In awarding grants and entering into contracts under subsection (a), the Commissioner shall give preference to institutions of higher education that have conducted research on, and assessment of, the characteristics and needs of Native Americans who are older individuals.

''(d) CONSULTATION.—In determining the type of information to be sought from, and activities to be performed by, Resource Centers, the Commissioner shall consult with the Associate Commissioner on American Indian, Alaskan Native, and Native Hawaiian Aging and with national organizations with special expertise in serving Native Americans who are older individuals.

''(e) ELIGIBLE ENTITIES.—Entities eligible to receive a grant or enter into a contract under subsection (a) shall be institutions of higher education with experience conducting research and assessment on the needs of older individuals.

''(f) REPORT TO CONGRESS.—The Commissioner, with assistance from each Resource Center, shall prepare and submit to the Speaker of the House of Representatives and the President pro tempore of the Senate an annual report on the status and needs including the priority areas of concern of Native Americans who are older individuals.''.

SEC. 415. DEMONSTRATION PROGRAMS FOR OLDER INDIVIDUALS WITH DEVELOPMENTAL DISABILITIES.

Part B of title IV of the Older Americans Act of 1965 (42 U.S.C. 3034–3035g) (as amended by the preceding sections) is amended by adding at the end the following:

''SEC. 429F. DEMONSTRATION PROGRAMS FOR OLDER INDIVIDUALS WITH DEVELOPMENTAL DISABILITIES.

''(a) DEFINITION.—As used in this section:

''(1) Developmental Disability.—The term 'developmental disability' has the meaning given the term in section 102(5) of the Developmental Disabilities Assistance and Bill of Rights Act (42 U.S.C. 6001(5)).

''(2) IN-HOME SERVICE.—The term 'in-home service' has the meaning given the term in section 342.

''(b) ESTABLISHMENT.—The Commissioner shall make grants to State agencies to provide services in accordance with subsection (c).

''(c) USE OF FUNDS.—A State agency may use a grant awarded under subsection (b) to provide services for older individuals with developmental disabilities, and for older individuals with caretaker responsibilities for developmentally disabled children, including—

''(1) child care and youth day care programs;

''(2) programs to integrate the individuals into existing programs for older individuals;

''(3) respite care;

''(4) transportation to multipurpose senior centers and other facilities and services;

''(5) supervision;

''(6) renovation of multipurpose senior centers;

''(7) provision of materials to facilitate activities for older individuals with developmental disabilities, and for older individuals with caretaker responsibilities for developmentally disabled children;

''(8) training of State agency, area agency on aging, volunteer, and multipurpose senior center staff, and other service providers, who work with such individuals; and

''(9) in-home services.

''(d) APPLICATION.—To be eligible to receive a grant under this section, a State agency shall submit an application to the Commissioner at such time, in such manner, and containing such information as the Commissioner may require.''.

SEC. 416. HOUSING DEMONSTRATION PROGRAMS.

Part B of title IV of the Older Americans Act of 1965 (42 U.S.C. 3034–3035g) (as amended by the preceding sections) is amended by adding at the end the following:

''SEC. 429G. HOUSING DEMONSTRATION PROGRAMS.

''(a) HOUSING OMBUDSMAN DEMONSTRATION PROGRAMS.—

''(1) GRANTS.—The Commissioner shall award grants to eligible agencies to establish housing ombudsman programs.

''(2) USE OF GRANTS.—An eligible agency shall use a grant awarded under paragraph (1) to—

''(A) provide the services described in subparagraph (B) through—

''(i) professional and volunteer staff to older individuals who are—

''(I) participating in federally assisted and other publicly assisted housing programs; or

''(II) seeking Federal, State, and local housing programs; and

''(ii)(I) the State Long-Term Care Ombudsman program under section 307(a)(12) or section 712;

''(II) a legal services or assistance organization or through an organization that provides both legal and other social services;

''(III) a public or not-for-profit social services agency; or

''(IV) an agency or organization concerned with housing issues but not responsible for publicly assisted housing.

''(B) establish a housing ombudsman program that provides information, advice, and advocacy services including—

''(i) direct assistance, or referral to services, to resolve complaints or problems;

''(ii) provision of information regarding available housing programs, eligibility, requirements, and application processes;

''(iii) counseling or assistance with financial, social, familial, or other related matters that may affect or be influenced by housing problems;

''(iv) advocacy related to promoting—

''(I) the rights of the older individuals who are residents in publicly assisted housing programs; and

''(II) the quality and suitability of housing in the programs; and

''(v) assistance with problems related to housing regarding—

''(I) threats of eviction or eviction notices;

''(II) older buildings;

''(III) functional impairments as the impairments relate to house;

''(IV) unlawful discrimination;

''(V) regulations of the Department of Housing and Urban Development and the Farmers Home Administration;

''(VI) disability issues;

''(VII) intimidation, harassment, or arbitrary management rules;

''(VIII) grievance procedures;

''(IX) certification and recertification related to programs of the Department of Housing and Urban Development and the Farmers Home Administration; and

''(X) issues related to transfer from one project or program to another; and

''(3) AWARD OF GRANTS.—The Commissioner shall award grants under paragraph (1) to agencies in rural, urban, and other settings.

''(4) APPLICATION.—To be eligible to receive a grant under paragraph (1), an agency shall submit an application to the Commissioner at such time, in such manner, and containing such information as the Commissioner may require, including, at a minimum—

''(A) an assurance that the agency will conduct training of professional and volunteer staff who will provide services through the housing ombudsman demonstration program;

''(B) in the case of an application submitted by an area agency on aging, an endorsement of the program by the State agency serving the State in which the program will be established, and an assurance by the State agency that the agency will work with the area agency in carrying out the program; and

''(C) A plan to involve in the demonstration program the Secretary of the Department of Housing and Urban Development, the Administrator of the Farmers Home Administration, any individual or entity described in paragraph (2)(A) through which the agency intends to provide the services, and other agencies involved in publicly assisted housing programs.

''(5) ELIGIBLE AGENCIES.—Agencies eligible to receive grants under this section shall include—

''(A) State agencies;

''(B) area agencies on aging; and

''(C) other nonprofit entities, including providers of services under the State Long-Term Care Ombudsman program and the elder rights and legal assistance development program described in chapters 2 and 4, respectively, of subtitle A of title VII.

''(b) FORECLOSURE AND EVICTION ASSISTANCE AND RELIEF SERVICES DEMONSTRATION PROGRAMS.—

''(1) GRANTS.—The Commissioner shall make grants to States to carry out demonstration programs to develop methods or implement laws—

''(A) to prevent or delay the foreclosure on housing owned and occupied by older individuals or the eviction of older individuals from housing the individuals rent;

''(B) to obtain alternative housing as a result of such foreclosure or eviction; and

''(C) to assist older individuals to understand the rights and obligations of the individuals under laws relating to housing ownership and occupancy.

''(2) NOTIFICATION PROCESS.—A State that receives a grant under paragraph (1) shall establish methods, including a notification process—

''(A) to assist older individuals who are incapable of, or have difficulty in, understanding the circumstances and consequences of foreclosure on or eviction from housing the individuals occupy; and

''(B) to coordinate the program for which such grant is received with the activities of tenant organizations, tenant-landlord mediation organizations, public housing entities, and area agencies on aging, to provide more effectively assistance or referral to services to relocate or prevent eviction of older individuals from housing the individuals occupy.

''(c) EVALUATIONS AND REPORTS.—

''(1) AGENCIES.—Each agency or State that receives a grant under subsection (a) or (b) to establish a demonstration program shall, not later than 3 months after the end of the period for which the grant is awarded—

''(A) evaluate the effectiveness of the program; and

''(B) submit a report containing the evaluation to the Commissioner.

''(2) COMMISSIONER.—The Commissioner shall, not later than 6 months after the end of the period for which the Commissioner awards a grant under subsection (a) or (b)—

''(A) evaluate the effectiveness of each demonstration program that receives the grant; and

''(B) submit a report containing the evaluation to the Speaker of the House of Representatives and the President pro tempore of the Senate.''.

SEC. 417. PRIVATE RESOURCE ENHANCEMENT PROJECTS.

Part B of title IV of the Older Americans Act of 1965 (42 U.S.C. 3034–3035g) (as amended by the preceding sections) is amended by adding at the end the following:

''SEC. 429H. PRIVATE RESOURCE ENHANCEMENT PROJECTS.

''(a) GRANTS.—

''(1) IN GENERAL.—The Commissioner may make grants to, and enter into contracts with, State agencies and area agencies on aging, to carry out demonstration projects that generate non-Federal resources (including cash and in-kind contributions), in order to increase resources available to provide additional services under title III.

''(2) MAINTENANCE OF RESOURCES.—Resources generated with a grant made, or contract entered into, under subsection (a) shall be an addition to, and may not be used to supplant, any resource that is or would otherwise be available under any Federal, State, or local law to a State, State agency, area agency on aging, or unit of general purpose local government (as defined in section 302(2)) to provide such services.

''(3) USE OF RESOURCES.—Resources generated with a grant made, or a contract entered into, under subsection (a) shall be used to provide supportive services in accordance with title III. The requirements under this Act that apply to funds received under title III by States to carry out title III shall apply with respect to such resources.

''(b) AWARD OF GRANTS AND CONTRACTS.—

''(1) REGIONAL DISTRIBUTION.—The Commissioner shall ensure that States and area agencies on aging in all standard Federal regions of the United States, established by the Office of Management and Budget, receive grants and contracts under subsection (a) on an equitable basis.

''(2) DISTRIBUTION BASED ON NEED.—Within such regions, the Commissioner shall give preference to applicants that provide services under title III in geographical areas that contain a large number of older individuals with greatest economic need or older individuals with greatest social need.

''(c) MONITORING.—The Commissioner shall monitor how—

''(1) grants are expended, and contracts are carried out, under subsection (a); and

''(2) resources generated under such grants and contracts are expended,

to ensure compliance with this section.''.

SEC. 418. CAREER PREPARATION FOR THE FIELD OF AGING.

Part B of title IV of the Older Americans Act of 1965 (42 U.S.C. 3034–3035g) (as amended by the preceding sections) is amended by adding at the end the following:

''SEC. 429I. CAREER PREPARATION FOR THE FILED OF AGING.

''(a) GRANTS.—The Commissioner shall make grants to institutions of higher education, historically black colleges or universities, Hispanic Centers of Excellence in Applied Gerontology, and other educational institutions that serve the needs of minority students, to provide education and training to prepare students for careers in the field of aging.

''(b) DEFINITIONS.—For purposes of subsection (a):

''(1) HISPANIC CENTER OF EXCELLENCE IN APPLIED GERONTOLOGY.—The term 'Hispanic Center of Excellence in Applied Gerontology' means an institution of higher education with a program in applied gerontology that—

''(A) has a significant number of Hispanic individuals enrolled in the program, including individuals accepted for enrollment in the program;

''(B) has been effective in assisting Hispanic students of the program to complete the program and receive the degree involved;

''(C) has been effective in recruiting Hispanic individuals to attend the program, including providing scholarships and other financial assistance to such individuals and encouraging Hispanic students of secondary educational institutions to attend the program; and

''(D) has made significant recruitment efforts to increase the number and placement of Hispanic individuals serving in faculty or administrative positions in the program.

''(2) HISTORICALLY BLACK COLLEGE OR UNIVERSITY.—The term 'historically black college or university' has the meaning given the term 'part B institution' in section 322(2) of the Higher Education Act of 1965 (20 U.S.C. 1061(2)).

SEC. 419. PENSION INFORMATION AND COUNSELING DEMONSTRATION PROJECTS

Part B of title IV of the Older Americans Act of 1965 (42 U.S.C. 3034—3035g) (as amended by the preceding sections) is amended by adding at the end the following:

SEC. 429J. PENSION RIGHTS DEMONSTRATION PROJECTS.

''(a) DEFINITIONS.—As used in this section:

''(1) PENSION RIGHTS INFORMATION PROGRAM.—The term 'pension rights information program' means a program described in subsection (c).

''(2) PENSION AND OTHER RETIREMENT BENEFITS.—The term 'pension and other retirement benefits' means private, civil service, and other public pensions and retirement benefits, including benefits provided under—

''(A) the Social Security program under title II of the Social Security Act (42 U.S.C. 401 et seq.);

''(B) the railroad retirement program under the Railroad Retirement Act of 1974 (45 U.S.C. 231 et seq.);

''(C) the government retirement benefits programs under the Civil Service Retirement System set forth in chapter 83 of title 5, United States Code, the Federal Employees Retirement System set forth in chapter 84 of title 5, United States Code, or other Federal retirement systems; or

''(D) the Employee Retirement Income Security Act (29 U.S.C. 1001 et seq.)

''(b) ESTABLISHMENT.—The Commissioner shall establish and carry out pension rights demonstration projects.

''(c) PENSION RIGHTS INFORMATION PROGRAMS.—

''(1) USE OF FUNDS.—In carrying out the projects specified in subsection (b), the Commissioner shall, to the extent appropriations are available, award grants to six eligible entities to establish programs to provide outreach, information, counseling, referral, and assistance regarding pension and other retirement benefits, and rights related to such benefits.

''(2) AWARD OF GRANTS.—

''(A) TYPE OF ENTITY.—The Commissioner shall award under this subsection—

''(i) four grants to State agencies or area agencies on aging; and

''(ii) two grants to nonprofit organizations with a proven record of providing—

''(I) services related to retirement of older individuals; or

''(II) specific pension rights counseling.

''(B) PANEL.—In awarding grants under this subsection, the Commissioner shall use a citizen advisory panel that shall include representatives of business, labor, national senior advocates, and national pension rights advocates.

''(C) CRITERIA.—In awarding grants under this subsection, the Commissioner, in consultation with the panel, shall use as criteria—

''(i) evidence of commitment of an agency or organization to carry out a proposed pension rights information programs;

''(ii) the ability of the agency or organization to perform effective outreach to affected populations, particularly populations identified as in need of special outreach; and

''(iii) reliable information that the population to be served by the agency or organization has a demonstrable need for the services proposed to be provided under the program.

''(3) APPLICATION.—

''(A) IN GENERAL.—To be eligible to receive a grant under this subsection, an entity shall submit an application to the Commissioner at such time, in such manner, and containing such information as the Commissioner may require, including, at a minimum—

''(i) a plan for the establishment of a pension rights information area; and

''(ii) an assurance that staff members (including volunteer staff members) have no conflict of interest in providing the services described in the plan.

''(B) PLAN.—The plan described in paragraph (1) shall provide for a program that—

''(i) establishes a State or area pension rights information center;

''(ii) provides counseling (including direct counseling and assistance to individuals

needing information) and information that may assist individuals in establishing rights to, obtaining, and filing claims or complaints related to, pension and other retirement benefits;

''(iii) provides information on sources of pension and other retirement benefits, including the benefits under programs described in subsection (a)(1);

''(iv) makes referrals to legal services and other advocacy programs;

''(v) establishment a system of referral to State, local, and Federal departments or agencies related to pension and other retirement benefits;

''(vi) provides a sufficient number of staff positions (including volunteer positions) to ensure information, counseling, referral, and assistance regarding pension and other retirement benefits;

''(vii) provides training programs for staff members, including volunteer staff members of the programs described in subsection (a)(1);

''(viii) makes recommendations to the Administration, the Department of Labor and other local, State, and Federal agencies concerning issues for older individuals related to pension and other retirement benefits; and

''(ix) establishes an outreach program to provide information, counseling, referral, and assistance regarding pension and other retirement benefits, with particular emphasis on outreach to women, minorities, and low-income retirees.

''(d) TRAINING PROGRAM.—

''(1) USE OF FUNDS.—In carrying out the projects described in subsection (b), the Commissioner shall, to the extent appropriations are available, award a grant to an eligible entity to establish a training program to provide—

''(A) information to the staffs of entities operating pension rights information programs; and

''(B) assistance to the entities and assist such entities in the design of program evaluation tools.

''(2) ELIGIBLE ENTITY.—Entities eligible to receive grants under this subsection include nonprofit private organizations with records of providing national information, referral, and advocacy in matters related to pension and other retirement benefits.

''(3) APPLICATION.—To be eligible to receive a grant under this subsection, an entity shall submit an application to the Commissioner at such time, in such manner, and containing such information as the Commissioner may require.

''(e) DURATION.—The Commissioner may award grants under subsection (c) or (d) for periods not to exceed 18 months.

''(f) REPORT TO CONGRESS.—

''(1) PREPARATION.—The Commissioner shall prepare a report that—

''(A) summarizes the distribution of funds authorized for grants under this section and the expenditure of such funds;

''(B) summarizes the scope and content of training and assistance provided under a program carried out under this section and the degree to which the training and assistance can be replicated;

''(C) outlines the problems that individuals participating in programs funded under this section encountered concerning rights related to pension and other retirement benefits; and

''(D) makes recommendations regarding the manner in which services provided in programs funded under this section can be incorporated into the ongoing programs of State agencies, area agencies on aging, multipurpose senior centers, and other similar entities.

''(2) SUBMISSION.—Not later than 30 months after the date of the enactment of this section, the Commissioner shall submit the report described in paragraph (1) to the Committee on Education and Labor of the House of Representatives and the Committee on Labor and Human Resources of the Senate.

''(g) ADMINISTRATIVE EXPENSES.—Of the funds appropriated under section 431(a)(1) to carry out this section for a fiscal year, not more than $100,000 may be used by the Administration for administrative expenses in carrying out this section.''.

SEC. 420. AUTHORIZATION OF APPROPRIATIONS.

Section 431 of the Older Americans Act of 1965 (42 U.S.C. 3037) is amended by striking subsections (a) and (b) and inserting the following:

''(a)(1) There are authorized to be appropriated to carry out the provisions of this title (other than the provision specified in subsection (b)) $72,000,000 for fiscal year 1992, and such sums as may be necessary for fiscal years 1993, 1994, and 1995.

''(2) Not less than 1 percent of the amount appropriated under paragraph (1) for each fiscal year shall be made available to carry out section 202(d).

''(b) There are authorized to be appropriated to carry out section 411(e), $450,000 for each of fiscal years 1992, 1993, 1994, and 1995.''.

SEC. 421. PAYMENTS OF GRANTS FOR DEMONSTRATION PROJECTS.

Section 432(c) of the Older Americans Act of 1965 (42 U.S.C. 3037a(c)) is amended by striking ''unless the Commissioner'' and all that follows and inserting ''unless the Commissioner—

''(1) consults with the State agency prior to issuing the grant or contract; and

''(2) informs the State agency of the purposes of the grant or contract when the grant or contract is issued.''.

SEC. 422. RESPONSIBILITIES OF COMMISSIONER.

Section 433 of the Older Americans Act of 1965 (42 U.S.C. 3037b) is amended—

(1) by amending subsection (b) to read as follows:

''(b)(1) Not later than January 1 following each fiscal year, the Commissioner shall submit, to the Speaker of the House of Representatives and the President pro tempore of the Senate, a report for such fiscal year that describes each project and each program—

''(A) for which funds were provided under this title; and

''(B) that was completed in the fiscal year for which such report is prepared.

''(2) Such report shall contain—

''(A) the name or descriptive title of each project or program;

''(B) the name and address of the individual or governmental entity that conducted such project or program;

''(C) a specification of the period throughout which such project or program was conducted;

''(D) the identity of each source of funds expended to carry out such project or program and the amount of funds provided by each such source;

''(E) an abstract describing the nature and operation of such project or program; and

''(F) a bibliography identifying all published information relating to such project or program.''; and

(2) by adding at the end the following:

''(c)(1) The Commissioner shall establish by regulation and implement a process to evaluate the results of projects and programs carried out under this title.

''(2) The Commissioner shall—

''(A) make available to the public each evaluation carried out under paragraph (1); and

''(B) use such evaluation to improve services delivered, or the operation of projects and programs carried out, under this Act.''.

TITLE V—COMMUNITY SERVICE EMPLOYMENT FOR OLDER AMERICANS

SEC. 501. OLDER AMERICAN COMMUNITY SERVICE EMPLOYMENT PROGRAM.

Section 502 of the Older American Community Service Employment Act (42 U.S.C. 3056) is amended—

(1) in subsection (a) by inserting ''and who have poor employment prospects'' after ''or older'';

(2) in subsection (b)(1)—

(A) in subparagraph (M) by inserting '', and eligible individuals who have greatest economic need, at least'' after ''individuals'';

(B) by redesignating subparagraphs (N) and (O) as subparagraphs (O) and (P), respectively; and

(C) by inserting after subparagraph (M) the following:

''(N)(i) will prepare an assessment of—

''(I) the participants' skills and talents;

''(II) their need for supportive services; and

''(III) their physical capabilities;

except to the extent such project has, for the particular participant involved, an assessment of such skills and talents, such need, or such capabilities prepared recently pursuant to another employment or training program (such as a program under the Job Training Partnership Act (29 U.S.C. 1501 et seq.) or the Carl D. Perkins Vocational and Applied Technology Education Act (20 U.S.C. 2301 et seq.));

''(ii) will provide to eligible individuals training and employment counseling based on strategies that identify appropriate employment objectives and the need for supportive services, developed as a result of the assessment provided for in clause (i); and

''(iii) will provide counseling to participants on their progress in meeting such objectives and satisfying their need for supportive services;'';

(3) in subsection (c)(1)(B) by striking ''Director of the Office of Community Services of the Department'' and inserting ''Secretary'';

(4) in subsection (d)(1) by striking ''within a State such organization or program sponsor shall submit to the state agency on aging'' and inserting ''within a planning and service area in a State such organization or program sponsor shall conduct such project in consultation with the area agency on aging of the planning and service area and shall submit to the State agency and the area agency on aging''; and

(5) in subsection (e)(2)—

(A) in the matter preceding subparagraph (A)—

(i) by striking ''Not'' and all that follows through ''1981, the'' and inserting ''The''; and

(ii) by inserting '', and amend from time to time,'' after ''issue'';

(B) in subparagraph (A) by striking ''and'' at the end;

(C) in subparagraph (B) by striking the period at the end and inserting ''; and''; and

(D) by adding at the end the following:

''(C) require the coordination of projects carried out under such agreements, with the programs carried out under section 124 of the Job Training Partnership Act (29 U.S.C. 1534).''.

SEC. 502. COORDINATION.

(a) INCREASING JOB OPPORTUNITIES.—Section 503(a) of the Older American Community Service Employment Act (42 U.S.C. 3056a(a)) is amended—

(1) by redesignating paragraphs (1) through (3) as subparagraphs (A) through (C), respectively;

(2) by inserting ''(1)'' after the subsection designation; and

(3) by adding at the end the following:

''(2) The Secretary of Labor and the Commissioner shall coordinate the programs under this title and the programs under ti-

tles III, IV, and VI to increase job opportunities available to older individuals.''.

(b) COORDINATION OF ADMINISTRATION.—The first sentence of section 503(b)(1) of the Older American Community Service Employment Act (42 U.S.C. 3056a(b)(1)) is amended—

(1) by striking ''If'' and all that follows through ''authorized to'', and inserting ''The Secretary shall'';

(2) by inserting after the first sentence the following: ''The Secretary shall coordinate the administration of this title with the administration of titles III, IV, and VI by the Commissioner, to increase the likelihood that eligible individuals for whom employment opportunities under this title are available and who need services under such titles receive such services.''; and

(3) by adding at the end the following: ''The preceding sentence shall not be construed to prohibit carrying out projects under this title jointly with programs, projects, or activities under any Act specified in such sentence.''.

SEC. 503. INTERAGENCY COOPERATION.

Section 505 of the Older American Community Service Employment Act (42 U.S.C. 3056b) is amended—

(1) in subsection (a) by striking ''of the Administration on Aging''; and

(2) by adding at the end the following:

''(d)(1) The Secretary shall promote and coordinate carrying out projects under this title jointly with programs, projects, or activities under other Acts that provide training and employment opportunities to eligible individuals.

''(2) The Secretary shall consult with the Secretary of Education to promote and coordinate carrying out projects under this title jointly with employment and training programs in which eligible individuals may participate that are carried out under the Carl D. Perkins Vocational and Applied Technology Education Act (20 U.S.C. 2301 et seq.).''.

SEC. 504. EQUITABLE DISTRIBUTION OF ASSISTANCE.

(a) ALLOCATION.—Paragraphs (1) and (2) of section 506(a) of the Older American Community Service Employment Act (42 U.S.C. 3056d(a)) are amended to read as follows:

''(1)(A) Subject to subparagraph (B) and paragraph (2), from sums appropriate under this title for each fiscal year, the Secretary shall first reserve such sums as may be necessary for national grants or contracts with public agencies and public or nonprofit private organizations to maintain the level of activities carried on under such grants or contracts at least at the level of such activities supported under this title and under any other provision of Federal law relating to community service employment programs for older Americans in fiscal year 1978.

''(B)(i)(I) For each fiscal year in which the sums appropriated under this title exceed the amount appropriated under this title for fiscal year 1978, the Secretary shall reserve not more than 45 percent of such excess, except as provided in subclause (II), to carry out clauses (ii), (iii), and (v).

''(II) The Secretary shall reserve a sum sufficient to carry out clauses (iii) and (v).

''(III) The Secretary in awarding grants and contracts under this paragraph from the sum reserved under this paragraph shall, to the extent feasible, assure an equitable distribution of activities under such grants and contracts designed to achieve the allotment among the States described in paragraph (3) of this subsection.

''(ii) The Secretary shall reserve such sums as may be necessary for national grants or contracts with public or nonprofit national Indian aging organizations with the ability to provide employment services to older Indians and with national public or nonprofit Pacific Island and Asian American aging organizations with the ability to provide employment services to older Pacific Island and Asian Americans.

''(iii) If the amount appropriated under this title for a fiscal year exceeds 102 percent of the amount appropriated under this title for fiscal year 1991, for each fiscal year described in clause (iv), the Secretary shall reserve for recipients of national grants and contracts under this paragraph such portion of the excess amount as the Secretary determines to be appropriate and is—

''(I) at least 25 percent of the excess amount; or

''(II) the portion required to increase the amount made available under this paragraph to each of the recipients so that the amount equals 1.3 percent of the amount appropriated under this title for fiscal year 1991.

''(iv) From the portion reserved under clause (iii), the Secretary shall increase the amount made available under this paragraph to each of the recipients

''(I) for each fiscal year before the fiscal year described in subclause (II), so that such amount equals, or more closely approaches, such 1.3 percent; and

''(II) for the first fiscal year for which the portion is sufficient to make available under this paragraph to each of the recipients the amount equal to such 1.3 percent, so that such amount is not less than such 1.3 percent.

''(v) For each fiscal year after the fiscal year described in clause (iv)(II), the Secretary shall make available under this paragraph to each of the recipients an amount not less than such 1.3 percent.

''(C) Preference in awarding grants and contracts under this paragraph shall be given to national organizations, and agencies, of proven ability in providing employment services to eligible individuals under this program and similar programs. The Secretary, in awarding grants and contracts under this section, shall, to the extent feasible, assure an equitable distribution of activities under such grants and contracts, in the aggregate, among the States, taking into account the needs of undeserved States, subject to subparagraph (B)(i)(III).

''(2)(A) From sums appropriated under this title for each fiscal year after September 30, 1978, the Secretary shall reserve an amount which is at least 1 percent and not more than 3 percent of the amount appropriated in excess of the amount appropriated for fiscal year 1978 for the purpose of entering into agreements under section 502(e), relating to improved transition to private employment.

''(B) After the Secretary makes the reservations required by paragraph (1)(B) and subparagraph (A), the remainder of such excess shall be allotted to the appropriate public agency of each State pursuant to paragraph (3).''.

(b) APPORTIONMENT WITHIN STATES.—Section 506(c) of the Older American Community Service Employment Act (42 U.S.C. 3056d(c)) is amended—

(1) by striking ''and (2)'' and inserting ''(2)''; and

(2) by inserting before the period at the end the following: '', and (3) the relative distribution of (A) such individuals who are individuals with greatest economic need, (B) such individuals who are minority individuals, and (C) such individuals who are individuals with greatest social need''.

(c) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) Section 502(c)(1), paragraphs (3) and (4) of section 506(a), and section 507(1) of the Older American Community Service Employment Act (42 U.S.C. 3056(c)(1), 3056d(a) (3) and (4), and 3056e(1)) are amended by striking ''per centum'' each place the term appears and inserting ''percent''.

(2) Section 502(e)(1) of the Older American Community Service Employment Act (42 U.S.C. 3056(E)(1)) is amended by striking ''506(a)(1)(B)'' and inserting ''506(a)(2)(A)''.

(3) Section 506(a)(4)(B) of the Older American Community Service Employment Act (42 U.S.C. 3056d(a)(4)(B)) is amended by striking ''him'' and inserting ''the Secretary''.

SEC. 505. AUTHORIZATION OF APPROPRIATIONS.

Section 508(a) of the Older American Community Service Employment Act (42 U.S.C. 3056f(a)) is amended—

(1) by striking paragraph (1) and inserting the following:

''(1) $470,671,000 for fiscal year 1992, and such sums as may be necessary for fiscal years 1993, 1994, and 1995; and'';

(2) in paragraph (2) by striking ''62,500'' and inserting ''70,000''; and

(3) by striking ''clause'' and inserting ''paragraph''.

SEC. 506. DUAL ELIGIBILITY.

The Older American Community Service Employment Act (42 U.S.C. 3056–3056g) is amended by adding at the end the following:

''SEC. 510. DUAL ELIGIBILITY.

''In the case of projects under this title carried out jointly with programs carried out under the Job Training Partnership Act, eligible individuals shall be deemed to satisfy the requirements of section 203 of such Act (29 U.S.C. 1603) that are applicable to adults.''.

SEC. 507. TREATMENT OF ASSISTANCE PROVIDED UNDER THE OLDER AMERICAN COMMUNITY SERVICE EMPLOYMENT ACT.

The Older American Community Service Employment Act (42 U.S.C. 3056–3056g), as amended by section 506, is amended by adding at the end the following:

''SEC. 511. TREATMENT OF ASSISTANCE.

''Assistance furnished under this title shall not be construed to be financial assistance described in section 245A(h)(1)(A) of the Immigration and Nationality Act (8 U.S.C. 1255a(h)(1)(A)).''.

TITLE VI—GRANTS FOR NATIVE AMERICANS

SEC. 601. APPLICATIONS BY TRIBAL ORGANIZATIONS.

Section 614(a) of the Older Americans Act of 1965 (42 U.S.C. 3057e(a)) is amended—

(1) in paragraph (10) by striking ''and'' at the end;

(2) in paragraph (11) by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(12) contain assurances that the tribal organization will coordinate services provided under this part with services provided under title III in the same geographical area.''.

SEC. 602. DISTRIBUTION OF FUNDS AMONG TRIBAL ORGANIZATIONS.

Title VI of the Older Americans Act of 1965 (42 U.S.C. 3056 et seq.) is amended by inserting after section 614 the following:

''SEC. 614A. DISTRIBUTION OF FUNDS AMONG TRIBAL ORGANIZATIONS.

''(a) MAINTENANCE OF 1991 AMOUNTS.—Subject to the availability of appropriations to carry out this part, the amount of the grant (if any) made under this part to a tribal organization for fiscal year 1992 and for each subsequent fiscal year shall be not less than the amount of the grant made under this part to the tribal organization for fiscal year 1991.

''(b) USE OF ADDITIONAL AMOUNTS APPROPRIATED.—If the funds appropriated to carry out this part in a fiscal year subsequent to fiscal year 1991 exceed the funds appropriated to carry out this part in fiscal year 1991, then the amount of the grant (if any) made under this part to a tribal organization for the subsequent fiscal year shall be—

''(1) increased by such amount as the Commissioner considers to be appropriate, in ad-

dition to the amount of any increase required by subsection (a), so that the grant equals or more closely approaches the amount of the grant made under this part to the tribal organization for fiscal year 1980; or

''(2) an amount the Commissioner considers to be sufficient if the tribal organization did not receive a grant under this part for either fiscal year 1980 or fiscal year 1991.''.

SEC. 603. APPLICATIONS BY ORGANIZATIONS SERVING NATIVE HAWAIIANS.

Section 624(a)(3) of the Older Americans Act of 1965 (42 U.S.C. 3057j(a)(3)) is amended by inserting ''and with the activities carried out under title III in the same geographical area'' before the semicolon at the end.

SEC. 604. DISTRIBUTION OF FUNDS AMONG ORGANIZATIONS.

Title VI of the Older Americans Act of 1965 (42 U.S.C. 3057 et seq.) is amended by inserting after section 624 the following:

''SEC. 624A. DISTRIBUTION OF FUNDS AMONG ORGANIZATIONS.

''Subject to the availability of appropriations to carry out this part, the amount of the grant (if any) made under this part to an organization for fiscal year 1992 and for each subsequent fiscal year shall be not less than the amount of the grant made under this part to the organization for fiscal year 1991.''.

SEC. 605. AUTHORIZATION OF APPROPRIATIONS.

Section 633 of the Older Americans Act of 1965 (42 U.S.C. 3057n) is amended to read as follows:

''AUTHORIZATION OF APPROPRIATIONS

''SEC. 633. (a) There are authorized to be appropriated $30,000,000 for fiscal year 1992 and such sums as may be necessary for fiscal years 1993, 1994, and 1995, to carry out this title (other than section 615).

''(b) Of the amount appropriated under subsection (a) for each fiscal year—

''(1) 90 percent shall be available to carry out part A; and

''(2) 10 percent shall be available to carry out part B.''.

TITLE VII—VULNERABLE ELDER RIGHTS PROTECTION ACTIVITIES

SEC. 701. ALLOTMENTS FOR VULNERABLE ELDER RIGHTS PROTECTION ACTIVITIES.

The Older Americans Act of 1965 (42 U.S.C. 3001 et seq.) is amended by adding at the end the following:

''TITLE VII—ALLOTMENTS FOR VULNERABLE ELDER RIGHTS PROTECTION ACTIVITIES

''Subtitle A—State Provisions

''CHAPTER 1—GENERAL STATE PROVISIONS

''SEC. 701. ESTABLISHMENT.

''The Commissioner, acting through the Administration, shall establish and carry out a program for making allotments to States to pay for the cost of carrying out vulnerable elder rights protection activities.

''SEC. 702. AUTHORIZATION OF APPROPRIATIONS.

''(a) OMBUDSMAN PROGRAM.—There are authorized to be appropriated to carry out chapter 2, $40,000,000 for fiscal year 1992 and such sums as may be necessary for fiscal years 1993, 1994, and 1995.

''(b) PREVENTION OF ELDER ABUSE, NEGLECT, AND EXPLOITATION.—There are authorized to be appropriated to carry out chapter 3, $15,000,000 for fiscal year 1992 and such sums as may be necessary for fiscal years 1993, 1994, and 1995.

''(c) STATE ELDER RIGHTS AND LEGAL ASSISTANCE DEVELOPMENT PROGRAM.—There are authorized to be appropriated to carry out chapter 4, $10,000,000 for fiscal year 1992 and such sums as may be necessary for fiscal years 1993, 1994, and 1995.

''(d) OUTREACH, COUNSELING, AND ASSISTANCE PROGRAM.—There are authorized to be appropriated to carry out chapter 5, $15,000,000 for fiscal year 1992 and such sums as may be necessary for fiscal years 1993, 1994, and 1995.

''SEC. 703. ALLOTMENT.

''(a) IN GENERAL.—

''(1) POPULATION.—In carrying out the program described in section 701, the Commissioner shall initially allot to each State, from the funds appropriated under section 702 for each fiscal year, an amount that bears the same ratio to the funds as the population of older individuals in the State bears to the population of older individuals in all States.

''(2) MINIMUM ALLOTMENTS.—

''(A) IN GENERAL.—After making the initial allotments described in paragraph (1), the Commissioner shall adjust the allotments on a pro rata basis in accordance with subparagraphs (B) and (C).

''(B) GENERAL MINIMUM ALLOTMENTS.—

''(i) MINIMUM ALLOTMENT FOR STATES.—No State shall be allotted less than one-half of 1 percent of the funds appropriated under section 702 for the fiscal year for which the determination is made.

''(ii) MINIMUM ALLOTMENT FOR TERRITORIES.—Guam, the United States Virgin Islands, and the Trust Territory of the Pacific Islands, shall each be allotted not less than one-fourth of 1 percent of the funds appropriated under section 702 for the fiscal year for which the determination is made. American Samoa and the Commonwealth of the Northern Mariana Islands shall each be allotted not less than one-sixteenth of 1 percent of the sum appropriated under section 702 for the fiscal year for which the determination is made.

''(C) MINIMUM ALLOTMENTS FOR OMBUDSMAN AND ELDER ABUSE PROGRAMS.—

''(i) OMBUDSMAN PROGRAM.—No State shall be allotted for a fiscal year, from the funds appropriated under section 702(a), less than the amount allotted to the State under section 304 in fiscal year 1991 to carry out the State Long-Term Care Ombudsman program under title III.

''(ii) ELDER ABUSE PROGRAMS.—No State shall be allotted for a fiscal year, from the funds appropriated under section 702(b), less than the amount allotted to the State under section 304 in fiscal year 1991 to carry out programs with respect to the prevention of elder abuse, neglect, and exploitation under title III.

''(D) DEFINITION.—For the purposes of this paragraph, the term 'State' does not include Guam, American Samoa, the United States Virgin Islands, the Trust Territory of the Pacific Islands, and the Commonwealth of the Northern Mariana Islands.

''(b) REALLOTMENT.—

''(1) IN GENERAL.—If the Commissioner determines that any amount allotted to a State for a fiscal year under this section will not be used by the State for carrying out the purpose for which the allotment was made, the Commissioner shall make the amount available to a State that the Commissioner determines will be able to use the amount for carrying out the purpose.

''(2) AVAILABILITY.—Any amount made available to a State from an appropriation for a fiscal year in accordance with paragraph (1) shall, for purposes of this subtitle, be regarded as part of the allotment of the State (as determined under subsection (a)) for the year, but shall remain available until the end of the succeeding fiscal year.

''(c) WITHHOLDING.—If the Commissioner finds that any State has failed to carry out this title in accordance with the assurances made and description provided under section 705, the Commissioner shall withhold the allotment of funds to the State. The Commissioner shall disburse the funds withheld directly to any public or nonprofit private institution or organization, agency, or political subdivision of the State submitting an approved plan containing the assurances and description.

''SEC. 704. ORGANIZATION.

''In order for a State to be eligible to receive allotments under this subtitle—

''(1) the State shall demonstrate eligibility under section 305;

''(2) the State agency designated by the State shall demonstrate compliance with the applicable requirements of section 305; and

''(3) each area agency on aging designated by the State agency and participating in such a program shall demonstrate compliance with the applicable requirements of section 305.

''SEC. 705. ADDITIONAL STATE PLAN REQUIREMENTS.

''(a) ELIGIBILITY.—In order to be eligible to receive an allotment under this subtitle, a State shall include in the State plan submitted under section 307—

''(1) an assurance that the State, in carrying out any chapter of this subtitle for which the State receives funding under this subtitle, will establish programs in accordance with the requirements of the chapter and this chapter;

''(2) an assurance that the State will hold public hearings, and use other means, to obtain the views of older individuals, area agencies on aging, recipients of grants under title VI, and other interested persons and entities regarding programs carried out under this subtitle;

''(3) an assurance that the State, in consultation with area agencies on aging, will identify and prioritize statewide activities aimed at ensuring that older individuals have access to, and assistance in securing and maintaining, benefits and rights;

''(4) an assurance that the State will use funds made available under this subtitle for a chapter in addition to, and will not supplant, any funds that are expended under any Federal or State law in existence on the day before the date of the enactment of this subtitle, to carry out the vulnerable elder rights protection activities described in the chapter;

''(5) an assurance that the State will place no restrictions, other than the requirements referred to in clauses (i) through (iv) of section 712(a)(5)(C), on the eligibility of entities for designation as local Ombudsman entities under section 712(a)(5);

''(6) an assurance that, with respect to programs for the prevention of elder abuse, neglect, and exploitation under chapter 3—

''(A) in carrying out such programs the State agency will conduct a program of services consistent with relevant State law and coordinated with existing State adult protective service activities for—

''(i) public education to identify and prevent elder abuse;

''(ii) receipt of reports of elder abuse;

''(iii) active participation of older individuals participating in programs under this Act through outreach, conferences, and referral of such individuals to other social service agencies or sources of assistance if appropriate and if the individuals to be referred consent; and

''(iv) referral of complaints to law enforcement or public protective service agencies if appropriate;

''(B) the State will not permit involuntary or coerced participation in the program of services described in subparagraph (A) by alleged victims, abusers, or their households; and

''(C) all information gathered in the course of receiving reports and making referrals shall remain confidential except—

''(i) if all parties to such complaint consent in writing to the release of such information;

''(ii) if the release of such information is to a law enforcement agency, public protective service agency, licensing or certification agency, ombudsman program, or protection or advocacy system; or

''(iii) upon court order;

''(7) an assurance that the State agency—

''(A) from funds appropriated under section 702(d) for chapter 5, will make funds available to eligible area agencies on aging to carry out chapter 5 and, in distributing such funds among eligible area agencies, will give priority to area agencies on aging based on—

''(i) the number of older individuals with greatest economic need, and older individuals with greatest social need, residing in their respective planning and service areas; and

''(ii) the inadequacy in such areas of outreach activities and application assistance of the type specified in chapter 5;

''(B) will require, as a condition of eligibility to receive funds to carry out chapter 5, an area agency on aging to submit an application that—

''(i) describes the activities for which such funds are sought;

''(ii) provides for an evaluation of such activities by the area agency on aging; and

''(iii) includes assurances that the area agency on aging will prepare and submit to the State agency a report of the activities conducted with funds provided under this paragraph and the evaluation of such activities;

''(C) will distribute to area agencies on aging—

''(i) the eligibility information received under section 202(a)(20) from the Administration; and

''(ii) information, in written form, explaining the requirements for eligibility to receive medical assistance under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.); and

''(D) will submit to the Commissioner a report on the evaluations required to be submitted under subparagraph (B); and

''(8) a description of the manner in which the State agency will carry out this title in accordance with the assurances described in paragraphs (1) through (7).

''(b) PRIVILEGE.—Neither a State, nor a State agency, may require any provider of legal assistance under this subtitle to reveal any information that is protected by the attorney-client privilege.

"SEC. 706. DEMONSTRATION PROJECTS.

''(a) ESTABLISHMENT.—From amounts made available under section 304(d)(1)(C) after September 30, 1992, each State may provide for the establishment of at least one demonstration project, to be conducted by one or more area agencies on aging within the State, for outreach to older individuals with greatest economic need with respect to—

''(1) benefits available under title XVI of the Social Security Act (42 U.S.C. 1381 et seq.) (or assistance under a State program established in accordance with such title);

''(2) medical assistance available under title XIX of such Act (42 U.S.C 1396 et seq.); and

''(3) benefits available under the Food Stamp Act of 1977 (7 U.S.C. 2011 et seq.).

''(b) BENEFITS.—Each outreach project carried out under subsection (a) shall—

''(1) provide to older individuals with greatest economic need information and assistance regarding their eligibility to receive the benefits and assistance described in paragraphs (1) through (3) of subsection (a);

''(2) be carried out in a planning and service area that has a high proportion of older individuals with greatest economic need, relative to the aggregate number of older individuals in such area; and

''(3) be coordinated with State and local entities that administer benefits under such titles.''.

SEC. 702. OMBUDSMAN PROGRAMS.

Title VII of the Older Americans Act of 1965 (as added by section 701 of this Act) is amended by adding at the end the following:

"CHAPTER 2—OMBUDSMAN PROGRAMS

"SEC. 711. DEFINITIONS.

''As used in this chapter:

''(1) OFFICE.—The term 'Office' means the office established in section 712(a)(1)(A).

''(2) OMBUDSMAN.—The term 'Ombudsman' means the individual described in section 712(a)(2).

''(3) LOCAL OMBUDSMAN ENTITY.—The term 'local Ombudsman entity' means an entity designated under section 712(a)(5)(A) to carry out the duties described in section 712(a)(5)(B) with respect to a planning and service area or other substate area.

''(4) PROGRAM.—The term 'program' means the State Long-Term Care Ombudsman program established in section 712(a)(1)(B).

''(5) REPRESENTATIVE.—The term 'representative' includes an employee or volunteer who represents an entity designated under section 712(a)(5)(A) and who is individually designated by the Ombudsman.

''(6) RESIDENT.—The term 'resident' means an older individual who resides in a long-term care facility.

"SEC. 712. STATE LONG-TERM CARE OMBUDSMAN PROGRAM.

''(a) ESTABLISHMENT.—

''(1) IN GENERAL.—In order to be eligible to receive an allotment under section 703 from funds appropriated under section 702(a), a State agency shall, in accordance with this section—

''(A) establish and operate an Office of the State Long-Term Care Ombudsman; and

''(B) carry out through the Office a State Long-Term Care Ombudsman program.

''(2) OMBUDSMAN.—The Office shall be headed by an individual, to be known as the State Long-Term Care Ombudsman, who shall be selected from among individuals with expertise and experience in the fields of long-term care and advocacy.

''(3) FUNCTIONS.—The Ombudsman shall serve on a full-time basis, and shall, personally or through representatives of the Office—

''(A) identify, investigate, and resolve complaints that—

''(i) are made by, or on behalf of, residents; and

''(ii) relate to action, inaction, or decisions, that may adversely affect the health, safety, welfare, or rights of the residents (including the welfare and rights of the residents with respect to the appointment and activities of guardians and representative payees), of—

''(I) providers, or representatives of providers, of long-term care services;

''(II) public agencies; or

''(III) health and social service agencies;

''(B) provide services to assist the residents in protecting the health, safety, welfare, and rights of the residents;

''(C) inform the residents about means of obtaining services provided by providers or agencies described in subparagraph (A)(ii) or services described in subparagraph (B);

''(D) ensure that the residents have regular and timely access to the services provided through the Office and that the residents and complainants receive timely responses from representatives of the Office to complaints;

''(E) represent the interests of the residents before governmental agencies and seek administrative, legal, and other remedies to protect the health, safety, welfare, and rights of the residents;

''(F) provide administrative and technical assistance to entities designated under paragraph (5) to assist the entities in participating in the program;

''(G)(i) analyze, comment on, and monitor the development and implementation of Federal, State, and local laws, regulations, and other governmental policies and actions, that pertain to the health, safety, welfare, and rights of the residents, with respect to the adequacy of long-term care facilities and services in the State;

''(ii) recommend any changes in such laws, regulations, policies, and actions as the Office determines to be appropriate; and

''(iii) facilitate public comment on the laws, regulations, policies, and actions;

''(H)(i) provide for training representatives of the Office;

''(ii) promote the development of citizen organizations, to participate in the program; and

''(iii) provide technical support for the development of resident and family councils to protect the well-being and rights of residents; and

''(I) carry out such other activities as the Commissioner determines to be appropriate.

''(4) CONTRACTS AND ARRANGEMENTS.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), the State agency may establish and operate the Office, and carry out the program, directly, or by contract or other arrangement with any public agency or nonprofit private organization.

''(B) LICENSING AND CERTIFICATION ORGANIZATIONS; ASSOCIATIONS.—The State agency may not enter into the contract or other arrangement described in subparagraph (A) with—

''(i) an agency or organization that is responsible for licensing or certifying long-term care services in the State; or

''(ii) an association (or an affiliate of such an association) of long-term care facilities, or of any other residential facilities for older individuals.

''(5) DESIGNATION OF LOCAL OMBUDSMAN ENTITIES AND REPRESENTATIVES.—

''(A) DESIGNATION.—In carrying out the duties of the Office, the Ombudsman may designate an entity as a local Ombudsman entity, and may designate an employee or volunteer to represent the entity.

''(B) DUTIES.—An individual so designated shall, in accordance with the policies and procedures established by the Office and the State agency—

''(i) provide services to protect the health, safety, welfare and rights of residents;

''(ii) ensure that residents in the service area of the entity have regular, timely access to representatives of the program and timely responses to complaints and requests for assistance;

''(iii) identify, investigate, and resolve complaints made by or on behalf of residents that relate to action, inaction, or decisions, that may adversely affect the health, safety, welfare, or rights of the residents;

''(iv) represent the interests of residents before government agencies and seek administrative, legal, and other remedies to protect the health, safety, welfare, and rights of the residents;

''(v)(I) review, and if necessary, comment on any existing and proposed laws, regulations, and other government policies and actions, that pertain to the rights and well-being of residents; and

''(II) facilitate the ability of the public to comment on the laws, regulations, policies, and actions;

''(vi) support the development of resident and family councils; and

''(vii) carry out other activities that the Ombudsman determines to be appropriate.

''(C) ELIGIBILITY FOR DESIGNATION.—Entities eligible to be designated as local Ombudsman entities, and individuals eligible to

be designated as representatives of such entities, shall—

''(i) have demonstrated capability to carry out the responsibilities of the Office;

''(ii) be free of conflicts of interest;

''(iii) in the case of the entities, be public or nonprofit private entities; and

''(iv) meet such additional requirements as the Ombudsman may specify.

''(D) POLICIES AND PROCEDURES.—

''(i) IN GENERAL.—The State agency shall establish, in accordance with the Office, policies and procedures for monitoring local Ombudsman entities designated to carry out the duties of the Office.

''(ii) POLICIES.—In a case in which the entities are grantees, or the representatives are employees, of area agencies on aging, the State agency shall develop the policies in consultation with the area agencies on aging. The policies shall provide for participation and comment by the agencies and for resolution of concerns with respect to case activity.

''(iii) CONFIDENTIALITY AND DISCLOSURE.—The State agency shall develop the policies and procedures in accordance with all provisions of this subtitle regarding confidentiality and conflict of interest.

''(b) PROCEDURES FOR ACCESS.—

''(1) IN GENERAL.—The State shall ensure that representatives of the Office shall have—

''(A) access to long-term care facilities and residents;

''(B)(i) appropriate access to review the medical and social records of a resident, if—

''(I) the representative has the permission of the resident, or the legal representative of the resident; or

''(II) the resident is unable to consent to the review and has no legal representative; or

''(ii) access to the records as is necessary to investigate a complaint if—

''(I) a legal guardian of the resident refuses to give the permission;

''(II) a representative of the Office has reasonable cause to believe that the guardian is not acting in the best interests of the resident; and

''(III) the representative obtains the approval of the Ombudsman;

''(C) access to the administrative records, policies, and documents, to which the residents have, or the general public has access, of long-term care facilities; and

''(D) access to and, on request, copies of all licensing and certification records maintained by the State with respect to long-term care facilities.

''(2) PROCEDURES.—The State agency shall establish procedures to ensure the access described in paragraph (1).

''(c) REPORTING SYSTEM.—The State agency shall establish a statewide uniform reporting system to—

''(1) collect and analyze data relating to complaints and conditions in long-term care facilities and to residents for the purpose of identifying and resolving significant problems; and

''(2) submit the data, on a regular basis, to—

''(A) the agency of the State responsible for licensing or certifying long-term care facilities in the State;

''(B) other State and Federal entities that the Ombudsman determines to be appropriate;

''(C) the Commissioner; and

''(D) the National Ombudsman Resource Center established in section 202(a)(21).

''(d) DISCLOSURE.—

''(1) IN GENERAL.—The State agency shall establish procedures for the disclosure by the Ombudsman or local Ombudsman entities of files maintained by the program, including records described in subsection (b)(1) or (c).

''(2) IDENTITY OF COMPLAINANT OR RESIDENT.—The procedures described in paragraph (1) shall—

''(A) provide that, subject to subparagraph (B), the files and records described in paragraph (1) may be disclosed only at the discretion of the Ombudsman (or the person designated by the Ombudsman to disclose the files and records); and

''(B) prohibit the disclosure of the identity of any complainant or resident with respect to whom the Office maintains such files or records unless—

''(i) the complainant or resident, or the legal representative of the complainant or resident, consents to the disclosure and the consent is given in writing;

''(ii)(I) the complainant or resident gives consent orally; and

''(II) the consent is documented contemporaneously in a writing made by a representative of the Office in accordance with such requirements as the State agency shall establish; or

''(iii) the disclosure is required by court order.

''(e) CONSULTATION.—In planning and operating the program, the State agency shall consider the views of area agencies on aging, older individuals, and providers of long-term care.

''(f) CONFLICT OF INTEREST.—The State agency shall—

''(1) ensure that no individual, or member of the immediate family of an individual, involved in the designation of the Ombudsman (whether by appointment or otherwise) or the designation of an entity designated under subsection (a)(5), is subject to a conflict of interest;

''(2) ensure that no officer or employee of the Office, representative of a local Ombudsman entity, or member of the immediate family of the officer, employee, or representative, is subject to a conflict of interest;

''(3) ensure that the Ombudsman—

''(A) does not have a direct involvement in the licensing or certification of a long-term care facility or of a provider of a long-term care service;

''(B) does not have an ownership or investment interest (represented by equity, debt, or other financial relationship) in a long-term care facility or a long-term care service;

''(C) is not employed by, or participating in the management of, a long-term care facility; and

''(D) does not receive, or have the right to receive, directly or indirectly, remuneration (in cash or in kind) under a compensation arrangement with an owner or operator of a long-term care facility; and

''(4) establish, and specify in writing, mechanisms to identify and remove conflicts of interest referred to in paragraphs (1) and (2), and to identify and eliminate the relationships described in subparagraphs (A) through (D) of paragraph (3), including such mechanisms as—

''(A) the methods by which the State agency will examine individuals, and immediate family members, to identify the conflicts; and

''(B) the actions that the State agency will require the individuals and such family members to take to remove such conflicts.

''(g) LEGAL COUNSEL.—The State agency shall ensure that—

''(1)(A) adequate legal counsel is available, and is able, without conflict of interest, to—

''(i) provide advice and consultation needed to protect the health, safety, welfare, and rights of residents; and

''(ii) assist the Ombudsman and representatives of the Office in the performance of the official duties of the Ombudsman and representatives; and

''(B) legal representation is provided to any representative of the Office against whom suit or other legal action is brought or threatened to be brought in connection with the performance of the official duties of the Ombudsman or such a representative; and

''(2) the Office pursues administrative, legal, and other appropriate remedies on behalf of residents.

''(h) ADMINISTRATION.—The State agency shall require the Office to—

''(1) prepare an annual report—

''(A) describing the activities carried out by the Office in the year for which the report is prepared;

''(B) containing and analyzing the data collected under subsection (c);

''(C) evaluating the problems experienced by, and the complaints made by or on behalf of, residents;

''(D) containing recommendations for—

''(i) improving quality of the care and life of the residents; and

''(ii) protecting the health, safety, welfare, and rights of the residents;

''(E)(i) analyzing the success of the program including success in providing services to residents of board and care facilities and other similar adult care facilities; and

''(ii) identifying barriers that prevent the optimal operation of the program; and

''(F) providing policy, regulatory, and legislative recommendations to solve identified problems, to resolve the complaints, to improve the quality of care and life of residents, to protect the health, safety, welfare, and rights of residents, and to remove the barriers;

''(2) analyze, comment on, and monitor the development and implementation of Federal, State, and local laws, regulations, and other government policies and actions that pertain to long-term care facilities and services, and to the health, safety, welfare, and rights of residents, in the State, and recommend any changes in such laws, regulations, and policies as the Office determines to be appropriate;

''(3)(A) provide such information as the Office determines to be necessary to public and private agencies, legislators, and other persons, regarding—

''(i) the problems and concerns of older individuals residing in long-term care facilities; and

''(ii) recommendations related to the problems and concerns; and

''(B) make available to the public, and submit to the Commissioner, the chief executive officer of the State, the State legislature, the State agency responsible for licensing or certifying long-term care facilities, and other appropriate governmental entities, each report prepared under paragraph (1);

''(4)(A) not later than 1 year after the date of the enactment of this title, establish procedures for the training of the representatives of the Office, including unpaid volunteers, based on model standards established by the Associate Commissioner for Ombudsman Programs, in consultation with representatives of citizen groups, long-term care providers, and the Office, that—

''(i) specify a minimum number of hours of initial training;

''(ii) specify the content of the training, including training relating to—

''(I) Federal, State, and local laws, regulations, and policies, with respect to long-term care facilities in the State;

''(II) investigative techniques; and

''(III) such other matters as the State determines to be appropriate; and

''(iii) specify an annual number of hours of in-service training for all designated representatives; and

''(B) require implementation of the procedures not later than 21 months after the date of the enactment of this title;

''(5) prohibit any representative of the Office (other than the Ombudsman) from carrying out any activity described in subparagraphs (A) through (G) of subsection (a)(3) unless the representative—

''(A) has received the training required under paragraph (4); and

''(B) has been approved by the Ombudsman as qualified to carry out the activity on behalf of the Office;

''(6) coordinate ombudsman services with the protection and advocacy systems for individuals with developmental disabilities and mental illnesses established under—

''(A) part A of the Developmental Disabilities Assistance and Bill of Rights Act (42 U.S.C. 6001 et seq.); and

''(B) the Protection and Advocacy for Mentally Ill Individuals Act of 1986 (42 U.S.C. 10801 et seq.);

''(7) coordinate, to the greatest extent possible, ombudsman services with legal assistance provided under section 306(a)(2)(C), through adoption of memoranda of understanding and other means; and

''(8) permit any local Ombudsman entity to carry out the responsibilities described in paragraph (1), (2), (3), (6), or (7).

''(i) LIABILITY.—The State shall ensure that no representative of the Office will be liable under State law for the good faith performance of official duties.

''(j) NONINTERFERENCE.—The State shall—

''(1) ensure that willful interference with representatives of the Office in the performance of the official duties of the representatives (as defined by the Commissioner) shall be unlawful;

''(2) prohibit retaliation and reprisals by a long-term care facility or other entity with respect to any resident, employee, or other person for filing a complaint with, providing information to, or otherwise cooperating with any representative of, the Office; and

''(3) provide for appropriate sanctions with respect to the interference, retaliation, and reprisals.

''SEC. 713. REGULATIONS.

''The Commissioner shall issue and periodically update regulations respecting—

''(1) conflicts of interest by persons described in paragraphs (1) and (2) of section 712(f); and

''(2) the relationships described in subparagraphs (A) through (D) of section 712(f)(3).''.

SEC. 703. PROGRAMS FOR PREVENTION OF ELDER ABUSE, NEGLECT, AND EXPLOITATION.

(a) PURPOSE.—The purpose of this section is to assist States in the design, development, and coordination of comprehensive services of the State and local levels to prevent, treat, and remedy elder abuse, neglect, and exploitation.

(b) PROGRAMS.—Title VII of the Older Americans Act of 1965 (as added by section 701, and amended by section 702) is amended by adding at the end the following:

''CHAPTER 3—PROGRAMS FOR PREVENTION OF ELDER ABUSE, NEGLECT, AND EXPLOITATION

''SEC. 721. PREVENTION OF ELDER ABUSE, NEGLECT, AND EXPLOITATION.

''(a) ESTABLISHMENT.—In order to be eligible to receive an allotment under section 703 from funds appropriated under section 702(b), a State agency shall, in accordance with this section, and in consultation with area agencies on aging, develop and enhance programs for the prevention of elder abuse, neglect, and exploitation.

''(b) USE OF ALLOTMENTS.—The State agency shall use an allotment made under subsection (a) to carry out, through the programs described in subsection (a), activities to develop, strengthen, and carry out programs for the prevention and treatment of elder abuse, neglect, and exploitation, including—

''(1) providing for public education and outreach to identify and prevent elder abuse, neglect, and exploitation;

''(2) ensuring the coordination of services provided by area agencies on aging with services instituted under the State adult protection service program;

''(3) promoting the development of information and data systems, including elder abuse reporting systems, to quantify the extent of elder abuse, neglect, and exploitation in the State;

''(4) conducting analyses of State information concerning elder abuse, neglect, and exploitation and identifying unmet service, enforcement, or intervention needs;

''(5) conducting training for individuals, professionals, and paraprofessionals, in relevant fields on the identification, prevention, and treatment of elder abuse, neglect, and exploitation, with particular focus on prevention and enhancement of self-determination and autonomy;

''(6) providing technical assistance to programs that provide or have the potential to provide services for victims of elder abuse, neglect, and exploitation and for family members of the victims;

''(7) conducting special and on-going training, for individuals involved in serving victims of elder abuse, neglect, and exploitation, on the topics of self-determination, individual rights, State and Federal requirements concerning confidentiality, and other topics determined to be a State agency to be appropriate; and

''(8) promoting the development of an elder abuse, neglect, and exploitation system—

''(A) that includes a State elder abuse, neglect, and exploitation law that includes provisions for immunity, for persons reporting instances of elder abuse, neglect, and exploitation, from prosecution arising out of such reporting, under any State or local law;

''(B) under which a State agency—

''(i) on receipt of a report of known or suspected instances of elder abuse, neglect, or exploitation, shall promptly initiate an investigation to substantiate the accuracy of the report; and

''(ii) on a finding of elder abuse, neglect, or exploitation, shall take steps, including appropriate referral, to protect the health and welfare of the abused, neglected, or exploited older individual;

''(C) that includes, throughout the State, in connection with the enforcement of elder abuse, neglect, and exploitation laws and with the reporting of suspected instances of elder abuse, neglect, and exploitation—

''(i) such administrative procedures;

''(ii) such personnel trained in the special problems of elder abuse, neglect, and exploitation prevention and treatment;

''(iii) such training procedures;

''(iv) such institutional and other facilities (public and private); and

''(v) such related multidisciplinary programs and services,

as may be necessary or appropriate to ensure that the State will deal effectively with elder abuse, neglect, and exploitation cases in the State;

''(D) that preserves the confidentiality of records in order to protect the rights of older individuals;

''(E) that provides for the cooperation of law enforcement officials, courts of competent jurisdiction, and State agencies providing human services with respect to special problems of elder abuse, neglect, and exploitation;

''(F) that enables an older individual to participate in decisions regarding the welfare of the older individual, and makes the least restrictive alternatives available to an older individual who is abused, neglected, or exploited; and

''(G) that includes a State clearinghouse for dissemination of information to the general public with respect to—

''(i) the problems of elder abuse, neglect, and exploitation;

''(ii) the facilities described in subparagraph (C)(iv); and

''(iii) prevention and treatment methods available to combat instances of elder abuse, neglect, and exploitation.

''(c) APPROACH.—In developing and enhancing programs under subsection (a), the State agency shall use a comprehensive approach, in consultation with area agencies on aging, to identify and assist older individuals who are subject to abuse, neglect, and exploitation, including older individuals who live in State licensed facilities, unlicensed facilities, or domestic or community-based settings.

''(d) COORDINATION.—In developing and enhancing programs under subsection (a), the State agency shall coordinate the programs with other State and local programs and services for the protection of vulnerable adults, particularly vulnerable older individuals, including programs and services such as—

''(1) area agency on aging programs;

''(2) adult protective service programs;

''(3) the State Long-Term Care Ombudsman program established in chapter 2;

''(4) protection and advocacy programs;

''(5) facility and long-term care provider licensure and certification programs;

''(6) medicaid fraud and abuse services, including services provided by a State medicaid fraud control unit, as defined in section 1903(q) of the Social Security Act (42 U.S.C. 1396b(q));

''(7) victim assistance programs; and

''(8) consumer protection and law enforcement programs, as well as other State and local programs that identify and assist vulnerable older individuals.

''(e) REQUIREMENTS.—In developing and enhancing programs under subsection (a), the State agency shall—

''(1) not permit involuntary or coerced participation in such programs by alleged victims, abusers, or members of their households;

''(2) require that all information gathered in the course of receiving a report described in subsection (b)(8)(B)(i), and making a referral described in subsection (b)(8)(B)(ii), shall remain confidential except—

''(A) if all parties to such complaint or report consent in writing to the release of such information;

''(B) if the release of such information is to a law enforcement agency, public protective service agency, licensing or certification agency, ombudsman program, or protection or advocacy system; or

''(C) upon court order; and

''(3) make all reasonable efforts to resolve any conflicts with other public agencies with respect to confidentiality of the information described in paragraph (2) by entering into memoranda of understanding that narrowly limit disclosure of information, consistent with the requirement described in paragraph (2).

''(f) DESIGNATION.—The State agency may designate a State entity to carry out the programs and activities described in this chapter.''.

SEC. 704. STATE ELDER RIGHTS AND LEGAL ASSISTANCE DEVELOPMENT PROGRAM.

Title VII of the Older Americans Act of 1965 (as added by section 701 and amended by the preceding sections) is amended by adding at the end the following:

"CHAPTER 4—STATE ELDER RIGHTS AND LEGAL ASSISTANCE DEVELOPMENT PROGRAM

"SEC. 731. STATE ELDER RIGHTS AND LEGAL ASSISTANCE DEVELOPMENT.

''(a) ESTABLISHMENT.—

''(1) IN GENERAL.—In order to be eligible to receive an allotment under section 703 from funds appropriated under section 702(c), a State agency shall, in accordance with this section and in consultation with area agencies on aging, establish a program to provide leadership for improving the quality and quantity of legal and advocacy assistance as a means for ensuring a comprehensive elder rights system.

''(2) COORDINATION AND ASSISTANCE.—In carrying out the program established under this chapter, the State agency shall coordinate, and provide assistance to, area agencies on aging and other entities in the State that assist older individuals in—

''(A) understanding the rights of the older individuals;

''(B) exercising choice;

''(C) benefiting from services and opportunities authorized by law;

''(D) maintaining the rights of the older individuals and, in particular, of the older individuals with reduced capacity; and

''(E) solving disputes.

''(b) FUNCTIONS.—In carrying out this chapter, the State agency shall—

''(1) establish a focal point for elder rights policy review, analysis, and advocacy at the State level, including such issues as guardianship, age discrimination, pension and health benefits, insurance, consumer protection, surrogate decisionmaking, protective services, public benefits, and dispute resolution;

''(2) provide an individual who shall be known as a State legal assistance developer, and other personnel, sufficient to ensure—

''(A) State leadership in securing and maintaining legal rights of older individuals;

''(B) State capacity for coordinating the provision of legal assistance;

''(C) State capacity to provide technical assistance, training and other supportive functions to area agencies on aging, legal assistance providers, ombudsmen, and other persons as appropriate; and

''(D) State capacity to promote financial management services for older individuals at risk of conservatorship;

''(3)(A) develop, in conjunction with area agencies on aging and legal assistance providers, statewide standards for the delivery of legal assistance to older individuals; and

''(B) provide technical assistance to area agencies on aging and legal assistance providers to enhance and monitor the quality and quantity of legal assistance to older individuals, including technical assistance in developing plans for targeting services to reach the older individuals with greatest economic need and older individuals with greatest social need, with particular attention to low-income minority individuals;

''(4) provide consultation to, and ensure, the coordination of activities with the legal assistance provided under title III, services provided by the Legal Service Corporation, and services provided under chapters 2, 3, and 5, as well as other State or Federal programs administered at the State and local levels that address the legal assistance needs of older individuals;

''(5) provide for the education and training of professionals, volunteers, and older individuals concerning elder rights, the requirements and benefits of specific laws, and methods for enhancing the coordination of services;

''(6) promote, and provide as appropriate, education and training for individuals who are or might become guardians or representative payees of older individuals, including information on—

''(A) the powers and duties of guardians or representative payees; and

''(B) alternatives to guardianship;

''(7) promote the development of, and provide technical assistance concerning, pro bono legal assistance programs, State and local bar committees on aging, legal hot lines, alternative dispute resolution, programs and curricula, related to the rights and benefits of older individuals, in law schools and other institutions of higher education, and other methods to expand access by older individuals to legal assistance and advocacy and vulnerable elder rights protection activities;

''(8) provide for periodic assessments of the status of elder rights in the State, including analysis—

''(A) of the unmet need for assistance in resolving legal problems and benefits-related problems, methods for expanding advocacy services, the status of substitute decision-making systems and services (including systems and services regarding guardianship, representative payeeship, and advance directives), access to courts and the justice system, and the implementation of civil rights and age discrimination laws in the State; and

''(B) of problems and unmet needs identified in programs established under title III and other programs; and

''(9) for the purpose of identifying vulnerable elder rights protection activities provided by the entities under this chapter, and coordinating the activities with programs established under title III and chapters 2, 3, and 5, develop working agreements with—

''(A) State entities, including the consumer protection agency, the court system, the attorney general, the State equal employment opportunity commission, and other State agencies; and

''(B) Federal entities, including the Social Security Administration, Health Care Financing Administration, and the Department of Veterans' Affairs, and other entities.''.

SEC. 705. OUTREACH, COUNSELING, AND ASSISTANCE PROGRAMS.

(a) PURPOSE.—The purpose of this section is to provide outreach, counseling, and assistance in order to assist older individuals in obtaining benefits under—

(1) public and private health insurance, long-term care insurance, life insurance, and pension plans; and

(2) public programs under which the individuals are entitled to benefits, including benefits under—

(A) the supplemental security income program established under title XVI of the Social Security Act (42 U.S.C. 1381 et seq.);

(B) the medicare program established under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.);

(C) the medicaid program established under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.);

(D) the program established under the Food Stamp Act of 1977 (7 U.S.C. 2011 et seq.); and

(E) the program established under the Low-Income Home Energy Assistance Act of 1981 (42 U.S.C. 8621 et seq.).

(b) PROGRAM.—Title VII of the Older Americans Act of 1965 (as added by section 701, and amended by the preceding sections) is amended by adding at the end the following:

"CHAPTER 5—OUTREACH, COUNSELING, AND ASSISTANCE PROGRAM

"SEC. 741. STATE OUTREACH, COUNSELING, AND ASSISTANCE PROGRAM FOR INSURANCE AND PUBLIC BENEFITS.

''(a) DEFINITIONS.—As used in this section:

''(1) INSURANCE BENEFIT.—The term 'insurance benefit' means a benefit under—

''(A) the medicare program established under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.);

''(B) the medicaid program established under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.);

''(C) a public or private insurance program;

''(D) a medicare supplemental policy; or

''(E) a pension plan.

''(2) MEDICARE SUPPLEMENTAL POLICY.—The term 'medicare supplemental policy' has the meaning given the term in section 1882(g)(1) of the Social Security Act (42 U.S.C. 1395ss(g)(1)).

''(3) PENSION PLAN.—The term 'pension plan' means an employee pension benefit plan, as defined in section 3(2) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1002(2)).

''(4) PUBLIC BENEFIT.—The term 'public benefit' means a benefit under—

''(A) the Federal Old-Age, Survivors, and Disability Insurance Benefits programs under title II of the Social Security Act (42 U.S.C. 401 et seq.);

''(B) the medicare program established under title XVIII of the Social Security Act, including benefits as a qualified medicare beneficiary, as defined in section 1905(p) of the Social Security Act;

''(C) the medicaid program established under title XIX of the Social Security Act;

''(D) the program established under the Food Stamp Act of 1977 (7 U.S.C. 2011 et seq.);

''(E) the program established under the Low-Income Home Energy Assistance Act of 1981 (42 U.S.C. 8621 et seq.);

''(F) the supplemental security income program established under title XVI of the Social Security Act (42 U.S.C. 1381 et seq.); or

''(G) a program determined to be appropriate by the Commissioner.

''(5) STATE INSURANCE ASSISTANCE PROGRAM.—The term 'State insurance assistance program' means the program established under subsection (b)(1).

''(6) STATE PUBLIC BENEFIT ASSISTANCE PROGRAM.—The term 'State public benefit assistance program' means the program established under subsection (b)(2).

''(b) ESTABLISHMENT.—In order to receive an allotment under section 703 from funds appropriated under section 702(d), a State agency shall, in coordination with area agencies on aging and in accordance with this section, establish—

''(1) a program to provide to older individuals outreach, counseling, and assistance related to obtaining insurance benefits; and

''(2) a program to provide outreach, counseling, and assistance to older individuals who may be eligible for, but who are not receiving, public benefits.

''(c) INSURANCE AND PUBLIC BENEFITS.—The State agency shall—

''(1) in carrying out a State insurance assistance program—

''(A) provide information and counseling to assist older individuals—

''(i) in filing claims and obtaining benefits under title XVIII and title XIX of the Social Security Act;

''(ii) in comparing medicare supplemental policies and in filing claims and obtaining benefits under such policies;

''(iii) in comparing long-term care insurance policies and in filing claims and obtaining benefits under such policies;

''(iv) in comparing other types of health insurance policies not described in clause (iii) and in filing claims and obtaining benefits under such policies;

''(v) in comparing life insurance policies and in filing claims and obtaining benefits under such policies;

''(vi) in comparing other forms of insurance policies not described in clause (v), in comparing pension plans, and in filing

claims and obtaining benefits under such policies and plans as the State agency may determine to be necessary; and

''(vii) in comparing current and future health and post-retirement needs related to pension plans, and the relationship of benefits under such plans to insurance benefits and public benefits;

''(B) establish a system of referrals to appropriate providers of legal assistance, and to appropriate agencies of the Federal or State government regarding the problems of older individuals related to health insurance benefits, other insurance benefits, and public benefits;

''(C) give priority to providing assistance to older individuals with greatest economic need;

''(D) ensure that services provided under the program will be coordinated with programs established under chapters 2, 3, and 4, and under title III;

''(E) provide for adequate and trained staff (including volunteers) necessary to carry out the program;

''(F) ensure that staff (including volunteers) of the agency and of any agency or organization described in subsection (d) will not be subject to a conflict of interest in providing services under the program;

''(G) provide for the collection and dissemination of timely and accurate information to staff (including volunteers) related to insurance benefits and public benefits;

''(H) provide for the coordination of information on insurance benefits between the staff of departments and agencies of the State government and the staff (including volunteers) of the program; and

''(I) make recommendations related to consumer protection that may affect individuals eligible for, or receiving, health or other insurance benefits; and

''(2) in carrying out a State public benefits assistance program—

''(A) carry out activities to identify older individuals with greatest economic need who may be eligible for, but who are not receiving, public benefits;

''(B) conduct outreach activities to inform older individuals of the requirements for eligibility to receive such benefits;

''(C) assist older individuals in applying for such benefits;

''(D) establish a system of referrals to appropriate providers of legal assistance, or to appropriate agencies of the Federal or State government regarding the problems of older individuals related to public benefits;

''(E) comply with the requirements specified in subparagraphs (C) through (F) of paragraph (1) with respect to the State public benefits assistance program;

''(F) provide for the collection and dissemination of timely and accurate information to staff (including volunteers) related to public benefits;

''(G) provide for the coordination of information on public benefits between the staff of State entities and the staff (including volunteers) of the State public benefits assistance program; and

''(H) make recommendations related to consumer protection that may affect individuals eligible for, or receiving, public benefits.

''(d) ADMINISTRATION.—The State agency may operate the State insurance assistance program and the State public benefits assistance program directly, in cooperation with other State agencies, or under an agreement with a statewide nonprofit organization, an area agency on aging, or another public or nonprofit agency or organization.

''(e) MAINTENANCE OF EFFORT.—Any funds appropriated for the activities under this chapter shall supplement, and shall not supplant, funds that are expended for similar purposes under any Federal, State, or local program providing insurance benefits or public benefits.

''(f) COORDINATION.—A State that receives an allotment under section 703 and receives a grant to provide services under section 4360 of the Omnibus Reconciliation Act of 1990 (42 U.S.C. 1395b–4) shall coordinate the services with activities provided by the State agency through the programs described in paragraphs (1) and (2) of subsection (b).''.

SEC. 706. NATIVE AMERICAN ORGANIZATION PROVISIONS.

Title VII of the Older Americans Act of 1965 (as added by section 701, and amended by the preceding sections) is amended by adding at the end the following:

"Subtitle B—Native American Organization Provisions

"SEC. 751. NATIVE AMERICAN PROGRAM.

''(a) ESTABLISHMENT.—The Commissioner, acting through the Associate Commissioner on American Indian, Alaskan Native, and Native Hawaiian Aging, shall establish and carry out a program for—

''(1) assisting eligible entities in prioritizing, on a continuing basis, the needs of the service population of the entities relating to elder rights; and

''(2) making grants to eligible entities to carry out vulnerable elder rights protection activities that the entities determine to be priorities.

''(b) APPLICATION.—In order to be eligible to receive assistance under this subtitle, an entity shall submit an application to the Commissioner, at such time, in such manner, and containing such information as the Commissioner may require.

''(c) ELIGIBLE ENTITY.—An entity eligible to receive assistance under this section shall be—

''(1) an Indian tribe; or

''(2) a public agency, or a nonprofit organization, serving older individuals who are Native Americans.

''(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section, $5,000,000 for fiscal year 1992, and such sums as may be necessary for fiscal years 1993, 1994, and 1995.''.

SEC. 707. GENERAL PROVISIONS.

Title VII of the Older Americans Act of 1965 (as added by section 701, and amended by the preceding sections) is amended by adding at the end the following:

"Subtitle C—General Provisions

"SEC. 761. DEFINITIONS.

''As used in this title:

''(1) ELDER RIGHT.—The term 'elder right' means a right of an older individual.

''(2) VULNERABLE ELDER RIGHTS PROTECTION ACTIVITY.—The term 'vulnerable elder rights protection activity' means an activity funded under chapter 2, 3, 4, or 5 of this title.

"SEC. 762. ADMINISTRATION.

''A State agency or an entity described in section 751(c) may carry out vulnerable elder rights protection activities either directly or through contracts or agreements with public or nonprofit private agencies or organizations, such as—

''(1) other State agencies;

''(2) area agencies on aging;

''(3) county governments;

''(4) institutions of higher education;

''(5) Indian tribes; or

''(6) nonprofit service providers or volunteer organizations.

"SEC. 763. TECHNICAL ASSISTANCE.

''(a) OTHER AGENCIES.—In carrying out the provisions of this title, the Commissioner may request the technical assistance and cooperation of such Federal entities as may be appropriate.

''(b) COMMISSIONER.—The Commissioner shall provide technical assistance and training (by contract, grant, or otherwise) to persons and entities that administer programs established under this title.

"SEC. 764. AUDITS.

''(a) ACCESS.—The Commissioner, the Comptroller General of the United States, and any duly authorized representative of the Commissioner or the Comptroller shall have access, for the purpose of conducting an audit or examination, to any books, documents, papers, and records that are pertinent to financial assistance received under this title.

''(b) LIMITATION.—State agencies, area agencies on aging, and entities described in section 751(c) shall not request information or data from providers that is not pertinent to services furnished under this title or to a payment made for the services.''.

SEC. 708. TECHNICAL AND CONFORMING AMENDMENTS.

(a) OMBUDSMAN PROGRAM.—

(1) SOCIAL SECURITY ACT.—

(A) Section 1819 of the Social Security Act (42 U.S.C. 1395i–3) is amended in subsections (c)(2)(B)(iii)(II) and (g)(5)(B) by striking ''established under section 307(a)(12) of the Older Americans Act of 1965'' and inserting ''established under title III or VII of the Older Americans Act of 1965 in accordance with section 712 of the Act''.

(B) Section 1919 of the Social Security Act (42 U.S.C. 1396r) is amended in subsections (c)(2)(B)(iii)(II) and (g)(5)(B) by striking ''established under section 307(a)(12) of the Older Americans Act of 1965'' and inserting ''established under title III or VII of the Older Americans Act of 1965 in accordance with section 712 of the Act''.

(2) OLDER AMERICANS ACT OF 1965.—

(A) Section 207(b) of the Older Americans Act of 1965 (42 U.S.C 3018(b)) is amended—

(i) in paragraph (1)(A), by striking ''section 307(a)(12)(C)'' and inserting ''titles III and VII in accordance with section 712(c)''; and

(ii) in paragraph (3)—

(I) by striking ''by section 307(a)(12)(H)(i)'' and inserting ''under titles III and VII in accordance with section 712(h)(1)''; and

(II) by striking subparagraph (E) and inserting the following:

''(E) each public agency or private organization designated as an Office of the State Long-Term Care Ombudsman under title III or VII in accordance with section 712(a)(4)(A).''.

(B) Section 301(c) of the Older Americans Act of 1965 (42 U.S.C. 3021(c)) is amended by striking ''section 307(a)(12), and to individuals designated under such section'' and inserting ''section 307(a)(12) in accordance with section 712, and to individuals within such programs designated under section 712''.

(C) Section 351(4) of the Older Americans Act of 1965 (42 U.S.C. 30301(4)) is amended by striking ''section 307(a)(12)'' and inserting ''titles III and VII in accordance with section 712''.

(b) PROGRAMS FOR PREVENTION OF ABUSE, NEGLECT, AND EXPLOITATION.—Section 321(15) of the Older Americans Act of 1965 (42 U.S.C. 3030d(15)) is amended by striking ''clause (16) of section 307(a)'' and inserting ''chapter 3 of subtitle A of title VII and section 307(a)(16)''.

(c) OUTREACH PROGRAMS.—

(1) Section 202(a)(20) of the Older Americans Act of 1965 (42 U.S.C. 3012(a)(20)) is amended by striking ''under section 307(a)(31)''.

(2) Section 207(c) of the Older Americans Act of 1965 (42 U.S.C. 3018(c)) is amended—

(A) in the first sentence, by striking ''on the evaluations required to be submitted under section 307(a)(31)(D)'' and inserting ''on the outreach activities supported under this Act''; and

(B) in paragraph (1), by striking ''outreach activities supported under section 306(a)(6)(P)'' and inserting ''the activities''.

(3) Section 303(a)(1) of the Older Americans Act of 1965 (42 U.S.C. 3023(a)(1)) is amended by striking ''for purposes other than outreach activities and application assistance under section 307(a)(31)''.

(4) Section 307(a)(20)(A) of the Older Americans Act of 1965 (42 U.S.C. 3027(a)(20)(A)) is amended by striking ''sections 306(a)(2)(A) and 306(a)(6)(P)'' and inserting ''section 306(a)(2)(A)''.

TITLE VIII—AMENDMENTS TO OTHER LAWS; RELATED MATTERS

Subtitle A—Long-Term Health Care Workers

SEC. 801. DEFINITIONS.

As used in this subtitle:

(1) NURSING HOME NURSE AIDE.—The term ''nursing home nurse aide'' means an individual employed at a nursing or convalescent home who assists in the care of patients at such home under the direction of nursing and medical staff.

(2) HOME HEALTH CARE AIDE.—The term ''home health care aide'' means an individual who—

(A) is employed by a government, charitable, nonprofit, or proprietary agency; and

(B) cares for elderly, convalescent, or handicapped individuals in the home of the individuals by performing routine home assistance (such as housecleaning, cooking, and laundry) and assisting in the health care of such individuals under the direction of a physician or nurse.

SEC. 802. INFORMATION REQUIREMENTS.

(a) NATIONAL CENTER FOR HEALTH STATISTICS.—The Director of the National Center for Health Statistics of the Centers for Disease Control shall collect, and prepare a report containing—

(1) demographic information on home health care aides and nursing home nurse aides, including information on the—

(A) age, race, marital status, education, number of children and other dependents, gender, and primary language, of the aides; and

(B) location of facilities at which the aides are employed in—

(i) rural communities; or

(ii) urban or suburban communities; and

(2) information on the role of the aides in providing institution-based and home-based long-term care.

(b) DEPARTMENT OF LABOR.—The Secretary of Labor shall—

(1) collect, and prepare a report containing, information on home health care aides, including—

(A) information on conditions of employment, including—

(i) the length of employment of the aides with the current employer of the aides;

(ii) the number of aides who are—

(I) employed by a for-profit employer;

(II) employed by a nonprofit private employer;

(III) employed by a charitable employer;

(IV) employed by a government employer; or

(V) independent contractors;

(iii) the number of full-time, part-time, and temporary positions for the aides;

(iv) the ratio of the aides to professional staff;

(v) the types of tasks performed by the aides, the level of skill needed to perform the tasks, and whether the tasks are completed in a institution-based or home-based setting; and

(vi) the average number and range of hours worked each week by the aides; and

(B) information on availability of the employment benefits for home health care aides and a description of the benefits, including—

(i) information on health insurance coverage;

(ii) the type of pension plan coverage;

(iii) the amount of vacation leave;

(iv) wage rates; and

(v) the extent of work-related training provided; and

(2) collect, and prepare a report containing, information on nursing home nurse aides, including—

(A) the information described in subparagraphs (A) and (B) of paragraph (1); and

(B) information on—

(i) the type of facility of the employer of the aides, such as a skilled nursing facility, as defined in section 1819(a) of the Social Security Act (42 U.S.C. 1395i–3(a)), or an intermediate care facility within the meaning of section 1121(a) of the Social Security Act (42 U.S.C. 1320a(a));

(ii) the number of beds at the facility; and

(iii) the ratio of the aides to residents of the facility.

SEC. 803. REPORTS.

(a) REPORTS TO COMMISSIONER ON AGING.—

(1) TRANSMITTAL.—

(A) NATIONAL CENTER FOR HEALTH STATISTICS REPORT.—Not later than March 1, 1994, the Director of the National Center for Health Statistics of the Centers for Disease Control shall transmit to the Commissioner on Aging the report required by section 802(a).

(B) DEPARTMENT OF LABOR REPORTS.—

(i) HOME HEALTH CARE AIDES.—Not later than March 1, 1993, the Secretary of Labor shall transmit to the Commissioner on Aging a plan for the collection of the information described in section 802(b)(1). Not later than March 1, 1995, the Secretary of Labor shall transmit to the Commissioner on Aging the report required by section 802(b)(1).

(ii) NURSING HOME NURSE AIDES.—Not later than March 1, 1994, the Secretary of Labor shall transmit to the Commissioner on Aging the report required by section 802(b)(2).

(2) PREPARATION.—

(A) NATIONAL CENTER FOR HEALTH STATISTICS REPORT.—The report required by section 802(a) shall be prepared and organized in such a manner as the Director of the National Center for Health Statistics may determine to be appropriate.

(B) DEPARTMENT OF LABOR REPORTS.—The reports required by paragraphs (1) and (2) of section 802(b) shall be prepared and organized in such a manner as the Secretary of Labor may determine to be appropriate.

(3) PRESENTATION OF INFORMATION.—The reports required by section 802 shall not identify by name individuals supplying information for purposes of the reports. The reports shall present information collected in the aggregate.

(b) REPORT TO CONGRESS.—The Commissioner on Aging shall review the reports required by section 802 and shall submit to the appropriate committees of Congress a report containing—

(1) the reports required by section 802;

(2) the comments of the Commissioner on the reports; and

(3) additional information, regarding the roles of nursing home nurse aides and home health care aides in providing long-term care, obtained through the State Long-Term Care Ombudsman program established under sections 307(a)(12) and 712 of the Older Americans Act of 1965.

SEC. 804. OCCUPATIONAL CODE.

The Secretary of Labor shall include an occupational code covering nursing home nurse aides and an occupational code covering home health care aides in each wage survey of relevant industries conducted by the Department of Labor that begins after the date of enactment of this Act.

Subtitle B—National School Lunch Act

SEC. 811. MEALS PROVIDED THROUGH ADULT DAY CARE CENTERS.

(a) IN GENERAL.—Section 17(o)(2)(A)(i) of the National School Lunch Act (42 U.S.C. 1766(o)(2)(A)(i)) is amended by inserting '', or a group living arrangement,'' after ''homes''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect as if the amendment had been included in the Older Americans Act Amendments of 1987.

Subtitle C—Native American Programs

SEC. 821. SHORT TITLE.

This subtitle may be cited as the ''Native American Programs Act Amendments of 1992''.

SEC. 822. AMENDMENTS.

The Native American Programs Act of 1974 (42 U.S.C. 2991 et seq.) is amended—

(1) in section 803 (42 U.S.C. 2991b)—

(A) by striking ''Secretary'' each place the term appears and inserting ''Commissioner''; and

(B) in the first sentence of subsection (a)—

(i) by striking ''Indian organizations'' and inserting ''Indian and Alaska Native organizations''; and

(ii) by striking ''nonreservation area'' and inserting ''area that is not an Indian reservation or Alaska Native village'';

(2) in section 803A (42 U.S.C. 2991b–1)—

(A) in subsection (a)(1)—

(i) by striking ''one agency'' and all that follows through ''of Native Hawaiians'' and inserting ''the Office of Hawaiian Affairs of the State of Hawaii (referred to in this section as the 'Office')'';

(ii) by striking ''5-year''; and

(iii) in subparagraph (A) by striking ''such agency or Native Hawaiian organization'' and inserting ''the Office'';

(B) by striking ''agency or organization to which a grant is awarded under subsection (a)(1) of this section'' each place the term appears and inserting ''Office'';

(C) by striking ''agency or organization'' each place the term appears and inserting ''Office'';

(D) by striking ''Secretary'' each place the term appears and inserting ''Commissioner'';

(E) in subsection (a)(2) by inserting before the period at the end the following: ''and a requirement that the grantee contribute to the revolving loan fund an amount of non-Federal funds equal to the amount of such grant'';

(F) by striking subsection (b)(6);

(G) in subsection (f)(1) by striking ''fiscal years 1988, 1989, and 1990 the aggregate amount of $3,000,000 for all such fiscal years'' and inserting ''each of the fiscal years 1992, 1993, and 1994, $1,000,000'';

(H) by striking subsection (f)(3); and

(I) by striking subsection (g) and inserting the following:

''(g)(1) The Commissioner, in consultation with the Office, shall submit a report to the President pro tempore of the Senate and the Speaker of the House of Representatives not later than January 1 following each fiscal year, regarding the administration of this section in such fiscal year.

''(2) Such report shall include the views and recommendations of the Commissioner with respect to the revolving loan fund established under subsection (a)(1) and with respect to loans made from such fund, and shall—

''(A) describe the effectiveness of the operation of such fund in improving the economic and social self-sufficiency of Native Hawaiians;

''(B) specify the number of loans made in such fiscal year;

''(C) specify the number of loans outstanding as of the end of such fiscal year; and

''(D) specify the number of borrowers who fail in such fiscal year to repay loans in ac-

cordance with the agreements under which such loans are required to be repaid.'';

(3) after section 803A (42 U.S.C. 2991b–1) by inserting the following:

''ESTABLISHMENT OF ADMINISTRATION FOR NATIVE AMERICANS

''SEC. 803B. (a) There is established in the Department of Health and Human Services (referred to in this title as the 'Department') the Administration for Native Americans (referred to in this title as the 'Administration'), which shall be headed by a Commissioner of the Administration for Native Americans (referred to in this title as the 'Commissioner'). The Administration shall be the agency responsible for carrying out the provisions of this title.

''(b) The Commissioner shall be appointed by the President, by and with the advice and consent of the Senate.

''(c) The Commissioner shall—

''(1) provide for financial assistance, loan funds, technical assistance, training, research and demonstration projects, and other activities, described in this title;

''(2) serve as the effective and visible advocate on behalf of Native Americans within the Department, and with other departments and agencies of the Federal Government regarding all Federal policies affecting Native Americans;

''(3) with the assistance of the Intra-Departmental Council on Native American Affairs established by subsection (d)(1), coordinate activities within the Department leading to the development of policies, programs, and budgets, and their administration affecting Native Americans, and provide quarterly reports and recommendations to the Secretary;

''(4) collect and disseminate information related to the social and economic conditions of Native Americans, and assist the Secretary in preparing an annual report to the Congress about such conditions;

''(5) give preference to individuals who are eligible for assistance under this title, in entering into contracts for technical assistance, training, and evaluation under this title; and

''(6) encourage agencies that carry out projects under this title, to give preference to such individuals in hiring and entering into contracts to carry out such projects.

''(d)(1) There is established in the Office of the Secretary the Intra-Departmental Council on Native American Affairs. The Commissioner shall be the chairperson of such Council and shall advise the Secretary on all matters affecting Native Americans that involve the Department. The Director of the Indian Health Service shall serve as vice chairperson of the Council.

''(2) The membership of the Council shall be the heads of principal operating divisions within the Department, as determined by the Secretary, and such persons in the Office of the Secretary as the Secretary may designate.

''(3) In addition to the duties described in subsection (c)(3), the Council shall, within 180 days following the date of the enactment of the Native American Programs Act Amendments of 1992, prepare a plan, including legislative recommendations, to allow tribal governments and other organizations described in section 803(a) to consolidate grants administered by the Department and to designate a single office to oversee and audit the grants. Such plan shall be submitted to the committees of the Senate and the House of Representatives having jurisdiction over the Administration for Native Americans.

''(e) The Secretary shall assure that adequate staff and administrative support is provided to carry out the purpose of this title. In determining the staffing levels of the Administration, the Secretary shall consider among other factors the unmet needs of the Native American population, the need to provide adequate oversight and technical assistance to grantees, the need to carry out the activities of the Council, the additional reporting requirements established, and the staffing levels previously maintained in support of the Administration.'';

(4) by striking section 804 (42 U.S.C. 2991c) and inserting the following:

''TECHNICAL ASSISTANCE AND TRAINING

''SEC. 804. The Commissioner shall provide, directly or through other arrangements—

''(1) technical assistance to the public and private agencies in planning, developing, conducting, and administering projects under this title;

''(2) short-term in-service training for specialized or other personnel that is needed in connection with projects receiving financial assistance under this title; and

''(3) upon denial of a grant application, technical assistance to a potential grantee in revising a grant proposal.'';

(5) in section 805 (42 U.S.C. 2991d) by striking ''Secretary'' each place the term appears and inserting ''Commissioner'';

(6) in section 806 (42 U.S.C. 2991d–1) by striking ''Secretary'' each place the term appears and inserting ''Commissioner'';

(7) in section 807 (42 U.S.C. 2991e) by striking ''Secretary'' each place the term appears and inserting ''Commissioner'';

(8) in section 808 (42 U.S.C. 2991f) by striking ''Secretary'' each place the term appears and inserting ''Commissioner'';

(9) in section 809 (42 U.S.C. 2991g) by striking ''Secretary'' each place the term appears and inserting ''Commissioner'';

(10) in section 810 (42 U.S.C. 2991h)—

(A) by striking ''Secretary'' and inserting ''Commissioner'';

(B) by designating the text as subsection (a); and

(C) by adding at the end the following:

''(b) If an application is rejected on the grounds that the applicant is ineligible or that activities proposed by the applicant are ineligible for funding, the applicant may appeal to the Secretary, not later than 30 days after the date of receipt of notification of such rejection, for a review of the grounds for such rejection. On appeal, if the Secretary finds that an applicant is eligible or that its proposed activities are eligible, such eligibility shall not be effective until the next cycle of grant proposals are considered by the Administration.'';

(11) in section 811 (42 U.S.C. 2992)—

(A) by striking ''Secretary'' each place the term appears and inserting ''Commissioner'';

(B) in subsection (a)—

(i) by inserting ''(1)'' after ''(a)'', and

(ii) by adding at the end the following:

''(2) The projects assisted under this title shall be evaluated in accordance with this section not less frequently than at 3-year intervals.'';

(12) after section 811 (42 U.S.C. 2992) by inserting the following:

''ANNUAL REPORT

''SEC. 811A. The Secretary shall, not later than January 31 of each year, prepare and transmit to the President pro tempore of the Senate and the Speaker of the House of Representatives an annual report on the social and economic conditions of American Indians, Native Hawaiians, other Native American Pacific Islanders (including American Samoan Natives), and Alaska Natives, together with such recommendations to Congress as the Secretary considers to be appropriate.'';

(13) after section 812 (42 U.S.C. 2992a) by inserting the following:

''STAFF

''SEC. 812A. In all personnel actions of the Administration, preference shall be given to individuals who are eligible for assistance under this title. Such preference shall be implemented in the same fashion as the preference given to veterans referred to in section 2108(3)(C) of title 5, United States Code. The Commissioner shall take such additional actions as may be necessary to promote recruitment of such individuals for employment in the Administration.'';

(14) by striking section 813 (42 U.S.C. 2992b) and inserting the following:

''ADMINISTRATION

''SEC. 813. Nothing in this title shall be construed to prohibit interagency funding agreements made between the Administration and other agencies of the Federal Government for the development and implementation of specific grants or projects.'';

(15) in section 816(a) (42 U.S.C. 2992d(a))—

(A) by striking ''1988'' and all that follows and inserting ''1992, 1993, 1994, and 1995.''; and

(B) by striking ''and 803A'' and inserting a comma and ''803A, subsection (e) of this section, and any other provision of this title for which there is an express authorization of appropriations;

(16) in section 816(b) (42 U.S.C. 2992d(b)) by striking ''and 803A'' and inserting a comma and ''803A, 804, subsection (e) of this section, and any other provision of this title for which there is an express authorization of appropriations'';

(17) in section 816(c)(1) (42 U.S.C. 2992d(c)(1))—

(A) by striking ''(1) Except as provided in paragraph (2), there are'' and inserting ''There are''; and

(B) by striking ''1988, 1989, 1990, and 1991'' and inserting ''1992, 1993, 1994, and 1995'';

(18) by striking section 816(c)(2) (42 U.S.C. 2992d(c)(2));

(19) in section 816(d) by striking ''1991,'';

(20) in section 816 (42 U.S.C. 2992d) by adding at the end the following:

''(e)(1) For fiscal years 1992 and 1993, there are authorized to be appropriated such sums as may be necessary for the purpose of—

''(A) establishing demonstration projects to conduct research related to Native American studies and Indian policy development; and

''(B) continuing the development of a detailed plan, based in part on the results of the projects, for the establishment of a National Center for Native American Studies and Indian Policy Development.

''(2) Such a plan shall be delivered to the Congress not later than 30 days after the date of enactment of this subsection.''; and

(21) in sections 802, 803(a), 806(a)(2), 808, and 815(2) (42 U.S.C. 2991a, 2991b(a), 2991d–1(a)(2), 2991f, and 2992c(2)) by striking ''Alaskan Native'' each place the term appears and inserting ''Alaska Native''.

Subtitle D—1993 White House Conference on Aging

SEC. 831. 1993 WHITE HOUSE CONFERENCE ON AGING.

(a) NAME OF CONFERENCE.—The heading of title II of the Older Americans Act Amendments of 1987 (42 U.S.C. 3001 note) is amended to read as follows:

''TITLE II—1993 WHITE HOUSE CONFERENCE ON AGING''.

(b) FINDINGS.—Section 201(a) of the Older Americans Act Amendments of 1987 (42 U.S.C. 3001 note) is amended—

(1) in paragraph (1)—

(A) by striking ''51,400,000 in 1986'' and inserting ''52,923,000 in 1990''; and

(B) by striking ''101,700,000'' and inserting ''103,646,000'';

(2) in paragraph (2) by striking ''every 6'' and inserting ''every 8''; and

(3) by amending paragraph (3) to read as follows:

''(3) the out-of-pocket costs to older individuals for health care increased from 12.3 percent in 1977 to 18.2 percent in 1988,''.

SEC. 832. CONFERENCE REQUIRED.

Section 202 of the Older Americans Act Amendments of 1987 (42 U.S.C. 3001 note) is amended—

(1) in subsection (a) by striking ''The President may call a White House Conference on Aging in 1991'' and inserting ''In 1993 the President shall convene the 1993 White House Conference on Aging'';

(2) in subsection (c) by striking paragraphs (1) through (6) and inserting the following:

''(1) to increase the public awareness of the interdependence of generations and the essential contributions of older individuals to society for the well-being of all generations;

''(2) to identify the problems facing older individuals and the commonalities of the problems with problems of younger generations;

''(3) to examine the well-being of older individuals, including the impact the wellness of older individuals has on our aging society;

''(4) to develop such specific and comprehensive recommendations for executive and legislative action as may be appropriate for maintaining and improving the well-being of the aging;

''(5) to develop recommendations for the coordination of Federal policy with State and local needs and the implementation of such recommendations; and

''(6) to review the status and multigenerational value of recommendations adopted at previous White House Conferences on Aging.''; and

(3) in subsection (d)(2) by adding at the end the following: ''Delegates shall include individuals who are professionals, individuals who are nonprofessionals, minority individuals, and individuals from low-income families.''.

SEC. 833. CONFERENCE ADMINISTRATION.

Section 203 of the Older Americans Act Amendments of 1987 (42 U.S.C. 3001 note) is amended—

(1) in subsection (a)—

(A) in paragraph (2), by inserting ''(including organizations representing older Indians)'' after ''appropriate organizations'';

(B) in paragraph (3)—

(i) by striking ''prepare and''; and

(ii) by inserting '', prepared by the Policy Committee,'' after ''agenda'';

(C) by redesignating paragraphs (1) through (5) as paragraphs (2) through (6), respectively; and

(D) by inserting before paragraph (2), as so redesignated, the following:

''(1) provide written notice to all members of the Policy Committee of each meeting, hearing, or working session of the Policy Committee not later than 48 hours before the occurrence of such meeting, hearing, or working session,'';

(2) in subsection (b)—

(A) in the matter preceding paragraph (1), by striking ''assure'' and inserting ''and as part of the 1993 White House Conference on Aging, ensure'';

(B) in paragraph (1), by striking ''will'' and inserting ''shall'';

(C) by striking paragraphs (2) and (3);

(D) by inserting after paragraph (1) the following:

''(2) the agenda prepared under subsection (a)(4) for the Conference is published in the Federal Register not later than 30 days after such agenda is approved by the Policy Committee, and the Secretary may republish such agenda together with the recommendations of the Secretary regarding such agenda,''; and

(E) by redesignating paragraphs (4) through (6) as paragraphs (3) through (5), respectively; and

(3) by adding at the end the following:

''(c) GIFTS.—The Secretary may accept, on behalf of the United States, gifts (in cash or in kind, including voluntary and uncompensated services), which shall be available to carry out this title. Gifts of cash shall be available in addition to amounts appropriated to carry out this title.

''(d) RECORDS.—The Secretary shall maintain records regarding—

''(1) the sources, amounts, and uses of gifts accepted under subsection (c); and

''(2) the identity of each person receiving assistance to carry out this title, and the amount of such assistance received by each such person.''.

SEC. 834. POLICY COMMITTEE; RELATED COMMITTEES.

Section 204 of the Older Americans Act Amendments of 1987 (42 U.S.C. 3001 note) is amended—

(1) by amending the heading to read as follows:

''SEC. 204. POLICY COMMITTEE; RELATED COMMITTEES.'';

(2) in subsection (b) by striking ''(b) OTHER COMMITTEES.—'' and inserting the following:

''(2) OTHER COMMITTEES.—'';

(3) in subsection (a)—

(A) by striking ''(a) ADVISORY COMMITTEE.—The Secretary'' and inserting ''(b) ADVISORY AND OTHER COMMITTEES.—

''(1) IN GENERAL.—The President''; and

(B) by adding at the end the following: ''The President shall consider for appointment to the advisory committee individuals recommended by the Policy Committee.'';

(4) by inserting before subsection (b), as so redesignated, the following:

''(a) POLICY COMMITTEE.—

''(1) ESTABLISHMENT.—There is established a Policy Committee comprised of 25 members to be selected, not later than 90 days after the enactment of the Older Americans Act Amendments of 1992, as follows:

''(A) PRESIDENTIAL APPOINTEES.—Thirteen members shall be selected by the President and shall include—

''(i) 3 members who are officers or employees of the United States; and

''(ii) 10 members with experience in the field of aging, who may include representatives of public aging agencies, institution-based organizations, and minority aging organizations.

''(B) HOUSE APPOINTEES.—Four members shall be selected by the Speaker of the House of Representatives, after consultation with the Minority Leader of the House of Representatives, and shall include members of the Committee on Education and Labor of the House of Representatives, the Committee on Ways and Means of the House of Representatives, and the Select Committee on Aging of the House of Representatives. Not more than 3 members selected under this subparagraph may be associated or affiliated with the same political party.

''(C) SENATE APPOINTEES.—Four members shall be selected by the Majority Leader of the Senate, after consultation with the Minority Leader of the Senate, and shall include members of the Committee on Labor and Human Resources of the Senate, the Committee on Finance of the Senate, and the Special Committee on Aging of the Senate. Not more than 3 members selected under this subparagraph may be associated or affiliated with the same political party.

''(D) JOINT APPOINTEES.—Four members shall be selected jointly by the Speaker of the House of Representatives and the Majority Leader of the Senate, after consultation with the minority leaders of the House and Senate, and shall include representatives with experience in the field of aging, who may include representatives described in subsection (a)(1)(A)(ii). Not more than 2 members selected under this subparagraph may be associated or affiliated with the same political party.

''(2) DUTIES OF THE POLICY COMMITTEE.—The Policy Committee shall initially meet at the call of the Secretary, but not later than 30 days after the last member is selected under subsection (a). Subsequent meetings of the Policy Committee shall be held at the call of the chairperson of the Policy Committee. Through meetings, hearings, and working sessions, the Policy Committee shall—

''(A) make recommendations to the Secretary to facilitate the timely convening of the Conference;

''(B) formulate and approve a proposed agenda for the Conference not later than 60 days after the first meeting of the Policy Committee;

''(C) make recommendations for participants and delegates of the Conference;

''(D) establish the number of delegates to be selected under section 202(d)(2); and

''(E) formulate and approve the initial report of the Conference in accordance with section 205.

''(3) QUORUM; COMMITTEE VOTING; CHAIRPERSON.—

''(A) QUORUM.—Thirteen members shall constitute a quorum for the purpose of conducting the business of the Policy Committee, except that 17 members shall constitute a quorum for purposes of approving the agenda required by paragraph (2)(B) and the report required by paragraph (2)(E).

''(B) VOTING.—The Policy Committee shall act by the vote of the majority of the members present.

''(C) CHAIRPERSON.—The President shall select a chairperson from among the members of the Policy Committee. The chairperson may vote only to break a tie vote of the other members of the Policy Committee.''; and

(5) in the first sentence of subsection (c)—

(A) by striking ''Each such committee'' and inserting ''Each committee established under subsection (b)''; and

(B) by inserting '', and individuals who are Native Americans'' before the period at the end.

SEC. 835. REPORT OF THE CONFERENCE.

Section 205 of the Older Americans Act Amendments of 1987 (42 U.S.C. 3001 note) is amended—

(1) in subsection (a) by striking ''60'' and inserting ''90'';

(2) in subsection (b) by striking ''Secretary, not later than 180'' and inserting ''Policy Committee, not later than 90'';

(3) in subsection (c)—

(A) by striking ''(c) FINAL REPORT.—The Secretary'' and inserting the following:

''(c) REPORTS.—

''(1) INITIAL REPORT.—The Policy Committee'';

(B) by striking ''prepare a final report'' and inserting ''prepare and approve an initial report''; and

(C) by adding at the end the following:

''(2) Not later than 60 days after such initial report is transmitted by the Policy Committee, the Secretary shall publish such initial report in the Federal Register. The Secretary may republish a final report together with such additional views and recommendations as the Secretary considers to be appropriate.''; and

(4) in subsection (d)—

(A) in the heading of such subsection by striking ''SECRETARY'' and inserting ''POLICY COMMITTEE''; and

(B) by striking ''Secretary'' and inserting ''Policy Committee''.

SEC. 836. AUTHORIZATION OF APPROPRIATIONS.

Section 207 of the Older Americans Act Amendments of 1987 (42 U.S.C. 3001 note) is amended to read as follows:

"SEC. 207. AUTHORIZATION OF APPROPRIATIONS.

''(a) AUTHORIZATION.—

''(1) IN GENERAL.—There are authorized to be appropriated such sums as may be necessary for fiscal years 1992 and 1993 to carry out this title.

''(2) CONTRACTS.—Authority to enter into contracts under this title shall be effective only to the extent, or in such amounts as are, provided in advance in appropriations Acts.

''(b) AVAILABILITY OF FUNDS.—

''(1) IN GENERAL.—Except as provided in paragraph (3), funds appropriated to carry out this title and funds received as gifts under section 203(c) shall remain available for obligation or expenditure until January 1, 1995, or the expiration of the one-year period beginning on the date the Conference adjourns, whichever occurs earlier.

''(2) UNOBLIGATED FUNDS.—Except as provided in paragraph (3), any such funds neither expended nor obligated before January 1, 1995, or the expiration of the one-year period beginning on the date the Conference adjourns, whichever occurs earlier, shall be available to carry out the Older Americans Act of 1965 (42 U.S.C. 3001 et seq.).

''(3) CONFERENCE NOT CONVENED.—If the Conference is not convened before January 1, 1994, such funds neither expended nor obligated before such date shall be available to carry out the Older Americans Act of 1965.''.

SEC. 837. SAVINGS PROVISION.

All personnel assigned or engaged under section 202(b) or section 203(a)(5) of the Older Americans Act Amendments of 1987 (42 U.S.C. 3001 note) as in effect immediately before the date of the enactment of this Act shall continue to be assigned or engaged under such section after such date notwithstanding the amendments made by this subtitle.

SEC. 838. SENSE OF THE CONGRESS.

It is the sense of the Congress that the 1993 White House Conference on Aging should consider the impact of the earnings test in effect under section 203 of the Social Security Act (42 U.S.C. 403) on older individuals who are employed.

Subtitle E—Benefit Improvements

SEC. 841. ADJUSTMENTS IN EXEMPT AMOUNT FOR PURPOSES OF THE RETIREMENT TEST.

(a) INCREASE IN EXEMPT AMOUNT FOR INDIVIDUALS WHO HAVE ATTAINED RETIREMENT AGE.—Section 203(f)(8)(D) of the Social Security Act (42 U.S.C. 403(f)(8)(D)) is amended to read as follows:

''(D)(i) Notwithstanding any other provision of this subsection, the exempt amount which is applicable to an individual who has attained retirement age (as defined in section 216(l)) before the close of the taxable year involved—

''(I) shall be $1,000.00 for each month of any taxable year ending after 1992 and before 1994,

''(II) shall be $1,166.66⅔ for each month of any taxable year ending after 1993 and before 1995,

''(III) shall be $1,333.33⅓ for each month of any taxable year ending after 1994 and before 1996,

''(IV) shall be $1,500.00 for each month of any taxable year ending after 1995 and before 1997, and

''(V) shall be $1,666.66⅔ for each month of any taxable year ending after 1996 and before 1998.

''(ii) For purposes of subparagraph (B)(ii)(II), the increase in the exempt amount provided under clause (i)(V) shall be deemed to have resulted from a determination which shall be deemed to have been made under subparagraph (A) in 1996.''.

(b) CONFORMING AMENDMENT.—Section 223(d)(4) of such Act (42 U.S.C. 423(d)(4)) is amended by striking ''the exempt amount under section 203(f)(8) which is applicable to individuals described in subparagraph (D) thereof'' and inserting the following: ''an amount equal to the exempt amount which would have been applicable under section 203(f)(8), to individuals described in subparagraph (D) thereof, if section 841 of the Older Americans Act Amendments of 1992 had not been enacted''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to taxable years ending after 1992.

(d) CREDITING TO FEDERAL OLD-AGE AND SURVIVORS INSURANCE TRUST FUND.—

(1) IN GENERAL.—There are hereby appropriated to the Federal Old-Age and Survivors Insurance Trust Fund amounts equivalent to the net increase in tax liabilities under chapter 1 of the Internal Revenue Code of 1986 attributable to remuneration for employment (as defined in section 3121(b) of such Code) and net earnings from self-employment (as defined in section 1402(a) of such Code) which results from the amendments made by this section.

(2) TRANSFERS.—The amounts appropriated by paragraph (1) shall be transferred from time to time (but not less frequently than quarterly) from the general fund of the Treasury on the basis of estimates made by the Secretary of the Treasury of the amounts referred to in such paragraph. Proper adjustments shall be made in the amounts subsequently transferred to the extent prior estimates were in excess of or less than the amounts required to be transferred.

(3) REPORTS.—The Secretary of the Treasury shall submit annual reports to the Congress and to the Secretary of Health and Human Services on—

(A) the transfers made under this subsection during the year, and the methodology used in determining the amount of such transfers, and

(B) the anticipated operation of this subsection during the next 5 years.

SEC. 842. IMPROVEMENTS IN WIDOW'S AND WIDOWER'S INSURANCE BENEFITS.

(a) ELIMINATION OF ACTUARIAL REDUCTION FOR EARLY RETIREMENT IN WIDOW'S OR WIDOWER'S INSURANCE BENEFITS FOR INDIVIDUALS WHO HAVE ATTAINED AGE 80.—Section 202(q) of the Social Security Act (42 U.S.C. 402(q)) is amended by adding at the end the following new paragraph:

''(12) No widow's or widower's insurance benefit shall be reduced under this subsection for any month ending after the date on which the individual entitled to such benefit attains age 80.''.

(b) INCREASE UPON ATTAINMENT OF AGE 80 IN LIMITATION ON REDUCTION BY REASON OF DECEASED SPOUSE'S EARLY RETIREMENT.—

(1) WIDOW'S INSURANCE BENEFITS.—Section 202(e)(2)(D)(ii) of such Act (42 U.S.C. 402(e)(2)(D)(ii)) is amended by inserting ''(90 percent in the case of a widow or surviving divorced wife who has attained age 80)'' after ''82 1/2 percent''.

(2) WIDOWER'S INSURANCE BENEFITS.—Section 202(f)(3)(D)(ii) of such Act (42 U.S.C. 402(f)(3)(D)(ii)) is amended by inserting ''(90 percent in the case of a widower or surviving divorced husband who has attained age 80)'' after ''82 1/2 percent''.

(c) EFFECTIVE DATE AND TRANSITION RULE.—

(1) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to benefits for months after November 1992.

(2) TRANSITION RULE.—Section 1634 of the Social Security Act (42 U.S.C. 1383c) is amended by adding at the end the following new subsection:

''(e)(1) An individual receiving benefits under this title who—

''(A) as a result of the amendments made by subsection (a) or (b) of section 842 of the Older Americans Act Amendments of 1992—

''(i) becomes entitled to an increase in the amount of his or her widow's or widower's insurance benefit under subsection (e) or (f) of section 202, or

''(ii) becomes entitled, upon filing an application, to a widow's or widower's insurance benefit under subsection (e) or (f) of section 202 for the later of—

''(I) December 1992, or

''(II) the month in which such individual attains age 80,

in any case in which the death of the individual on whose wages and self-employment income such benefit is based occurs prior to such later month,

and

''(B) ceases to be eligible for a benefit under this title because of such entitlement or increase (or because of any subsequent cost-of-living adjustments in such benefit under section 215(i)),

shall be treated for purposes of title XIX as an individual with respect to whom a benefit under this title is paid so long as he or she would be eligible for benefits under this title in the absence of such widow's or widower's insurance benefits or such increase.

''(2) For purposes of this subsection, the term 'benefit under this title' means—

''(A) a supplemental security income benefit under this title, or

''(B) a State supplementary payment of the type referred to in section 1616(a) (or a payment of the type referred to in section 212(a) of Public Law 93–66).''.

SEC. 843. REPEAL OF 7-YEAR RESTRICTION ON ELIGIBILITY FOR WIDOW'S AND WIDOWER'S INSURANCE BENEFITS BASED ON DISABILITY.

(a) WIDOW'S INSURANCE BENEFITS.—

(1) IN GENERAL.—Section 202(e) of the Social Security Act (42 U.S.C. 402(e)) is amended—

(A) in paragraph (1)(B)(ii), by striking ''which began before the end of the period specified in paragraph (4)'';

(B) in paragraph (1)(F)(ii), by striking ''(I) in the period specified in paragraph (4) and (II)'';

(C) by striking paragraph (4) and by redesignating paragraphs (5) through (9) as paragraphs (4) through (8), respectively; and

(D) in paragraph (4)(A)(ii) (as redesignated), by striking ''whichever'' and all that follows through ''begins'' and inserting ''the first day of the seventeenth month before the month in which her application is filed''.

(2) CONFORMING AMENDMENTS.—

(A) Section 202(e)(1)(C)(ii)(III) of such Act (42 U.S.C. 402(e)(1)(C)(ii)(III)) is amended by striking ''paragraph (8)'' and inserting ''paragraph (7)''.

(B) Section 202(e)(1)(F)(i) of such Act (42 U.S.C. 402(e)(1)(F)(i)) is amended by striking ''paragraph (5)'' and inserting ''paragraph (4)''.

(C) Section 202(e)(2)(A) of such Act (42 U.S.C. 402(e)(2)(A)) is amended by striking ''paragraph (7)'' and inserting ''paragraph (6)''.

(D) Section 226(e)(1)(A)(i) of such Act (42 U.S.C. 426(e)(1)(A)(i)) is amended by striking ''202(e)(4)''.

(b) WIDOWER'S INSURANCE BENEFITS.—

(1) IN GENERAL.—Section 202(f) of such Act (42 U.S.C. 402(f)) is amended—

(A) in paragraph (1)(B)(ii), by striking ''which began before the end of the period specified in paragraph (5)'';

(B) in paragraph (1)(F)(ii), by striking ''(I) in the period specified in paragraph (5) and (II)'';

(C) by striking paragraph (5) and by redesignating paragraphs (6) through (9) as paragraphs (5) through (8), respectively; and

(D) in paragraph (5)(A)(ii) (as redesignated), by striking ''whichever'' and all that follows through ''begins'' and inserting ''the first day of the seventeenth month before the month in which his application is filed''.

(2) CONFORMING AMENDMENTS.—

(A) Section 202(f)(1)(C)(ii)(III) of such Act (42 U.S.C. 402(f)(1)(C)(ii)(III)) is amended by striking ''paragraph (8)'' and inserting ''paragraph (7)''.

(B) Section 202(f)(1)(F)(i) of such Act (42 U.S.C. 402(f)(1)(F)(i)) is amended by striking ''paragraph (6)'' and inserting ''paragraph (5)''.

(C) Section 226(e)(1)(A)(i) of such Act (as amended by subsection (a)(2)) is further amended by striking '', 202(f)(1)(B)(ii), and 202(f)(5)'' and inserting ''and 202(f)(1)(B)(ii)''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to benefits for months after August 1992 for which applications are filed or pending on or after September 1, 1992.

SEC. 844. EXPANSION OF STATE OPTION TO EXCLUDE SERVICE OF ELECTION OFFICIALS OR ELECTION WORKERS FROM COVERAGE.

(a) LIMITATION ON MANDATORY COVERAGE OF STATE ELECTION OFFICIALS AND ELECTION WORKERS WITHOUT STATE RETIREMENT SYSTEM.—

(1) AMENDMENT TO SOCIAL SECURITY ACT.—Section 210(a)(7)(F)(iv) of the Social Security Act (42 U.S.C. 410(a)(7)(F)(iv)) (as amended by section 11332(a) of the Omnibus Budget Reconciliation Act of 1990) is amended by striking ''$100'' and inserting ''$1,000 with respect to service performed during 1993, and the exempt remuneration amount determined under section 218(c)(8)(B) with respect to service performed thereafter''.

(2) AMENDMENT TO FICA.—Section 3121(b)(7) of the Internal Revenue Code of 1986 (as amended by section 11332(b) of the Omnibus Budget Reconciliation Act of 1990) is amended by striking ''$100'' and inserting ''$1,000 with respect to service performed during 1993, and the exempt remuneration amount determined under section 218(c)(8)(B) of the Social Security Act with respect to service performed thereafter''.

(b) CONFORMING AMENDMENTS RELATING TO MEDICARE QUALIFIED GOVERNMENT EMPLOYMENT.—

(1) AMENDMENT TO SOCIAL SECURITY ACT.—Section 210(p)(2)(E) of the Social Security Act (42 U.S.C. 410(p)(2)(E)) is amended by striking ''$100'' and inserting ''$1,000 with respect to service performed during 1993, and the exempt remuneration amount determined under section 218(c)(8)(B) with respect to service performed thereafter''.

(2) AMENDMENT TO FICA.—Section 3121(u)(2)(B)(ii)(V) of the Internal Revenue Code of 1986 is amended by striking ''$100'' and inserting ''$1,000 with respect to service performed during 1993, and the exempt remuneration amount determined under section 218(c)(8)(B) of the Social Security Act with respect to service performed thereafter''.

(c) AUTHORITY FOR STATES TO MODIFY COVERAGE AGREEMENTS WITH RESPECT TO ELECTION OFFICIALS AND ELECTION WORKERS.—Section 218(c)(8) of the Social Security Act (42 U.S.C. 418(c)(8)) is amended—

(1) by striking ''on or after January 1, 1968,'' and inserting ''at any time'';

(2) by striking ''$100'' and inserting ''$1,000 with respect to service performed during 1993, and the exempt remuneration amount determined under subparagraph (B) with respect to service performed thereafter''; and

(3) by striking the last sentence and inserting the following new sentence: ''Any modification of an agreement pursuant to this paragraph shall be effective with respect to services performed in and after the calendar year in which the modification is mailed or delivered by other means to the Secretary.''.

(d) INDEXATION OF EXEMPT REMUNERATION AMOUNT.—

(1) IN GENERAL.—Section 218(c)(8) of the Social Security Act (as amended by subsection (c)) is further amended—

(A) by inserting ''(A)'' after ''(8)''; and

(B) by adding at the end the following new subparagraphs:

''(B) The Secretary shall, on or before November 1 of 1993 and of every year thereafter, determine and publish in the Federal Register the exempt remuneration amount which shall be effective with respect to service performed during the following calendar year.

''(C) The exempt remuneration amount determined under subparagraph (B) shall be the larger of—

''(i) the dollar amount in effect under subparagraph (A) with respect to service performed during the calendar year in which the determination under subparagraph (B) is made, or

''(ii) the product of—

''(I) $1,000, and

''(II) the indexing ratio described in subparagraph (D).

''(D) For purposes of subparagraph (C)(ii)(II), the indexing ratio is the ratio of—

''(i) the deemed average total wages (as defined in section 209(k)(1)) for the calendar year before the calendar year in which the determination under subparagraph (B) is made, to

''(ii) the average of the total wages (as defined in regulations of the Secretary and computed without regard to the limitations specified in section 209(a)(1)) reported to the Secretary of the Treasury or his delegate for 1991 (as published in the Federal Register in accordance with section 215(a)(1)(D)),

with such product, if not a multiple of $100, being rounded to the next higher multiple of $100 where such product is a multiple of $50 but not of $100 and to the nearest multiple of $100 in any other case.''.

(2) CONFORMING AMENDMENT.—Section 209(k)(1) of such Act (42 U.S.C. 409(k)(1)) is amended by inserting ''218(c)(8)(D)(i),'' after ''215(b)(3)(A)(ii),''.

(e) EFFECTIVE DATES.—The amendments made by subsections (a), (b), and (c) shall be effective with respect to service performed on or after January 1, 1993.

SEC. 845. REPEAL OF RULE PROVIDING FOR TERMINATION OF DISABLED ADULT CHILD'S BENEFITS UPON MARRIAGE.

(a) IN GENERAL.—Section 202(d)(1)(D) (42 U.S.C. 402(d)(1)(D)) is amended by striking ''or marries'' and inserting ''or such child (other than a child described in subparagraph (B)(ii)) marries''.

(b) CONFORMING AMENDMENT.—Section 202(d)(5) (42 U.S.C. 402(d)(5)) is amended by inserting ''(other than a child described in paragraph (1)(B)(ii))'' after ''a child''.

(c) CONTINUATION OF MEDICAID.—Section 1634(c) (42 U.S.C. 1383c(c)) is amended—

(1) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively

(2) by inserting ''(1)'' after ''(c)'', and

(3) by adding at the end thereof the following new paragraph:

''(2) For purposes of this subsection, the term 'benefit under this title' means a supplemental security income benefit under this title, and a State supplementary payment of the type referred to in section 1616(a) (or a payment of the type referred to in section 212(a) of Public Law 93–66) which is paid by the Secretary under an agreement referred to in section 1616(a) (or in section 212(b) of Public Law 93–66).''.

(d) EFFECTIVE DATES; REENTITLEMENT.—

(1) IN GENERAL.—Except as provided in paragraphs (2) and (3), the amendments made by this section shall apply with respect to marriages occurring on or after September 1, 1992.

(2) CONTINUATION OF MEDICAID.—The amendments made by subsection (c) shall take effect on the date of the enactment of this Act.

(3) REENTITLEMENT.—

(A) SOCIAL SECURITY BENEFITS.—

(i) IN GENERAL.—Except as provided in clause (ii), any individual described in section 202(d)(1)(B)(ii) of the Social Security Act whose entitlement to benefits under section 202(d) of such Act terminated by reason of marriage before September 1, 1992, may reapply for such benefits, and, if such individual is so determined to be under a disability, such individual shall be entitled to such benefits (and such benefits shall be computed) as if such termination had not occurred.

(ii) REENTITLEMENT PERIOD.—Clause (i) shall apply with respect to benefits for months beginning after the later of—

(I) August 31, 1992,

(II) 5 full calendar months after the onset of the disability, or

(III) 12 months before the date of reapplication.

(B) MEDICARE BENEFITS.—

(i) REENTITLEMENT.—Any individual who becomes entitled to benefits under subparagraph (A) in a month and was entitled to benefits under title XVIII of the Social Security Act (before marriage) shall be entitled to benefits under such title effective as of the first day of such month.

(ii) APPLICABILITY OF UNEXPIRED PORTION OF 24-MONTH WAITING PERIOD.—For purposes of determining the entitlement of an individual, who is not described in clause (i) and who becomes entitled to benefits under subparagraph (A), to benefits under title XVIII of such Act pursuant to section 226(b)(2)(A) of such Act, the individual shall be considered to have been entitled to child's insurance benefits under section 202(d) by reason of a disability during a period of months preceding the first month referred to in subparagraph (A)(ii) equal to the number of months (before the month in which occurred the marriage upon which the termination of the individual's entitlement to benefits under section 202(d) of such Act was based) which counted towards the 24-month waiting period described in section 226(b)(2)(A) of such Act.

(C) NOTICE.—The Secretary of Health and Human Services shall make all reasonable efforts to identify individuals described in section 202(d)(1)(B)(ii) of the Social Security Act whose entitlement to benefits under section 202(d) of such Act terminated by reason of marriage before September 1, 1992, and inform such individuals of the reapplication procedure under subparagraph (A).

SEC. 846. STUDY BY GENERAL ACCOUNTING OFFICE OF DISABILITY DETERMINATION PROCESS.

(a) IN GENERAL.—As soon as practicable after the date of the enactment of this Act, the Comptroller General of the United States shall conduct a study under this section of the disability determination process, and the appeals process applicable to disability determinations, under titles II and XVI of the Social Security Act.

(b) ANALYSIS OF EXTENT TO WHICH REVERSALS OF INITIAL DENIALS OF CLAIMS ARE BASED ON CERTAIN FACTORS.—The study under this section shall include an analysis of the extent to which reversals on appeal of initial disability determinations which deny claims to benefits under title II or XVI of the Social Security Act are attributable to the following factors:

(1) the absence of adequate medical evidence in the claimant's case file on which to base a determination of disability;

(2) initial disability determinations that do not take into account the medical evidence obtained by the Social Security Administration;

(3) the development of new medical evidence as the claimant's medical condition worsens during the course of an appeal;

(4) differences between the instructions that the Social Security Administration provides its disability examiners in the Program Operations Manuals and the law and regulations applied by administrative law judges of the Administration on appeal;

(5) the lack of face-to-face meetings by disability examiners with claimants before initial disability determinations are made; and

(6) such other factors as the Comptroller General determines to be relevant.

(c) REPORT.—The Comptroller General shall submit a report of the results of the study under this section to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate not later than December 1, 1992.

SEC. 847. COORDINATION OF RULES UNDER TITLES II AND XVI RELATING TO FEES FOR REPRESENTATIVES OF CLAIMANTS WITH ENTITLEMENTS UNDER BOTH TITLES.

(a) CALCULATION OF FEE OF CLAIMANT'S REPRESENTATIVE BASED ON AMOUNT OF PAST-DUE SUPPLEMENTAL SECURITY INCOME BENEFITS AFTER APPLICATION OF WINDFALL OFFSET PROVISION.—Section 1631(d)(2)(A)(i) of the Social Security Act (as amended by section 5106(a)(2) of the Omnibus Budget Reconciliation Act of 1990) (42 U.S.C. 1383(d)(2)(A)(i)) is amended to read as follows:

''(i) by substituting, in subparagraphs (A)(ii)(I) and (D)(i), the phrase '(determined before any applicable reduction under section 1631(g), and reduced by the amount of any reduction in benefits under this title or title II made pursuant to section 1127(a))' for the parenthetical phrase contained therein; and''.

(b) CALCULATION OF PAST-DUE BENEFITS FOR PURPOSES OF DETERMINING ATTORNEY FEES IN JUDICIAL PROCEEDINGS.—

(1) IN GENERAL.—Section 206(b)(1) of such Act (42 U.S.C. 406(b)(1)) is amended—

(A) by inserting ''(A)'' after ''(b)(1)''; and

(B) by adding at the end the following new subparagraph:

''(B) For purposes of this paragraph, the term 'past-due benefits' shall have the same meaning, and such benefits shall be calculated in the same manner, as provided in subsection (a).''.

(2) CONFORMING AMENDMENT.—The last sentence of section 1127(a) of such Act (as added by section 5106(b) of the Omnibus Budget Reconciliation Act of 1990) (42 U.S.C. 1320a-6(a)) is amended by striking ''section 206(a)(4)'' and inserting ''subsection (a)(4) or (b)(1) of section 206''.

(c) APPLICATION OF SINGLE $4,000 CEILING TO CONCURRENT CLAIMS UNDER TITLES II AND XVI.—

(1) IN GENERAL.—Section 206(a)(2) of such Act (as amended by section 5106(a)(1) of the Omnibus Budget Reconciliation Act of 1990) (42 U.S.C. 406(a)(2)) is amended—

(A) by redesignating subparagraph (C) as subparagraph (D); and

(B) by inserting after subparagraph (B) the following new subparagraph:

''(C) The agreement referred to in subparagraph (A) may not be approved unless it provides that, in the case of a claimant receiving a favorable determination who is entitled to past-due benefits under this title and title XVI, the total of the fee or fees payable to the person representing the claimant in connection with the determinations of such entitlements may not exceed the dollar amount under subparagraph (A)(ii)(II).''.

(2) CONFORMING AMENDMENT.—Section 206(a)(3)(A) of such Act (as amended by section 5106(a)(1) of the Omnibus Budget Reconciliation Act of 1990) (42 U.S.C. 406(a)(3)(A)) is amended by striking ''paragraph (2)(C)'' and inserting ''paragraph (2)(D)''.

(d) EFFECTIVE DATE.—The amendments made by this section shall be effective as if they had been included in the enactment of section 5106 of the Omnibus Budget Reconciliation Act of 1990.

TITLE IX—GENERAL PROVISIONS

SEC. 901. LIMITATION ON AUTHORITY TO ENTER INTO CONTRACTS.

Any authority to enter into contracts under this Act or an amendment made by this Act shall be effective only to the extent or in such amounts as are provided in advance in appropriations Acts.

SEC. 902. REGULATIONS.

Except as otherwise specifically provided, the Secretary of Health and Human Services shall, not later than 120 days after the date of the enactment of this Act, issue proposed regulations to carry out the amendments made by titles I through VII.

SEC. 903. SENSE OF CONGRESS.

(a) IN GENERAL.—It is the sense of the Congress that a recipient of a grant or other Federal financial assistance awarded under this Act or an amendment made by this Act to assist the recipient in purchasing equipment or products should, in expending the assistance, purchase American-made equipment or products, respectively.

(b) NOTICE.—The Secretary of Health and Human Services shall provide procedures to inform such recipients of the sense of the Congress under subsection (a).

SEC. 904. TECHNICAL AMENDMENTS.

(a) The Older Americans Act of 1965 (42 U.S.C. 3001–3057n) is amended—

(1) in section 101(8) by striking ''the vulnerable elderly'' and inserting ''vulnerable older individuals'';

(2) in section 102(2) by striking ''Virgin Islands'' and inserting ''United States Virgin Islands'';

(3) in section 201(c)(3)—

(A) in subparagraphs (A)(i), (B), (E), and (G) by inserting ''individuals who are'' after ''older'' the first place it appears in each of such subparagraphs;

(B) in subparagraph (B) by striking ''older Native Americans'' the last place it appears and inserting ''such individuals''; and

(C) in subparagraph (E) by striking ''the Act'' and inserting ''this Act'';

(4) in section 202—

(A) in subsection (a)—

(i) in paragraph (1) by striking ''the elderly'' each place it appears and inserting ''older individuals'';

(ii) in paragraph (15)—

(I) by striking ''the elderly'' and inserting ''older individuals''; and

(II) by striking ''older people'' and inserting ''such individuals''; and

(iii) in paragraphs (13), (15), (16), and (17) by striking ''purposes'' and inserting ''objectives'';

(B) in subsection (b)—

(i) in paragraph (1) by striking ''with health systems agencies designated under section 1515 of the Public Health Service Act (42 U.S.C. 300l–4),''; and

(ii) in paragraph (3) by striking ''the elderly'' and inserting ''older individuals'';

(5) in section 203(b) by striking ''purposes'' the second place it appears and inserting ''objectives'';

(6) in section 204—

(A) in subsection (b)(4) by striking ''the daily rate specified for grade GS–18 in section 5332'' and inserting ''the daily equivalent of the rate specified for level V of the Executive Schedule under section 5316''; and

(B) in paragraphs (1), (3), and (4) of subsection (d), as amended by section 205(c), by striking ''Americans'' and inserting ''individuals'';

(7) in section 205(a)(1), as so redesignated by section 206—

(A) by striking ''purposes'' and inserting ''objectives''; and

(B) by striking ''to:'' and inserting ''to—'';

(8) in section 207(a)(4) by striking ''the greatest economic or social needs'' and inserting ''greatest economic need and older individuals with greatest social need'';

(9) the last sentence of section 211 is amended by striking ''purposes'' and inserting ''objectives'';

(10) in section 304(a)(1)—

(A) by striking ''aged 60 or older'' each place it appears, and inserting ''of older individuals'';

(B) by striking ''Virgin Islands'' each place it appears and inserting ''United States Virgin Islands''; and

(C) in the last sentence by striking ''clause'' and inserting ''subparagraph'';

(11) in section 305—

(A) in subsection (a)—

(i) in paragraph (1)—

(I) in subparagraph (D) by striking ''the elderly'' each place it appears and inserting ''older individuals'';

(II) in subparagraph (E) by striking ''individuals aged 60 and older'' and inserting ''older individuals''; and

(III) in subparagraph (E) by striking ''Indians'' and inserting ''individuals who are Indians''; and

(ii) in paragraph (2)—

(I) in the matter preceding subparagraph (A) by striking ''clause'' and inserting ''paragraph'';

(II) in subparagraph (D) by striking ''subclause'' and inserting ''subparagraph''; and

(III) in subparagraph (E) by striking ''the greatest economic or social needs'' and inserting ''greatest economic need and older individuals with greatest social need'';

(B) in subsection (b)—

(i) in paragraphs (1) and (4) by striking ''clause (1) of subsection (a)'' and inserting ''subsection (a)(1)''; and

(ii) in paragraph (2) by striking ''designated under such clause'' and inserting ''designated under subsection (a)(1)''; and

(C) in subsection (d) by striking ''clause'' and inserting ''paragraph'';

(12) in section 306—

(A) in subsection (a)—

(i) in paragraph (1) by striking ''Indians'' and inserting ''individuals who are Indians'';

(ii) in paragraph (2)(B) by striking ''elderly'' and inserting ''older individuals who are''; and

(iii) in paragraph (5)(A)(i) by striking ''the greatest economic or social needs'' and inserting ''greatest economic need and older individuals with greatest social need''; and

(iv) in paragraph (6)—

(I) in subparagraph (D) by striking ''the elderly'' each place it appears and inserting ''older individuals'';

(II) in subparagraph (G) by striking ''clause'' and inserting ''paragraph'';

(III) in subparagraph (N) by striking ''Indians'' the first place it appears and inserting ''individuals who are Indians''; and

(IV) in subparagraph (N) by striking ''elder Indians in such area and shall inform such older Indians'' and inserting ''such individuals in such area and shall inform such individuals''; and

(B) in subsection (b)—

(i) in paragraph (1)—

(I) by inserting ''on aging'' after ''area agency'' the first place it appears; and

(II) by striking ''clause'' each place it appears and inserting ''paragraph''; and

(ii) in paragraph (2)(D) by striking ''clause'' and inserting ''paragraph'';

(13) in section 307—

(A) in subsection (a)—

(i) in paragraph (8) by striking ''the greatest economic or social needs'' and inserting ''greatest economic need and older individuals with greatest social need'';

(ii) in paragraph (13)—

(I) in subparagraph (A) by striking ''individuals aged 60 or older'' and inserting ''older individuals'';

(II) in subparagraph (A) by striking ''the elderly'' and inserting ''older individuals'';

(III) in subparagraph (B) by striking ''subclause'' and inserting ''subparagraph''; and

(IV) in subparagraph (I) by striking ''elderly participants'' and inserting ''participating older individuals'';

(iii) in paragraph (14)(D) by striking ''clause'' and inserting ''subparagraph''; and

(iv) in paragraph (16)(B) by striking ''clause' and inserting ''paragraph''; and

(B) in subsection (b)(2) by striking ''clause'' and inserting ''paragraph'';

(14) in section 308(b)—

(A) in paragraphs (1)(B) and (2)(B) by striking ''Virgin Islands'' and inserting ''United States Virgin Islands''; and

(B) in paragraphs (3)(B)(iii) and (4) by striking ''purposes'' each place it appears and inserting ''objectives'';

(15) in section 321(a)—

(A) in paragraph (4) by striking ''elderly'' and inserting ''older'';

(B) in paragraph (14)—

(i) by striking ''older, poor individuals 60 years of age or older'' and inserting ''low-income older individuals''; and

(ii) by striking ''the older poor'' and inserting ''low-income older individuals''; and

(C) in paragraph (15) by striking ''clause'' and inserting ''paragraph'';

(16) in section 402(b) by striking ''Alcohol'' and inserting ''the Alcohol'';

(17) in section 412(b) by striking ''purposes'' and inserting ''objectives'';

(18) in section 421(a) by striking ''purposes'' and inserting ''objectives'';

(19) in section 422—

(A) in the second sentence of subsection (a)(1) by striking ''the rural elderly'' and inserting ''older individuals residing in rural areas'';

(B) in subsection (b)—

(i) in paragraph (1) by striking ''elderly'' and inserting ''older individuals who are'';

(ii) in paragraph (2) by striking ''the elderly'' and inserting ''older individuals'';

(iii) in paragraph (6) by striking ''the rural elderly'' and inserting ''older individuals residing in rural areas''; and

(iv) in paragraph (8) by striking ''the rural elderly'' and inserting ''older individuals residing in rural areas'';

(20) in section 602 by striking ''older Indians, older Alaskan Natives, and older Native Hawaiians'' and inserting ''older individuals who are Indians, older individuals who are Alaskan Natives, and older individuals who are Native Hawaiians'';

(21) in section 611(a)—

(A) in the matter preceding paragraph (1) by inserting ''individuals who are'' after ''older''; and

(B) in paragraph (9) by striking ''Indian elderly population'' and inserting ''population of older individuals who are Indians'';

(22) in section 613 by inserting ''individuals who are'' after ''older''; and

(23) in section 614(a)—

(A) in paragraph (7) by striking ''Indians aged 60 and older'' and inserting ''older individuals who are Indians'';

(B) in paragraph (8) by striking ''clause'' and inserting ''paragraph''; and

(C) in paragraphs (1), (6), (8), and (10) by inserting ''individuals who are'' after ''older'' each place it appears.

(b) The Older Americans Community Service Employment Act (42 U.S.C. 3056 et seq.) is amended—

(1) in section 502(b)(1)—

(A) in subparagraph (C) by striking ''1954'' and inserting ''1986''; and

(B) in subparagraph (J) by striking ''persons'' each place it appears and inserting ''individuals''; and

(2) in paragraphs (3) and (4)(A) of section 506(a) by striking ''Virgin Islands'' each place it appears and inserting ''United States Virgin Islands''.

SEC. 905. EFFECTIVE DATES; APPLICATION OF AMENDMENTS.

(a) IN GENERAL.—Except as provided in section 811(b), any other provision of this Act (other than this section), and in subsection (b) of this section, this Act and the amendments made by this Act shall take effect on the date of the enactment of this Act.

(b) APPLICATION OF AMENDMENTS.—

(1) FEDERAL COUNCIL ON AGING.—Incumbent members of the Federal Council on Aging may serve on the Council until their successors are appointed under section 204 of the Older Americans Act of 1965 (42 U.S.C. 3015) as amended by section 205 of this Act.

(2) STATE AND COMMUNITY PROGRAMS ON AGING.—The amendments made by sections 303(a)(2), 303(a)(3), 303(f), 304, 305, 306, 307, 316, 317, and 320 shall not apply with respect to fiscal year 1992.

(3) PROJECT REPORTS.—The amendments made by sections 410, 411, 413, 414, 415, 416, 418, and 419 shall not apply with respect to fiscal year 1992.

(4) COMMUNITY SERVICE EMPLOYMENT.—The amendments made by sections 501, 504, and 506 shall not apply with respect to fiscal year 1992.

(5) INDIAN AND NATIVE HAWAIIAN PROGRAMS.—The amendments made by sections 601 and 603 shall not apply with respect to fiscal year 1992.

(6) VULNERABLE ELDER RIGHTS PROTECTION ACTIVITIES.—The amendments made by title VII shall not apply with respect to fiscal year 1992.

The SPEAKER pro tempore, Mr. KLECZKA, recognized Mr. FORD of Michigan and Mr. ARCHER, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said resolution?

The SPEAKER pro tempore, Mr. DE LA GARZA, announced that two-thirds of the Members present had voted in the affirmative.

Mr. ROSTENKOWSKI objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 4, rule XV, and the call was taken by electronic device.

When there appeared { Yeas ..... 340 / Nays ..... 68 }

¶43.31 [Roll No. 87]

YEAS—340

Abercrombie
Ackerman
Alexander
Allard
Allen
Anderson
Andrews (ME)
Andrews (NJ)
Andrews (TX)
Anthony
Applegate
Aspin
AuCoin
Bacchus
Baker
Ballenger
Bentley
Berman
Bevill
Bilbray
Bilirakis
Blackwell
Boehlert
Boehner
Bonior
Borski
Boucher
Boxer
Brewster
Brooks
Broomfield
Browder
Brown
Bruce
Bryant
Bunning
Bustamante
Byron
Callahan
Camp
Campbell (CA)
Campbell (CO)
Cardin
Carper
Carr
Chapman
Clay
Clement
Coble
Coleman (MO)
Coleman (TX)
Collins (IL)
Collins (MI)
Combest
Conyers
Coughlin
Cox (CA)
Coyne
Cramer
Cunningham
Darden
Davis
de la Garza
DeFazio
DeLauro
Dellums
Derrick
Dickinson
Dicks
Dixon
Donnelly
Dooley
Doolittle
Dorgan (ND)
Downey
Duncan
Durbin
Eckart
Edwards (CA)
Edwards (OK)
Emerson
Engel
English
Erdreich
Espy
Evans
Fascell
Fawell
Fazio
Feighan
Fields
Fish
Flake
Ford (MI)
Ford (TN)
Frank (MA)
Franks (CT)
Frost
Gallegly
Gallo
Gaydos
Gejdenson
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Gingrich
Gonzalez
Goodling
Gordon
Goss
Grandy
Gunderson
Hall (OH)
Hall (TX)
Hammerschmidt
Hansen
Harris
Hastert
Hatcher
Hayes (IL)
Hayes (LA)
Hefley
Hefner
Henry
Herger
Hertel
Hobson
Hochbrueckner
Holloway
Horn
Horton
Houghton
Hoyer
Hubbard
Huckaby
Hunter
Hutto
Hyde
Inhofe
James
Jefferson
Jenkins
Johnson (SD)
Johnston
Jones (GA)
Jontz
Kanjorski
Kaptur
Kasich
Kennelly
Kildee
Kleczka
Klug
Kolter
Kopetski
Kostmayer
Kyl
LaFalce
Lagomarsino
Lancaster
Lantos
LaRocco
Leach
Lehman (CA)
Lent
Levin (MI)
Lewis (CA)
Lewis (FL)
Lewis (GA)
Lightfoot
Lipinski
Livingston
Lloyd
Long
Lowery (CA)
Lowey (NY)
Machtley
Markey
Marlenee
Martinez
Mavroules
McCandless
McCloskey
McCollum
McCrery
McDade
McDermott
McEwen
McGrath
McHugh
McMillen (MD)
McNulty
Meyers
Mfume
Michel
Miller (CA)
Miller (OH)
Miller (WA)
Mineta
Mink
Moakley
Molinari
Mollohan
Montgomery
Moody
Moorhead
Moran
Morella
Mrazek
Murphy
Murtha
Myers
Nagle
Natcher
Neal (MA)
Neal (NC)
Nowak
Nussle
Oakar
Obey
Olver
Ortiz
Owens (NY)
Owens (UT)
Oxley
Packard
Pallone
Pastor
Patterson
Paxon
Payne (NJ)
Pelosi
Perkins
Peterson (FL)
Peterson (MN)
Petri
Pickle
Poshard
Price
Quillen
Rahall
Ramstad
Rangel
Ravenel
Ray
Reed
Regula
Rhodes
Richardson
Ridge
Riggs
Rinaldo
Ritter
Roberts
Roe
Roemer
Rogers
Ros-Lehtinen
Rose
Rostenkowski
Roth
Roukema
Rowland
Roybal
Sanders
Sangmeister
Santorum
Sarpalius
Savage
Sawyer
Saxton
Schaefer
Scheuer
Schiff
Schumer
Sensenbrenner
Serrano
Sharp
Shaw
Shays
Sikorski
Sisisky
Skeen
Skelton
Slaughter
Smith (FL)
Smith (NJ)
Smith (OR)
Smith (TX)
Snowe
Solarz
Solomon
Spence
Spratt
Staggers
Stallings
Stark
Stearns
Stokes
Studds
Stump
Sundquist
Swett
Synar
Tallon
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Thomas (GA)
Thomas (WY)
Thornton
Torres
Torricelli
Towns
Traficant
Traxler
Unsoeld
Upton
Vander Jagt
Volkmer
Vucanovich
Walsh
Washington
Waters
Waxman
Weiss
Weldon
Wheat
Williams
Wilson
Wise

Wolpe	Wylie	Young (FL)
Wyden	Yatron	Zimmer

NAYS—68

Archer	Glickman	Panetta
Armey	Green	Parker
Atkins	Guarini	Payne (VA)
Barrett	Hamilton	Pease
Barton	Hancock	Penny
Bateman	Hoagland	Pickett
Beilenson	Hopkins	Porter
Bennett	Hughes	Pursell
Bereuter	Ireland	Rohrabacher
Bliley	Jacobs	Sabo
Burton	Johnson (CT)	Schroeder
Chandler	Johnson (TX)	Schulze
Clinger	Kennedy	Skaggs
Condit	Kolbe	Slattery
Cooper	Luken	Stenholm
Cox (IL)	Matsui	Swift
Crane	Mazzoli	Thomas (CA)
DeLay	McCurdy	Valentine
Dreier	McMillan (NC)	Vento
Edwards (TX)	Nichols	Visclosky
Ewing	Oberstar	Walker
Gephardt	Olin	Wolf
Geren	Orton	

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Annunzio	Foglietta	Russo
Barnard	Gradison	Shuster
Costello	Jones (NC)	Smith (IA)
Dannemeyer	Laughlin	Weber
Dingell	Lehman (FL)	Whitten
Dornan (CA)	Levine (CA)	Yates
Dwyer	Manton	Young (AK)
Dymally	Martin	Zeliff
Early	Morrison	

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said resolution was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said resolution was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said amendment.

¶43.32 CLERK TO CORRECT ENGROSSMENT

On motion of Mr. MARTINEZ, by unanimous consent,

Ordered, That in the engrossment of the foregoing House amendment to the Senate amendment, the Clerk be authorized to correct section numbers, punctuation, cross references, and to make other technical corrections.

¶43.33 HOUR OF MEETING

On motion of Mr. GEPHARDT, by unanimous consent,

Ordered, That when the House adjourns on Tuesday, April 28, 1992, it adjourn to meet at 12 o'clock noon on Wednesday, April 29, 1992.

¶43.34 HOUR OF MEETING

On motion of Mr. GEPHARDT, by unanimous consent,

Ordered, That when the House adjourns on Wednesday, April 29, 1992, it adjourn to meet at 10 o'clock a.m. on Thursday, April 30, 1992.

¶43.35 CALENDAR WEDNESDAY BUSINESS DISPENSED WITH

On motion of Mr. GEPHARDT, by unanimous consent,

Ordered, That business in order for consideration on Wednesday, April 29, 1992, under clause 7, rule XXIV, the Calendar Wednesday rule, be dispensed with.

¶43.36 ORDER OF BUSINESS—RECESSES

On motion of Mr. GEPHARDT, by unanimous consent,

Ordered, That it may be in order on Thursday, April 30, 1992, for the Speaker to declare recesses at any time, subject to the call of the Chair, for the purpose of receiving in joint meeting His Excellency Richard von Weizsacker, President of the Federal Republic of Germany.

¶43.37 SPEAKER TO ACCEPT RESIGNATIONS, APPOINT TO COMMISSIONS

On motion of Mr. GEPHARDT, by unanimous consent,

Ordered, That, notwithstanding any adjournment of the House until Tuesday, April 28, 1992, the Speaker and the Minority Leader be authorized to accept resignations and to make appointments to commissions, boards and committees duly authorized by law or by the House.

¶43.38 PERMISSION TO FILE SUNDRY REPORTS

On motion of Mr. CONYERS, by unanimous consent, the Committee on Government Operations was granted permission until 6 p.m., Friday, April 24, 1992, to file sundry reports.

¶43.39 FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. Hallen, one of its clerks, announced that the Senate had passed a concurrent resolution of the following title, in which the concurrence of the House is requested:

S. Con. Res. 109. Concurrent resolution providing for a conditional recess or adjournment of the Senate from Friday, April 10, 1992, or Saturday, April 11, 1992, until Tuesday, April 28, 1992, and an adjournment of the House on the legislative day of Thursday, April 9, 1992, until Tuesday, April 28, 1992.

¶43.40 PROVIDING FOR THE ADJOURNMENT OF THE TWO HOUSES

The SPEAKER pro tempore, Mr. DE LA GARZA, laid before the House the following privileged concurrent resolution (S. Con. Res. 109):

Resolved by the Senate (the House of Representatives concurring), That when the Senate recesses or adjourns at the close of business on Friday, April 10, 1992, or Saturday, April 11, 1992, pursuant to a motion made by the Majority Leader, or his designee, in accordance with this resolution, it stand recessed or adjourned until 9:30 a.m. on Tuesday, April 28, 1992, or until 12 o'clock noon on the second day after members are notified to reassemble pursuant to section 2 of this resolution, whichever occurs first; and that when the House of Representatives adjourns on the legislative day of Thursday, April 9, 1992, pursuant to a motion made by the Majority Leader, or his designee, in accordance with this resolution, it stand adjourned until 12 o'clock noon on Tuesday, April 28, 1992, or until 12 o'clock noon on the second day after Members are notified to reassemble pursuant to section 2 of this resolution, whichever occurs first.

SEC. 2. The Majority Leader of the Senate and the Speaker of the House, acting jointly after consultation with the Minority Leader of the Senate and the Minority of the House, shall notify the Members of the Senate and the House, respectively, to reassemble whenever, in their opinion, the public interest shall warrant it.

When said concurrent resolution was considered and agreed to.

A motion to reconsider the vote whereby said concurrent resolution was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

APRIL 10 (Legislative Day of APRIL 9), 1992

¶43.41 MEDICAID PROGRAM WAIVER

On motion of Mr. WAXMAN, by unanimous consent, the Committee of the Whole House on the state of the Union was discharged from further consideration of the bill (H.R. 4572) to direct the Secretary of Health and Human Services to waive certain requirements under the medicaid program during 1992 and 1993 for health maintenance organizations operated by the Dayton Area Health Plan, Dayton, Ohio.

When said bill was considered and read twice.

The following amendment in the nature of a substitute, recommended by the Committee on Energy and Commerce, was agreed to:

Strike out all after the enacting clause and insert:

SECTION 1. APPLICABILITY OF ENROLLMENT MIX REQUIREMENT TO CERTAIN HEALTH MAINTENANCE ORGANIZATIONS PROVIDING SERVICES UNDER DAYTON AREA HEALTH PLAN.

(a) HEALTH PLAN NETWORK.—With respect to the unincorporated association affiliated with the Dayton Area Health Plan, Inc., that is known as the Health Plan Network, the Secretary of Health and Human Services (hereafter referred to as the ''Secretary'') shall waive the requirement described in section 1903(m)(2)(A)(ii) of the Social Security Act for the period described in section 2.

(b) DAYMED, INC.—

(1) IN GENERAL.—Subject to paragraph (2), for purposes of determining the compliance of the DAYMED Health Maintenance Plan, Inc., with the requirement described in section 1903(m)(2)(A)(ii) of the Social Security Act for the period described in section 2, the Secretary may not treat individuals enrolled with the Plan who are described in section 1902(l)(1)(D) of such Act as individuals enrolled with the Plan on a prepaid basis.

(2) LIMITATION ON NUMBER OF INDIVIDUALS EXEMPTED.—The number of individuals enrolled with the DAYMED Health Maintenance Plan, Inc., whom the Secretary may not treat as individuals enrolled with the Plan on a prepaid basis pursuant to paragraph (1) may not exceed 4,000.

SEC. 2. PERIOD OF APPLICABILITY.

The period referred to in subsections (a) and (b)(1) of section 1 is the period that begins on May 1, 1992, and ends on January 31, 1994.

The bill, as amended, was ordered to be engrossed and read a third time, was read a third time by title, and passed.

By unanimous consent, the title was amended so as to read: ''An Act to direct the Secretary of Health and Human Services to grant a waiver of the requirement limiting the maximum number of individuals enrolled with a health maintenance organization who may be beneficiaries under the medicare or medicaid programs in

order to enable the Dayton Area Health Plan, Inc., to continue to provide services through January 1994 to individuals residing in Montgomery County, Ohio, who are enrolled under a State plan for medical assistance under title XIX of the Social Security Act.''.

A motion to reconsider the votes whereby the bill, as amended, was passed and the title was amended was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶43.42 NIH PROGRAMS

On motion of Mr. WAXMAN, by unanimous consent, the bill (H.R. 2507) to amend the Public Health Service Act to revise and extend the programs of the National Institutes of Health, and for other purposes; together with the amendment of the Senate thereto, was taken from the Speaker's table.

When on motion of Mr. WAXMAN, it was,

Resolved, That the House disagree to the amendment of the Senate and ask a conference with the Senate on the disagreeing votes of the two Houses thereon.

Thereupon, the SPEAKER pro tempore, Mr. HOYER, by unanimous consent, announced the appointment of the following Members as managers on the part of the House at said conference:

From the committee on Energy and Commerce, for consideration of the House bill, and the Senate amendment, and modifications committed to conference: Messrs. DINGELL, WAXMAN, WYDEN, LENT, and BLILEY.

As additional conferees from the Committee on Education and Labor, for consideration of section 1114 of the Senate amendment, and modifications committed to conference: Messrs. FORD of Michigan, GAYDOS, and BALLENGER.

By unanimous consent, the Speaker reserved the authority to make additional appointments of conferees.

Ordered, That the Clerk notify the Senate thereof.

¶43.43 MESSAGE FROM THE PRESIDENT—IMPOUNDMENT CONTROL

The SPEAKER pro tempore, Mr. HOYER, laid before the House a message from the President, which was read as follows:

To the Congress of the United States:

In accordance with the Congressional Budget and Impoundment Control Act of 1974, I herewith report one rescission proposal, totaling $133.0 million in budgetary resources.

The proposed rescission affects the Department of Defense. The details of this rescission proposal are contained in the attached report.

GEORGE BUSH.

THE WHITE HOUSE, *April 9, 1992.*

By unanimous consent, the message, together with the accompanying papers, was referred to the Committee on Appropriations and ordered to be printed (H. Doc. 102–289).

¶43.44 ORDER OF BUSINESS—MESSAGES FROM THE PRESIDENT

On motion of Mr. GEPHARDT, by unanimous consent,

Ordered, That the Speaker be authorized to lay before the House en gross the remaining rescission messages transmitted by the President, and that the messages be considered as read when laid down.

¶43.45 MESSAGES FROM THE PRESIDENT—IMPOUNDMENT CONTROL

The SPEAKER pro tempore, Mr. HOYER, pursuant to the special order heretofore agreed to, laid before the House the following messages from the President, which were considered as read:

To the Congress of the United States:

In accordance with the Congressional Budget and Impoundment Control Act of 1974, I herewith report one rescission proposal, totaling $225.0 million in budgetary resources.

The proposed rescission affects the Department of Defense. The details of this rescission proposal are contained in the attached report.

GEORGE BUSH.

THE WHITE HOUSE, *April 9, 1992.*

To the Congress of the United States:

In accordance with the Congressional Budget and Impoundment Control Act of 1974, I herewith report one rescission proposal, totaling $196.3 million in budgetary resources.

The proposed rescission affects the Department of Defense. The details of this rescission proposal are contained in the attached report.

GEORGE BUSH.

THE WHITE HOUSE, *April 9, 1992.*

To the Congress of the United States:

In accordance with the Congressional Budget and Impoundment Control Act of 1974, I herewith report one rescission proposal, totaling $17.6 million in budgetary resources.

The proposed rescission affects the Department of Defense. The details of this rescission proposal are contained in the attached report.

GEORGE BUSH.

THE WHITE HOUSE, *April 9, 1992.*

To the Congress of the United States:

In accordance with the Congressional Budget and Impoundment Control Act of 1974, I herewith report one rescission proposal, totaling $15.0 million in budgetary resources.

The proposed rescission affects the Department of Defense. The details of this rescission proposal are contained in the attached report.

GEORGE BUSH.

THE WHITE HOUSE, *April 9, 1992.*

To the Congress of the United States:

In accordance with the Congressional Budget and Impoundment Control Act of 1974, I herewith report one rescission proposal, totaling $8.0 million in budgetary resources.

The proposed rescission affects the Department of Defense. The details of this rescission proposal are contained in the attached report.

GEORGE BUSH.

THE WHITE HOUSE, *April 9, 1992.*

To the Congress of the United States:

In accordance with the Congressional Budget and Impoundment Control Act of 1974, I herewith report one rescission proposal, totaling $130.0 million in budgetary resources.

The proposed rescission affects the Department of Defense. The details of this rescission proposal are contained in the attached report.

GEORGE BUSH.

THE WHITE HOUSE, *April 9, 1992.*

To the Congress of the United States:

In accordance with the Congressional Budget and Impoundment Control Act of 1974, I herewith report one rescission proposal, totaling $4.0 million in budgetary resources.

The proposed rescission affects the Department of Defense. The details of this rescission proposal are contained in the attached report.

GEORGE BUSH.

THE WHITE HOUSE, *April 9, 1992.*

To the Congress of the United States:

In accordance with the Congressional Budget and Impoundment Control Act of 1974, I herewith report one rescission proposal, totaling $60.0 million in budgetary resources.

The proposed rescission affects the Department of Defense. The details of this rescission proposal are contained in the attached report.

GEORGE BUSH.

THE WHITE HOUSE, *April 9, 1992.*

To the Congress of the United States:

In accordance with the Congressional Budget and Impoundment Control Act of 1974, I herewith report one rescission proposal, totaling $10.0 million in budgetary resources.

The proposed rescission affects the Department of Defense. The details of this rescission proposal are contained in the attached report.

GEORGE BUSH.

THE WHITE HOUSE, *April 9, 1992.*

To the Congress of the United States:

In accordance with the Congressional Budget and Impoundment Control Act of 1974, I herewith report one rescission proposal, totaling $4.0 million in budgetary resources.

The proposed rescission affects the Department of Defense. The details of this rescission proposal are contained in the attached report.

GEORGE BUSH.

THE WHITE HOUSE, *April 9, 1992.*

To the Congress of the United States:

In accordance with the Congressional Budget and Impoundment Control Act of 1974, I herewith report one rescission proposal, totaling $2.0 million in budgetary resources.

The proposed rescission affects the Department of Defense. The details of this rescission proposal are contained in the attached report.

GEORGE BUSH.

THE WHITE HOUSE, *April 9, 1992.*

To the Congress of the United States:

In accordance with the Congressional Budget and Impoundment Control Act of 1974, I herewith report one rescission proposal, totaling $6.5 million in budgetary resources.

The proposed rescission affects the Department of Defense. The details of this rescission proposal are contained in the attached report.

GEORGE BUSH.

THE WHITE HOUSE, *April 9, 1992.*

To the Congress of the United States:

In accordance with the Congressional Budget and Impoundment Control Act of 1974, I herewith report one rescission proposal, totaling $21.0 million in budgetary resources.

The proposed rescission affects the Department of Defense. The details of this rescission proposal are contained in the attached report.

GEORGE BUSH.

THE WHITE HOUSE, *April 9, 1992.*

To the Congress of the United States:

In accordance with the Congressional Budget and Impoundment Control Act of 1974, I herewith report one rescission proposal, totaling $799.3 million in budgetary resources.

The proposed rescission affects the Department of Defense. The details of this rescission proposal are contained in the attached report.

GEORGE BUSH.

THE WHITE HOUSE, *April 9, 1992.*

To the Congress of the United States:

In accordance with the Congressional Budget and Impoundment Control Act of 1974, I herewith report one rescission proposal, totaling $67.0 million in budgetary resources.

The proposed rescission affects the Department of Defense. The details of this rescission proposal are contained in the attached report.

GEORGE BUSH.

THE WHITE HOUSE, *April 9, 1992.*

To the Congress of the United States:

In accordance with the Congressional Budget and Impoundment Control Act of 1974, I herewith report one rescission proposal, totaling $9.3 million in budgetary resources.

The proposed rescission affects the Department of Defense. The details of this rescission proposal are contained in the attached report.

GEORGE BUSH.

THE WHITE HOUSE, *April 9, 1992.*

To the Congress of the United States:

In accordance with the Congressional Budget and Impoundment Control Act of 1974, I herewith report one rescission proposal, totaling $45.0 million in budgetary resources.

The proposed rescission affects the Department of Defense. The details of this rescission proposal are contained in the attached report.

GEORGE BUSH.

THE WHITE HOUSE, *April 9, 1992.*

To the Congress of the United States:

In accordance with the Congressional Budget and Impoundment Control Act of 1974, I herewith report one rescission proposal, totaling $15.0 million in budgetary resources.

The proposed rescission affects the Department of Defense. The details of this rescission proposal are contained in the attached report.

GEORGE BUSH.

THE WHITE HOUSE, *April 9, 1992.*

To the Congress of the United States:

In accordance with the Congressional Budget and Impoundment Control Act of 1974, I herewith report one rescission proposal, totaling $20.0 million in budgetary resources.

The proposed rescission affects the Department of Defense. The details of this rescission proposal are contained in the attached report.

GEORGE BUSH.

THE WHITE HOUSE, *April 9, 1992.*

To the Congress of the United States:

In accordance with the Congressional Budget and Impoundment Control Act of 1974, I herewith report one rescission proposal, totaling $60.0 million in budgetary resources.

The proposed rescission affects the Department of Defense. The details of this rescission proposal are contained in the attached report.

GEORGE BUSH.

THE WHITE HOUSE, *April 9, 1992.*

To the Congress of the United States:

In accordance with the Congressional Budget and Impoundment Control Act of 1974, I herewith report one rescission proposal, totaling $15.0 million in budgetary resources.

The proposed rescission affects the Department of Defense. The details of this rescission proposal are contained in the attached report.

GEORGE BUSH.

THE WHITE HOUSE, *April 9, 1992.*

To the Congress of the United States:

In accordance with the Congressional Budget and Impoundment Control Act of 1974, I herewith report one rescission proposal, totaling $4.0 million in budgetary resources.

The proposed rescission affects the Department of Defense. The details of this rescission proposal are contained in the attached report.

GEORGE BUSH.

THE WHITE HOUSE, *April 9, 1992.*

To the Congress of the United States:

In accordance with the Congressional Budget and Impoundment Control Act of 1974, I herewith report one rescission proposal, totaling $3.0 million in budgetary resources.

The proposed rescission affects the Department of Defense. The details of this rescission proposal are contained in the attached report.

GEORGE BUSH.

THE WHITE HOUSE, *April 9, 1992.*

To the Congress of the United States:

In accordance with the Congressional Budget and Impoundment Control Act of 1974, I herewith report one rescission proposal, totaling $248.8 million in budgetary resources.

The proposed rescission affects the Department of Defense. The details of this rescission proposal are contained in the attached report.

GEORGE BUSH.

THE WHITE HOUSE, *April 9, 1992.*

To the Congress of the United States:

In accordance with the Congressional Budget and Impoundment Control Act of 1974, I herewith report one rescission proposal, totaling $5.0 million in budgetary resources.

The proposed rescission affects the Department of Defense. The details of this rescission proposal are contained in the attached report.

GEORGE BUSH.

THE WHITE HOUSE, *April 9, 1992.*

To the Congress of the United States:

In accordance with the Congressional Budget and Impoundment Control Act of 1974, I herewith report one rescission proposal, totaling $6.0 million in budgetary resources.

The proposed rescission affects the Department of Defense. The details of this rescission proposal are contained in the attached report.

GEORGE BUSH.

THE WHITE HOUSE, *April 9, 1992.*

To the Congress of the United States:

In accordance with the Congressional Budget and Impoundment Control Act of 1974, I herewith report one rescission proposal, totaling $70.0 million in budgetary resources.

The proposed rescission affects the Department of Defense. The details of this rescission proposal are contained in the attached report.

GEORGE BUSH.

THE WHITE HOUSE, *April 9, 1992.*

By unanimous consent, the messages, together with the papers accompanying each, were separately referred to the Committee on Appropriations and separately ordered to be printed (H. Doc. 102–290 through 316).

¶43.46 MESSAGE FROM THE PRESIDENT—FEDERAL ADVISORY COMMITTEES

The SPEAKER pro tempore, Mr. HOYER, laid before the House a message from the President, which was read as follows:

To the Congress of the United States:

In accordance with the requirements of section 6(c) of the Federal Advisory Committee Act, as amended (Public Law 92–463; 5 U.S.C. App. 2, sec. 6(c)), I hereby transmit the Twentieth Annual Report on Federal Advisory Committees for fiscal year 1991.

GEORGE BUSH.

THE WHITE HOUSE. *April 9, 1992.*

By unanimous consent, the message, together with the accompanying papers, was referred to the Committee on Government Operations.

¶43.47 MESSAGE FROM THE PRESIDENT—ACCOUNTABILITY IN GOVERNMENT ACT

The SPEAKER pro tempore, Mr. HOYER, laid before the House a message from the President, which was read as follows:

To the Congress of the United States:

I am pleased to transmit today for your immediate consideration and enactment the ''Accountability in Government Act of 1992''

The legislation would extend to the Congress and the White House the relevant portions of five laws that apply to the private sector. The laws in question are the Fair Labor Standards Act of 1938 (minimum wage law), the Civil Rights Act of 1964, the Age Discrimination in Employment Act of 1967, the Rehabilitation Act of 1973, and the damages remedy created by the Civil Rights Act of 1991. The proposal also

makes available the remedies currently available to other employees for violations of these laws, rather than special remedial schemes based entirely or in large part on internal congressional grievance mechanisms.

The legislation would also extend to the analogous portions of Congress five laws that presently apply to various portions of the executive branch. The laws in question are Title VI of the Ethics in Government Act, conflicts of interest laws, the Hatch Act, the Freedom of Information Act, and the Privacy Act. The scope of this proposal has been carefully tailored to take into account the unique characteristics of the Congress and its Members. Moreover, none of the provisions of this legislation except those implicating criminal penalties calls for executive branch enforcement. Rather, all are to be enforced either by private suit, entities within the General Accounting Office (an instrumentality of the legislative branch), or both. This legislation therefore does not present the constitutional separation-of-powers questions that might be presented by general executive branch administration of laws applied to the legislative branch.

I urge the Congress to give this legislation prompt and favorable consideration.

GEORGE BUSH.

THE WHITE HOUSE, *April 9, 1992.*

By unanimous consent, the message, together with the accompanying papers, was referred to the Committee on Education and Labor, the Committee on the Judiciary, the Committee on House Administration, the Committee on Post Office and Civil Service, and the Committee on Government Operations and ordered to be printed (H. Doc. 102–318).

¶43.48 DESIGNATION OF SPEAKER PRO TEMPORE TO SIGN ENROLLMENTS

The SPEAKER pro tempore, Mr. HOYER, laid before the House a communication, which was read as follows:

THE SPEAKER'S ROOMS,
U.S. HOUSE OF REPRESENTATIVES,
Washington, D.C., April 9, 1992.

I hereby designate the Honorable STENY H. HOYER to sign enrolled bills and joint resolutions through April 28, 1992.

THOMAS S. FOLEY,
Speaker of the House of Representatives.

By unanimous consent, the designation was accepted.

¶43.49 SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 1882. An Act to authorize extensions of time limitations in a FERC-issued license; to the Committee on Energy and Commerce.

¶43.50 ENROLLED BILLS SIGNED

Mr. ROSE, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 3686. An Act to amend title 28, United States Code, to make changes in the places of holding court in the Eastern District of North Carolina; and

H.R. 4449. An Act to authorize jurisdiction receiving funds for fiscal year 1992 under the HOME Investment Partnerships Act that are allocated for new construction to use the funds, at the discretion of the jurisdiction, for other eligible activities under such act and to amend the Stewart B. McKinney Homeless Assistance Amendments Act of 1988 to authorize local governments that have financed housing projects that have been provided a section 8 financial adjustment factor to use recaptured amounts available from refinancing of the projects for housing activities.

¶43.51 SENATE ENROLLED BILLS AND JOINT RESOLUTION SIGNED

The SPEAKER announced his signature to enrolled bills and a joint resolution of the Senate of the following titles:

S. 606. An Act to amend the Wild and Scenic Rivers Act by designating certain segments of the Allegheny River in the Commonwealth of Pennsylvania as a component of the National Wild and Scenic Rivers System, and for other purposes;

S. 985. An Act to assure the people of the Horn of Africa the right to food and the other basic necessities of life and to promote peace and development in the region;

S. 1743. An Act to amend the Wild and Scenic Rivers Act by designating certain rivers in the State of Arkansas as components of the National Wild and Scenic Rivers System, and for other purposes; and

S.J. Res. 246. Joint resolution to designate April 25, 1992 as ''National Recycling Day.''

¶43.52 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted—

To Mr. MARTIN, for today;

To Mr. YATES, for today; and

To Mr. ZELIFF, for today after 3 p.m.

And then,

¶43.53 ADJOURNMENT

On motion of Mr. HOYER, pursuant to the provisions of Senate Concurrent Resolution 109, at 12 o'clock and 20 minutes a.m., April 10 (Legislative Day of April 9), 1992, the House adjourned until 12 o'clock noon on Tuesday, April 28, 1992.

¶43.54 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under Clause 2 of XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. GAYDOS: Committee on House Administration. House Resolution 429. Resolution providing amounts from the contingent fund of the House for continuing expenses of investigations and studies by the standing and select committees of the House from May 1, 1992, through May 31, 1992 (Rept. No. 102–491). Referred to the House Calendar.

Mr. LAFALCE: Committee on Small Business. H.R. 4111. A bill to amend the Small Business Act to provide additional loan assistance to small businesses, and for other purposes; with an amendment (Rept. No. 102–492). Referred to the Committee of the Whole House on the State of the Union.

Mr. ROE: Committee on Public Works and Transportation. H. Con. Res. 303. Resolution authorizing the presentation of a program on the Capitol grounds in connection with National Physical Fitness and Sports Month (Rept. No. 102–493). Referred to the House Calendar.

Mr. DINGELL: Committee on Energy and Commerce. H.R. 4572. A bill to direct the Secretary of Health and Human Services to waive certain requirements under the medicaid program during 1992 and 1993 for health maintenance organizations operated by the Dayton Area Health Plan in Dayton, Ohio; with amendments (Rept. No. 102–494). Referred to the Committee of the Whole House on the State of the Union.

Mr. JONES of North Carolina: Committee on Merchant Marine and Fisheries. H.R. 4156. A bill to authorize appropriations for fiscal year 1993 for the Federal Maritime Commission, and for other purposes; with an amendment (Rept. No. 102–495). Referred to the Committee of the Whole House on the State of the Union.

Mr. DE LA GRAZA: Committee on Agriculture. H.R. 4774. A bill to provide flexibility to the Secretary of Agriculture to carry out food assistance programs in certain countries. (Rept. No. 102–496). Referred to the Committee of the Whole House on the State of the Union.

Mr. HALL of Ohio: Committee on Rules. H.R. 432. Resolution providing for the consideration of H.R. 4364, a bill to authorize appropriations to the National Aeronautics and Space Administration for research and development, space flight, control and data communications, construction of facilities, research and program management, and inspector general, and for other purposes. (Rept. No. 102–497). Referred to the House Calendar.

¶43.55 REPORTED BILLS SEQUENTIALLY REFERRED

Under clause 5 of rule X, bills and reports were delivered to the Clerk for printing, and bills referred as follows:

Mr. DE LA GARZA: Committee on Agriculture. H.R. 2407. A bill entitled the ''Farm Animal and Research Facilities Protection Act of 1991''; with an amendment; referred to the Committee on the Judiciary for a period ending not later than July 2, 1992, for consideration of such provisions of the bill and amendment as fall within the jurisdiction of that committee pursuant to clause 1(m), rule X (Rept. No. 102–498 Pt. 1). Ordered to be printed.

¶43.56 PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. UPTON (for himself and Mr. WOLPE):

H.R. 4839. A bill to amend the Foreign Assistance Act of 1961 to establish an American Products for International Consumption and Services Program; to the Committee on Foreign Affairs.

By Mr. COMBEST (for himself, Mr. ROBERTS, Mr. Herger, Mr. Boehner, Mr. EMERSON, Mr. JOHNSON of South Dakota, Mr. SARPALIUS, Mr. HOPKINS, Mr. MARLENEE, Mr. STENHOLM, and Mr. BARRETT):

H.R. 4840. A bill to ensure equal treatment for playa lakes, prairie potholes, vernal pools, pocosins, and other special wetlands under Federal wetland delineation criteria; jointly, to the Committees on Merchant Marine and Fisheries, Public Works and Transportation, and Agriculture.

By Mr. SWETT (for himself, Mr. ANDREWS of Maine, Ms. SNOWE, and Mr. ZELIFF):

H.R. 4841. A bill granting the consent of the congress to the New Hampshire-Maine Interstate School Compact; to the Committee on the Judiciary.

By Mr. SWIFT (for himself and Mr. DICKS):

H.R. 4842. A bill to authorize the release of restrictions and a reversionary interest in certain lands in Clallam County, WA; to the Committee on Interior and Insular Affairs.

By Mr. MAZZOLI (for himself, Mr. POSHARD, Mr. ATKINS, Mr. JACOBS, and Mr. SYNAR):

H.R. 4843. A bill to amend the Federal Election Campaign Act of 1971 to ban activities of political action committees in elections for Federal office and to reduce the limitation on contributions to candidates by persons other than multicandidate political committees; to the Committee on House Administration.

By Mr. SWIFT (for himself, Mr. DICKS, Mr. MCDERMOTT, Mr. MILLER of Washington, Mr. MORRISON, Mrs. UNSOELD, and Mr. CHANDLER):

H.R. 4844. A bill to restore Olympic National Park And the Elwha River ecosystem and fisheries in the State of Washington; jointly, to the Committees on Merchant Marine and Fisheries, Interior and Insular Affairs, and Energy and Commerce.

By Mr. PANETTA (for himself, Mr. STARK, Mr. DEFAZIO, Ms. PELOSI, Mr. AUCOIN, Mr. KOPETSKI, Mr. RIGGS, Mr. MINETA, Mr. DELLUMS, Mrs. BOXER, Mr. LANTOS, Mr. MILLER of California, Mr. DICKS, Mr. WYDEN, and Mrs. UNSOELD).

H.R. 4845. A bill to provide disaster assistance to ocean and river commercial salmon fishing operations in the western United States adversely affected by the ban or restriction imposed by the United States on the harvest of Pacific Ocean salmon; to the Committee on Merchant Marine and Fisheries.

By Mr. WYDEN:

H.R. 4846. A bill to provide for the education and training of health professions students with respect to the identification and treatment of medical conditions arising from domestic violence; to the Committee on Energy and Commerce.

By Mr. MICHEL:

H.R. 4847. A bill to provide greater accountability in government by bringing Congress within the scope of certain laws presently covering the private sector, the executive branch, or both; jointly, to the Committees on House Administration, Education and Labor, the Judiciary, Post Office and Civil Service, and Government Operations.

By Mr. WAXMAN (for himself and Mr. GEPHARDT):

H.R. 4848. A bill to amend the Social Security Act to assure universal access to long-term care in the United States, and for other purposes; jointly, to the Committees on Ways and Means and Energy and Commerce.

By Mr. ALLEN (for himself, Mr. YOUNG of Alaska, and Mr. MARLENEE):

H.R. 4849. A bill to amend the Historic Preservation Act; to the Committee on Interior and Insular Affairs.

By Mr. MARKEY:

H.R. 4850. A bill to amend the Communications Act of 1934 to provide increased consumer protection and to promote increased competition in the cable television and related markets, and for other purposes; to the Committee on Energy and Commerce.

By Mr. FAWELL (for himself and Mr. PENNY) (both by request):

H.R. 4851. A bill to approve the President's rescission proposal transmitted to the Congress on April 9, 1992; to the Committee on Appropriations.

By Mr. FAWELL (for himself and Mr. PENNY) (both by request):

H.R. 4852. A bill to approve the President's rescission proposal transmitted to the Congress on April 9, 1992; to the Committee on Appropriations.

H.R. 4853. A bill to approve the President's rescission proposal transmitted to the Congress on April 9, 1992; to the Committee on Appropriations.

H.R. 4854. A bill to approve the President's rescission proposal transmitted to the Congress on April 9, 1992; to the Committee on Appropriations.

H.R. 4855. A bill to approve the President's rescission proposal transmitted to the Congress on April 9, 1992; to the Committee on Appropriations.

H.R. 4856. A bill to approve the President's rescission proposal transmitted to the Congress on April 9, 1992; to the Committee on Appropriations.

H.R. 4857. A bill to approve the President's rescission proposal transmitted to the Congress on April 9, 1992; to the Committee on Appropriations.

H.R. 4858. A bill to approve the President's rescission proposal transmitted to the Congress on April 9, 1992; to the Committee on Appropriations.

H.R. 4859. A bill to approve the President's rescission proposal transmitted to the Congress on April 9, 1992; to the Committee on Appropriations.

H.R. 4860. A bill to approve the President's rescission proposal transmitted to the Congress on April 9, 1992; to the Committee on Appropriations.

H.R. 4861. A bill to approve the President's rescission proposal transmitted to the Congress on April 9, 1992; to the Committee on Appropriations.

H.R. 4862. A bill to approve the President's rescission proposal transmitted to the Congress on April 9, 1992; to the Committee on Appropriations.

H.R. 4863. A bill to approve the President's rescission proposal transmitted to the Congress on April 9, 1992; to the Committee on Appropriations.

H.R. 4864. A bill to approve the President's rescission proposal transmitted to the Congress on April 9, 1992; to the Committee on Appropriations.

H.R. 4865. A bill to approve the President's rescission proposal transmitted to the Congress on April 9, 1992; to the Committee on Appropriations.

H.R. 4866. A bill to approve the President's rescission proposal transmitted to the Congress on April 9, 1992; to the Committee on Appropriations.

H.R. 4867. A bill to approve the President's rescission proposal transmitted to the Congress on April 9, 1992; to the Committee on Appropriations.

H.R. 4868. A bill to approve the President's rescission proposal transmitted to the Congress on April 9, 1992; to the Committee on Appropriations.

H.R. 4869. A bill to approve the President's rescission proposal transmitted to the Congress on April 9, 1992; to the Committee on Appropriations.

H.R. 4870. A bill to approve the President's rescission proposal transmitted to the Congress on April 9, 1992; to the Committee on Appropriations.

H.R. 4871. A bill to approve the President's rescission proposal transmitted to the Congress on April 9, 1992; to the Committee on Appropriations.

H.R. 4872. A bill to approve the President's rescission proposal transmitted to the Congress on April 9, 1992; to the Committee on Appropriations.

H.R. 4873. A bill to approve the President's rescission proposal transmitted to the Congress on April 9, 1992; to the Committee on Appropriations.

H.R. 4874. A bill to approve the President's rescission proposal transmitted to the Congress on April 9, 1992; to the Committee on Appropriations.

H.R. 4875. A bill to approve the President's rescission proposal transmitted to the Congress on April 9, 1992; to the Committee on Appropriations.

H.R. 4876. A bill to approve the President's rescission proposal transmitted to the Congress on April 9, 1992; to the Committee on Appropriations.

H.R. 4877. A bill to approve the President's rescission proposal transmitted to the Congress on April 9, 1992; to the Committee on Appropriations.

H.R. 4878. A bill to approve the President's rescission proposal transmitted to the Congress on April 9, 1992; to the Committee on Appropriations.

By Mr. ARCHER (for himself, Mr. GUARINI, Mr. JENKINS, and Mr. SUNDQUIST):

H.R. 4879. A bill to suspend temporarily the duty on 5-(N,N-dibenzylglycyl)-salicylamide); 2-(N-benzyl-N-tert-butylamino)-4′-hydroxy-3′-hydromethylacetophenone hydrochloride; Flutamide; and Loratadine; to the Committee on Ways and Means.

By Mr. BENNETT (for himself and Mr. SPENCE) (both by request):

H.R. 4880. A bill to reduce the stockpile requirement for, and authorize the disposal of, cobalt from the National Defense Stockpile; to the Committee on Armed Services.

By Mrs. BOXER:

H.R. 4881. A bill to provide increased flexibility to States in carrying out certain highway and transportation projects; to the Committee on Public Works and Transportation.

By Mr. BROWN (for himself, Mr. TRAXLER, Mr. ROYBAL, Mr. EVANS, Mr. HENRY, Mr. WOLPE, Mrs. LLOYD, and Mr. BRUCE):

H.R. 4882. A bill to provide for the multilateral negotiation of Western Hemisphere environmental, labor, and agricultural standards, to implement as United States negotiating objectives in any free trade area negotiations pursuant to the Enterprise for the Americas Initiative certain threshold protections regarding worker rights, agricultural standards, and environmental quality, and to implement a corresponding, comprehensive multilateral dispute resolution mechanism to investigate, adjudicate, and render binding, enforceable judgments against any unfair trade practices arising within the Western Hemisphere free trade area, including those involving the systematic denial or practical negation of certain threshold protections of worker rights, agricultural standards, and environmental quality; to the Committee on Ways and Means.

H.R. 4883. A bill to provide for the trilateral negotiation of North American environmental, labor, and agricultural standards, to implement as United States negotiating objectives in the North American free trade area negotiations certain threshold protections regarding worker rights, agricultural standards, and environmental quality, and to implement a corresponding, comprehensive trinational dispute resolution mechanism to investigate, adjudicate, and render binding, enforceable judgments against any unfair trade practices arising within the North American free trade area, including those involving the systematic denial or practical negation of certain threshold protections of worker rights, agricultural standards, and environmental quality; to the Committee on Ways and Means.

By Mr. BRYANT (for himself and Mr. SCHUMER):

H.R. 4884. A bill to enhance the competition in the soft drink industry by improving the application of the antitrust laws to soft drink piggyback license arrangements for a temporary period of time; to the Committee on the Judiciary.

By Mr. BURTON of Indiana:

H.R. 4885. A bill to amend title II of the Marine Protection, Research, and Sanctuaries Act of 1972 to direct the Under Secretary of Commerce for Oceans and Atmosphere to conduct a pilot program for the deposit of authorized waste on the deep seabed; jointly, to the Committees on Merchant Marine and Fisheries and Science, Space, and Technology.

By Mr. CALLAHAN:

H.R. 4886. A bill to suspend until January 1, 1995, the duty of certain chemicals; to the Committee on Ways and Means.

H.R. 4887. A bill to suspend until January 1, 1995, the duty on 2-(2H-benzotriazol-2-yl)-6-dodecyl-4-methylphenol, branched and linear; to the Committee on Ways and Means.

By Mr. CAMPBELL of Colorado (for himself and Mr. MCGRATH):

H.R. 4888. A bill to suspend for a 3-year period the duty on continuous oxidized polyacrylonitrile fiber tow; to the Committee on Ways and Means.

By Mr. CARDIN:

H.R. 4889. A bill to amend the Internal Revenue Code of 1986 and the Social Security Act to provide for health insurance coverage for workers and the public in a manner that contains the costs of health care in the United States; jointly, to the Committees on Ways and Means, Energy and Commerce, and Education and Labor.

By Mr. CARPER:

H.R. 4890. A bill to suspend until January 1, 1995, the duty on Thallium 203; to the Committee on Ways and Means.

H.R. 4891. A bill to suspend until January 1, 1995, the duty on Zinc-68; to the Committee on Ways and Means.

H.R. 4892. A bill to suspend until January 1, 1995, the duty on Nickel-58; to the Committee on Ways and Means.

By Mr. CHANDLER:

H.R. 4893. A bill to require reauthorization of budget authority for Government programs at least every 5 years, to provide for review of Government programs at least every 5 years, and for other purposes; jointly, to the Committees on Government Operations, Rules, and Ways and Means.

H.R. 4894. A bill to provide that the Congress shall be covered by certain employment and civil rights laws, and for other purposes; jointly, to the Committees on House Administration, Education and Labor, Ways and Means, Government Operations, and the Judiciary.

By Mr. CHANDLER (for himself, Mr. WYDEN, Mr. IRELAND, Mr. MORRISON, Mr. GUNDERSON, Mr. SISISKY, Mrs. UNSOELD, Mr. MILLER of Washington, and Mr. SENSENBRENNER):

H.R. 4895. A bill to amend the Small Business Investment Act of 1958 to permit prepayment of debentures issued by State and local development companies; to the Committee on Small Business.

By Mr. CLAY (for himself, Mr. BLILEY, Mr. BOUCHER, Mr. CARR, Mr. COBLE, Mr. COUGHLIN, Mr. GALLO, Mr. MCCOLLUM, Mr. SCHIFF, Mr. SMITH of Texas, and Mr. SYNAR):

H.R. 4896. A bill to extend the patent term of certain products; to the Committee on the Judiciary.

By Mr. CUNNINGHAM (for himself and Mr. HALL of Texas):

H.R. 4897. A bill to amend title I of the Omnibus Crime Control and Safe Streets Act of 1968 to deny grant funds to States unless law enforcement officers are permitted to carry concealed firearms; to the Committee on the Judiciary.

By Mr. DAVIS:

H.R. 4898. A bill to amend title II of the Social Security Act to permit the State of Michigan to obtain social security coverage for State and local policemen and firemen under its State agreement entered into pursuant to section 218 of such act; to the Committee on Ways and Means.

By Mr. DE LA GARZA (for himself, Mr. MILLER of California, Mr. JONES of North Carolina, Mr. VENTO, Mr. VOLKMER, and Mr. STUDDS):

H.R. 4899. A bill to establish an Old-Growth Forest Reserve, and for other purpose; jointly, to the Committees on Agriculture and Interior and Insular Affairs.

By Mr. DINGELL:

H.R. 4900. A bill to ensure the financial soundness and solvency of insurers, and for other purposes; to the Committee on Energy and Commerce.

By Mr. DE LUGO:

H.R. 4901. A bill to amend the Revised Organic Act of the Virgin Islands; to the Committee on Interior and Insular Affairs.

By Mr. DORGAN of North Dakota:

H.R. 4902. A bill to amend the Internal Revenue Code of 1986 to provide a temporary investment tax credit for new property that is an integral part of manufacturing, production, or extraction; to the Committee on Ways and Means.

By Mr. DREIER of California:

H.R. 4903. A bill to amend the Small Business Act to eliminate a restriction on the maximum term of disaster loans available to businesses able to obtain credit elsewhere; to the Committee on Small Business.

By Mr. DUNCAN:

H.R. 4904. A bill to suspend until January 1, 1997 the duty on certain bicycle parts; to the Committee on Ways and Means.

By Mr. ECKART:

H.R. 4905. A bill to amend the Solid Waste Disposal Act to regulate the disposal of waste associated with the exploration, development, and production of crude oil and natural gas, and for other purposes; to the Committee on Energy and Commerce.

By Mr. ENGLISH (for himself and Mr. PENNY):

H.R. 4906. A bill to amend the Consolidated Farm and Rural Development Act to establish a program to aid beginning farmers and ranchers and to improve the operation of the Farmers Home Administration, and to amend the Farm Credit Act of 1971 and for other purposes; to the Committee on Agriculture.

By Mr. FAZIO:

H.R. 4907. A bill to provide for assistance to customers of the Western Area Power Administration for the design and development of cost-effective renewable energy projects, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. FIELDS (for himself, Mr. TAUZIN, Mr. DAVIS, Mr. LENT, and Ms. SNOWE):

H.R. 4908. A bill to amend title 46 United States Code, to prohibit the establishment and collection of any fee or charge for the issuance of certain entry level merchant seaman licenses and merchant mariners' documents, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. FISH:

H.R. 4909. A bill to amend chapter 11 of title 38, United States Code, to provide that veterans who are former prisoners of war shall be deemed to have a service-connected disability rated as total for the purposes of determining the benefits due to such veterans; to the Committee on Veterans' Affairs.

H.R. 4910. A bill to delay the effective date of the provisions of the Capitol Police Retirement Act which relate to mandatory retirement; to the Committee on House Administration.

H.R. 4911. A bill to amend the Internal Revenue Code of 1986 to allow a deduction for depreciation of new domestically manufactured automobiles used for personal purposes; to the Committee on Ways and Means.

By Mr. GEREN of Texas (for himself and Mr. CRAMER):

H.R. 4912. A bill to amend title 28, United States Code, to remove from the district courts jurisdiction over actions to determine questions regarding inmate capacity at State penal and correctional institutions; to the Committee on the Judiciary.

By Mr. GIBBONS (for himself and Mr. CRANE) (both by request):

H.R. 4913. A bill to amend the Harmonized Tariff Schedule of the United States provisions implementing annex D of the Nairobi protocol to the Florence agreement on the importation of education, scientific, and cultural materials, and for other purposes; to the Committee on Ways and Means.

By Mr. HENRY:

H.R. 4914. A bill to establish a manufacturing alliance program within the Technology Administration of the Department of Commerce to assist small manufacturers in research and development, technology transfer, and worker training; jointly, to the Committees on Science, Space, and Technology and Education and Labor.

By Mr. HOLLOWAY:

H.R. 4915. A bill to suspend until January 1, 1995, the duty on isphytol; to the Committee on Ways and Means.

H.R. 4916. A bill to suspend until January 1, 1995, the duty of riboflavin; to the Committee on Ways and Means.

H.R. 4917. A bill to suspend until January 1, 1995, the duty on trimethylhydroquinone; to the Committee on Ways and Means.

By Ms. HORN (for herself, Mr. KOSTMAYER, Mr. BUSTAMANTE, Mrs. LLOYD, Mr. OLVER, and Mr. WYDEN):

H.R. 4918. A bill to authorize appropriations to the Secretary of Defense to provide financial assistance for manufacturing extension programs and critical technology application centers; to the Committee on Armed Services.

By Mr. HUGHES (for himself, Mr. BOEHLERT, Mr. WASHINGTON, Mr. LEVIN of Michigan, Mr. ROYBAL, Mr. DOWNEY, Mrs. LLOYD, Mr. LEWIS of Georgia, Mr. STUDDS, Mr. PENNY, Mr. LIPINSKI, Mr. JONTZ, and Ms. PELOSI):

H.R. 4919. A bill to amend title I of the Employee Retirement Income Security Act of 1974 to clarify and improve the applicability of such title to multiple employer welfare arrangements and employee leasing welfare arrangements and to provide for more effective State regulation thereof; jointly, to the Committees on Education and Labor and Rules.

By Mr. HYDE (for himself, Mr. HORTON, Mr. JEFFERSON, Ms. MOLINARI, Mr. EMERSON, Mr. FROST, Mr. MILLER of Ohio, Mr. PETRI, Mr. FISH, Mr. ECKART, Mr. SMITH of New Jersey, and Mr. DORNAN of California):

H.R. 4920. A bill to amend title II of the Social Security Act to disregard, for purposes of the requirement for recency of work in order to be insured for disability insurance benefits or to qualify for periods of disability, up to 60 calendar quarters for which the worker does not earn a quarter of coverage while caring for a child at home; to the Committee on Ways and Means.

By Mr. JENKINS:

H.R. 4921. A bill to suspend for a 2-year period the duty on Malathion; to the Committee on Ways and Means.

H.R. 4922. A bill to provide duty-free entry privileges to participants in, and other individuals associated with, the XXVI Summer Olympiad in Atlanta, GA, and for other purposes; to the Committee on Ways and Means.

H.R. 4923. A bill to extend the temporary suspension of the duty on nitro sulfon B; to the Committee on Ways and Means.

By Mr. JONTZ (for himself, Mr. EVANS, Mr. POSHARD, Ms. KAPTUR, Mr. LIPIN-

ski, Mr. OWENS of New York, and Mr. LEVINE of California):

H.R. 4924. A bill to reform the operations and structure of the Resolution Trust Corporation to serve the real economy of the country, provide accountability to the taxpayers and consumers, and for other purposes; jointly, to the Committees on Banking, Finance and Urban Affairs and Ways and Means.

By Mrs. KENNELLY:

H.R. 4925. A bill to extend January 1, 1995, the existing suspension of duty on wicker products; to the Committee on Ways and Means.

H.R. 4926. A bill to suspend until January 1, 1995, the duty on certain glass articles; to the Committee on Ways and Means.

H.R. 4927. A bill to establish economic conversion programs in the Department of Defense to assist communities, businesses, and workers adversely affected by reductions in defense contracts and spending and closures of military installations; jointly, to the Committees on Armed Services, Ways and Means, Education and Labor, and Banking, Finance and Urban Affairs.

By Mr. KOLBE (for himself, Mr. LEWIS of California, Mr. SKEEN, and Mr. SMITH of Texas):

H.R. 4928. A bill to establish a bilateral United States-Mexico Commission to study issues of economic development and infrastructure along the border between the United States and Mexico; to the Committee on Foreign Affairs.

By Mr. KOLBE:

H.R. 4929. A bill to provide incentives for certain voluntarily separated military personnel to become elementary and secondary school teachers; jointly, to the Committees on Armed Services and Education and Labor.

H.R. 4930. A bill to provide for forfeiture of property involved in the commission of Federal health care offenses and to establish the Health Care Fraud Forfeiture Fund in the Treasury; to the Committee on the Judiciary.

By Mr. LEACH:

H.R. 4931. A bill to provide for an extended deadline for passage of a referendum to approve the establishment of the Quad Cities Interstate Authority; to the Committee on the Judiciary.

By Mr. LEHMAN of Florida (for himself and Mr. SHAW):

H.R. 4932. A bill to correct the tariff treatment of certain articles covered by the Nairobi protocol; to the Committee on Ways and Means.

By Mr. LOWERY of California:

H.R. 4933. A bill to amend the Congressional Budget and Impoundment Control Act of 1974 to provide for reform, greater accountability and honesty in the budget process, and for other purposes; jointly, to the Committees on Government Operations, Rules, Appropriations, and Ways and Means.

H.R. 4934. A bill to amend the Federal Election Campaign Act of 1971 to make Federal elections more competitive, open, and honest by providing for reform of campaign finance laws and for other purposes; jointly, to the Committees on House Administration, Ways and Means, and Energy and Commerce.

By Mr. MACHTLEY:

H.R. 4935. A bill to amend title 10, United States Code, to establish in the Office of the Secretary of Defense the position of Assistant Secretary of Defense for Drug Enforcement Policy; to the Committee on Armed Services.

By Mr. MARKEY:

H.R. 4936. A bill to suspend until January 1, 1995, the duty on Neurolite (complete dosage kits) and Bicisate Dihydrochloride 0.9 mg (ECE=2HC1); to the Committee on Ways and Means.

H.R. 4937. A bill to suspend until January 1, 1995, the duty on Cardiolite (complete dosage kits) and Tetrakis (1-isontrilo-2-methoxy-2-methylpropane) Cu (I) tetrafluoroborate (1 mg); to the Committee on Ways and Means.

By Mr. MARKEY (for himself and Mr. RINALDO) (both by request);

H.R. 4938. A bill to amend the Securities Act of 1933 and the Investment Company Act of 1940 to promote capital formation for small businesses and others through exempted offerings under the Securities Act and through investment pools that are excepted or exempted from regulation under the Investment Company Act and through business development companies; to the Committee on Energy and Commerce.

By Mr. MONTGOMERY:

H.R. 4939. A bill to correct the tariff treatment of certain gauze laparotomy pads and sponges; to the Committee on Ways and Means.

By Mr. NAGLE:

H.R. 4940. A bill to suspend until January 1, 1995, the duty on sulfapyridine; to the Committee on Ways and Means.

H.R. 4941. A bill to make improvements in the operation of the Generalized System of Preferences under title V of the Trade Act of 1974; to the Committee on Ways and Means.

By Mr. ORTON:

H.R. 4942. A bill to amend section 212 of the HOME Investment Partnerships Act to authorize participating jurisdictions to use assistance under such act for administrative costs; to the Committee on Banking, Finance and Urban Affairs.

By Mr. OWENS of New York:

H.R. 4943. A bill to reduce the cost of operating the military service academies, to establish a program of college scholarships to assist the education of students in exchange for services in the Federal Government, and to increase Montgomery GI bill benefits; jointly, to the Committees on Armed Services and Veterans' Affairs.

By Mr. PAXON (for himself, Mr. CUNNINGHAM, and Mr. DANNEMEYER):

H.R. 4944. A bill to amend the Congressional Budget Act of 1974 to require that the Congressional Budget Office prepare an analysis of the job loss or gain that would result from each reported bill; to the Committee on Rules.

By Mr. PAYNE of New Jersey:

H.R. 4945. A bill to reduce until January 1, 1995, the duty on succinnic anhydride; to the Committee on Ways and Means.

By Mr. PORTER:

H.R. 4946. A bill to suspend until January 1, 1995, the duty on Tacrolimus (FK506); to the Committee on Ways and Means.

By Mr. REGULA:

H.R. 4947. A bill to amend chapter 15 of the National Security Act of 1947 to promote the transfer of technology to U.S. industries for the national welfare; jointly, to the Committees on Banking, Finance and Urban Affairs; Science, Space, and Technology; and Armed Services.

By Mr. RHODES:

H.R. 4948. A bill to amend the act of October 19, 1984 (Public Law 98–530; 98 Stat. 2698), to authorize certain uses of water by the Ak-Chin Indian Community, AZ; to the Committee on Interior and Insular Affairs.

By Mr. RICHARDSON:

H.R. 4949. A bill to amend the Solid Waste Disposal Act to provide for the phaseout of toxic persistent and bioaccumulative substances, and for other purposes; to the Committee on Energy and Commerce.

By Mrs. ROUKEMA (for herself and Mr. VOLKMER):

H.R. 4950. A bill to suspend until January 1, 1995, the duty on certain chemicals; to the Committee on Ways and Means.

By Mr. RUSSO:

H.R. 4951. A bill to suspend until January 1, 1995, the duty on Calan IR and Calan SR; to the Committee on Ways and Means.

H.R. 4952. A bill to suspend until January 1, 1995, the duty on TFA and DM-8; to the Committee on Ways and Means.

By Mrs. SCHROEDER (for herself, Mr. CAMPBELL of Colorado, Mr. SKAGGS, Mr. HEFLEY, and Mr. HAMILTON):

H.R. 4953. A bill to amend the base closure laws to improve the provision of adjustment assistance to employees of the Department of Defense adversely affected by the closure or realignment of a military installation; jointly, to the Committees on Education and Labor and Armed Services.

By Mr. SCHUMER:

H.R. 4954. A bill to prohibit the receipt of advance fees by unregulated loan brokers; jointly, to the Committees on Banking, Finance and Urban Affairs, and the Judiciary.

By Mr. SKELTON:

H.R. 4955. A bill to amend titles 10 and 37, United States Code, to authorize service by a member of the Senior Reserve Officer Training Corps Program on active duty other than for training while concurrently an enlisted member of the Selected Reserve to be credited in computing length of service as a member of the Armed Forces for basic pay and other purposes; to the Committee on Armed Services.

By Mr. STARK:

H.R. 4956. A bill to provide for administrative simplification in the administration of health care services in the United States; jointly, to the Committees on Ways and Means and Energy and Commerce.

By Mr. STEARNS:

H.R. 4957. A bill to amend title II of the Social Security Act to exclude from amounts treated as wages to applying the earnings test remuneration for teaching in public elementary or secondary schools; to the Committee on Ways and Means.

By Mr. STUDDS:

H.R. 4958. A bill to promote the conservation of exotic wild birds; jointly, to the Committees on Ways and Means, the Judiciary, and Merchant Marine and Fisheries.

By Mr. STUDDS (for himself and Mr. WAXMAN):

H.R. 4959. A bill to revise the orphan drug provisions of the Federal Food, Drug, and Cosmetic Act, the Public Health Service Act, and the Orphan Drug Act, and for others purposes; to the Committee on Energy and Commerce.

By Mr. THOMAS of California:

H.R. 4960. A bill to amend the Internal Revenue Code of 1986 to reduce compliance costs and administrative burdens in connection with foreign taxes, and for other purposes; to the Committee on Ways and Means.

H.R. 4961. A bill to remove the restrictions on the export of Alaskan North Slope oil; jointly, to the Committees on Foreign Affairs Energy and Commerce, and Interior and Insular Affairs.

By Mr. TOWNS (for himself, Mr. COYNE, Ms. OAKAR, and Mr. WEBER):

H.R. 4962. A bill to amend title XVIII of the Social Security Act to provide for increased Medicare reimbursement for physician assistants, to increase the delivery of health services in health professional shortage areas, and for other purposes; jointly, to the Committees on Ways and Means and Energy and Commerce.

By Mr. TOWNS (for himself, Mr. COYNE, Mr. AUCOIN, Ms. OAKAR, and Mr. WEBER):

H.R. 4963. A bill to amend title XVIII of the Social Security Act to provide for increased Medicare reimbursement for nurse practitioners, clinical nurse specialists, and certified nurse midwives, to increase the delivery of health services in health professional shortage areas, and for other purposes; jointly, to the Committees on Ways and Means and Energy and Commerce.

By Mr. GREEN of New York:

H.R. 4964. A bill to reduce temporarily the duty on certain food coloring solutions; to the Committee on Ways and Means.

By Ms. WATERS (for herself and Mr. COLEMAN of Texas):

H.R. 4965. A bill to amend title 10, United States Code, to provide that enlisted members of the Armed Forces who have completed 18, but less than 20, years of active duty shall be treated in the same manner as officers with respect to retention on active duty until becoming eligible for retired pay; to the Committee on Armed Services.

H.R. 4966. A bill to amend title 10, United States Code, to provide that reductions in military retired pay for purposes of the Supplemental Survivor Benefit Plan under subchapter III of chapter 73 of that title shall be computed based upon the same methodology as applies to reductions in retired pay under the Survivor Benefit Plan for spouse coverage; to the Committee on Armed Services.

H.R. 4967. A bill to restore reductions in veterans' benefits made by the Omnibus Budget Reconciliation Act of 1990; to the Committee on Veterans' Affairs.

H.R. 4968. A bill to provide a minimum survivor annuity for the unremarried surviving spouses of retired members of the Armed Forces who died before March 21, 1974; to the Committee on Armed Services.

H.R. 4969. A bill to provide a 10-percent increase in the retired pay of members of the Armed Forces whose retired pay is based on rates of basic pay in effect before October 1, 1963, and in the annuities of their surviving spouses; to the Committee on Armed Services.

By Mr. WILLIAMS (for himself, Mr. MARLENEE, Mr. OWENS of Utah, Mr. YOUNG of Alaska, Mr. LEHMAN of California, Mr. CAMPBELL of Colorado, Mr. RICHARDSON, Mr. DEFAZIO, Mr. STALLINGS, Mr. SWIFT, Mr. SKAGGS, Mr. RAHALL, Mr. MURPHY, Mr. OBERSTAR, Mr. ALLARD, Mr. SKEEN, Mr. FALEOMAVAEGA, Mr. JOHNSON of South Dakota, Mr. LAROCCO, Mr. DE LUGO, Mr. DOOLEY, Mr. HANSEN, Mrs. VUCANOVICH, Mr. RHODES, Mr. THOMAS of Wyoming, Mr. HEFLEY, Mr. ORTON, Mr. CHANDLER, Mr. KOPETSKI, Mr. SWETT, Mr. BILBRAY, Mr. MORRISON, Mrs. UNSOELD, Mr. FAZIO, Mr. CONDIT, Mrs. SCHROEDER, Mr. DICKS, Mr. SCHAEFER, Mr. SCHIFF, Mr. DOOLITTLE, Mr. HERGER, Mr. LEWIS of California, Mr. THOMAS of California, Mr. ZELIFF, and Mr. STUMP):

H.R. 4970. A bill to further clarify authorities and duties of the Secretary of Agriculture in issuing ski area permits on National Forest System lands; jointly, to the Committees on Interior and Insular Affairs and Agriculture.

By Mr. WILLIAMS (for himself, Mr. MARLENEE, Mr. OWENS of Utah, Mr. YOUNG of Alaska, Mr. LEHMAN of Florida, Mr. CAMPBELL of Colorado, Mr. RICHARDSON, Mr. DEFAZIO, Mr. STALLINGS, Mr. SKAGGS, Mr. RAHALL, Mr. MURPHY, Mr. OBERSTAR, Mr. ALLARD, Mr. SKEEN, Mr. FALEOMAVAEGA, Mr. JOHNSON of South Dakota, Mr. LAROCCO, Mr. DE LUGO, Mr. DOOLEY, Mr. HANSEN, Mrs. VUCANOVICH, Mr. RHODES, Mr. THOMAS of Wyoming, Mr. HEFLEY, Mr. ORTON, Mr. CHANDLER, Mr. KOPETSKI, Mr. SWETT, Mr. BILBRAY, Mr. MORRISON, Mrs. UNSOELD, Mr. FAZIO, Mr. CONDIT, Mrs. SCHROEDER, Mr. DICKS, Mr. SCHAEFER, Mr. SCHIFF, Mr. DOOLITTLE, Mr. HERGER, Mr. LEWIS of California, Mr. THOMAS of California, Mr. ZELIFF, and Mr. STUMP):

H.R. 4971. A bill to clarify authorities of the Secretary of Agriculture in considering and issuing certain special use permits on National Forest System lands; jointly, to the Committees on Interior and Insular Affairs and Agriculture.

By Mr. ANDREWS of Maine:

H.R. 4972. A bill to amend title 5, United States Code, to limit the time within which the Office of Special Counsel must determine whether or not reasonable grounds exist to support an allegation that a prohibited personnel practice has occurred, exists, or is to be taken, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. BAKER (for himself and Mr. NEAL of North Carolina):

H.R. 4973. A bill to modernize the Federal Home Loan Bank System to meet the needs of a changing housing finance industry, and to enhance the safety, soundness, and future of the Federal Home Loan Bank System; to the Committee on Banking, Finance and Urban Affairs.

By Mr. BLAZ (for himself, Mr. MONTGOMERY, Mr. PICKETT, Mr. STUMP, Mr. BREWSTER, Mr. YOUNG of Alaska, Mr. KENNEDY, and Mr. LAGOMARSINO):

H.R. 4974. A bill to provide for additional development at War in the Pacific National Historical Park, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. GILCHREST (for himself, Mr. ZIMMER, Mr. RAVENEL, Mrs. MORELLA, Mrs. JOHNSON of Connecticut, and Mr. RHODES):

H.R. 4975. A bill to provide for a moratorium on the construction of incinerators in the United States for the chemical munitions demilitarization of the Army until the Secretary of the Army certifies to Congress that the incineration disposal process to be used in the program is the safest means available at a reasonable cost; to the Committee on Armed Services.

By Mr. GUNDERSON (for himself and Mr. GOODLING):

H.R. 4976. A bill to improve the transition from school to work and promote youth apprenticeship, and for other purposes; to the Committee on Education and Labor.

By Mr. HUGHES (for himself and Mr. ANDREWS of New Jersey):

H.R. 4977. A bill to prohibit use of appropriated amounts by any Federal agency for services that are not directly related to the official functions of the agency, and for other purposes; jointly, to the Committees on Government Operations and the Judiciary.

By Mr. HUGHES (for himself and Mr. MOORHEAD):

H.R. 4978. A bill to amend title 35, United States Code, to harmonize the U.S. patent system with foreign patent systems; to the Committee on the Judiciary.

By Mr. KENNEDY (for himself, Mr. EVANS, Mr. LIPINSKI, Ms. KAPTUR, Mr. OWENS of New York, and Mr. LEVINE of California):

H.R. 4979. A bill to provide consumers with a stronger voice in the financial services industry and before Government bodies through the establishment of the Financial Consumers Association, and for other purposes; jointly, to the Committees on Banking, Finance and Urban Affairs and Energy and Commerce.

By Mr. LAROCCO (for himself, Mr. STALLINGS, Mr. CAMPBELL of Colorado, Mr. LEWIS of Georgia, Mr. MORRISON, Mr. DICKS, Mrs. UNSOELD, Mr. BILBRAY, Mr. DOOLEY, Mr. RAHALL, Mr. ORTON, Mr. RICHARDSON, Mr. SWIFT, Mr. JOHNSON of South Dakota, Mr. ABERCROMBIE, Mr. KOPETSKI, Mr. HERGER, Mr. EDWARDS of Texas, Mr. DOOLITTLE, Mr. MARLENEE, Mr. MILLER of California, Mr. CHANDLER, Mr. COX of Illinois, and Mr. DEFAZIO):

H.R. 4980. A bill to require an annual report from the Secretary of Agriculture evaluating the overall health of trees in the National Forest System and identifying opportunities to salvage dead and dying trees and to provide expedited procedures for conducting salvage sales and reforestation activities that are consistent with land and resource management plans; jointly, to the Committees on Interior and Insular Affairs and Agriculture.

By Mr. MACHTLEY:

H.R. 4981. A bill to require the Secretary of Defense to establish a Defense Adjustment Institute; jointly, to the Committees on Armed Services; Banking, Finance and Urban Affairs; and Education and Labor.

By Mr. MAZZOLI:

H.R. 4982. A bill to amend the Federal Election Campaign Act of 1971 to ban activities of political action committees in elections for Federal office and to reduce the limitation on contributions to candidates by persons other than multicandidates political committees; to the Committee on House Administration.

By Mr. SANTORUM (for himself, Mr. WEBER, Mr. WOLF, Mr. VOLKMER, Mr. DOOLITTLE, Mr. HOLLOWAY, and Mr. KOLTER):

H.R. 4983. A bill to amend the Public Health Service Act to make modifications in the program for adolescent family life demonstration projects; to the Committee on Energy and Commerce.

By Mr. STUDDS (for himself and Ms. PELOSI):

H.R. 4984. A bill to authorize the Administrator to Evaluate the Effectiveness of Advanced, Ecologically Engineered Wastewater Treatment Technology for coastal communities and other locations; to the Committee on Public Works and Transportation.

By Mr. WISE:

H.R. 4985. A bill to provide a separate appropriation for all congressional foreign travel, and for other purposes; jointly, to the Committees on House Administration and Rules.

By Mr. WOLPE (for himself, Mr. RINALDO, Mr. SYNAR, Mr. ECKART, Mr. SIKORSKI, Mr. MARKEY, Mr. WAXMAN, Mr. BILIRAKIS, Mrs. COLLINS of Illinois, Mr. RICHARDSON, Mr. COOPER, Mr. TOWNS, Mr. SCHEUER, Mr. STUDDS, Mr. KOSTMAYER, Mr. BRYANT, Mr. MANTON, Mr. ANDREWS of Maine, Mr. GALLO, Mr. BONIOR, Mr. TRAXLER, Mr. HENRY, Mr. LEWIS of Florida, Mr. ZIMMER, Mr. SABO, Ms. KAPTUR, Mr. CONDIT, Mr. MORAN, Mr. PEASE, Mr. FRANK of Massachusetts, Mr. FASCELL, Mr. BERMAN, Mr. TORRES, Mr. KILDEE, Mr. WEISS, Mr. DELLUMS, Mr. AUCOIN, Mr. KENNEDY, Mr. MOODY, Mrs. BOXER, Mr. SKAGGS, Mr. LEVIN of Michigan, Mr. CONYERS, Mr. VENTO, Mr. ANDREWS of New Jersey, Mrs. COLLINS of Michigan, Mr. MCDERMOTT, Ms. PELOSI, Mr. PENNY, Ms. NORTON, Mrs. LOWEY of New York, Mr. VALENTINE, Mr. STARK, Ms. MOLINARI, Mr. KOLTER, Mr. SENSENBRENNER, Mr. ENGEL, Mr. COX of Illinois, Mr. FAZIO, Mr. EVANS, Mr. COLEMAN of Texas, Ms. SLAUGHTER, Mr. SMITH of New Jersey, Mr. BROWN, Mr. NEAL of Massachusetts, Mr. ZELIFF, Mr. MRAZEK, Mr. DWYER of New Jersey, Mr. MCMILLEN of Maryland, Mr. ANDREWS of Texas, Mr. OBEY, Mr. SANDERS, Mrs. MEYERS of Kansas, Mr. ACKERMAN, Mrs. SCHROEDER, Mr. LEHMAN of California, and Mr. JONTZ):

H.R. 4986. A bill to require Federal facilities to comply with the Emergency Planning and Community Right-To-Know Act; to the Committee on Energy and Commerce.

By Mrs. BYRON:

H.J. Res. 468. Joint resolution designating March 20, 1993, as ''National Quilting Day''; to the Committee on Post Office and Civil Service.

By Mr. KENNEDY (for himself, Mr. TOWNS, Mr. HEFNER, Mr. ROYBAL, Mr. TALLON, Mr. MATSUI, Mr. ALEXANDER, Ms. LONG, Mr. ESPY, Mr. SCHEUER, Mr. SOLARZ, Mr. FEIGHAN, Mr. CLEMENT, Mr. HOCHBRUECKNER, Mr. BILIRAKIS, Mr. LAFALCE, Ms. OAKAR, Mr. MCMILLEN of Maryland, Mr. DWYER of New Jersey, Mr. WOLF, Mr. LEHMAN of Florida, Mr. VALENTINE, Mr. ERDREICH, Ms. NORTON, Mr. GINGRICH, Mr. PAYNE of New Jersey, Mrs. MINK, Mr. WOLPE, Mr. MACHTLEY, Mr. BILBRAY, Mr. HARRIS, Mr. DE LA GARZA, Mr. LANCASTER, Mr. KOPETSKI, Mr. WHEAT, Mr. JONTZ, Mr. WEISS, Mr. HAYES of Illinois, Mr. LAGOMARSINO, Mr. SWETT, Mr. JEFFERSON, Mr. FRANK of Massachusetts, Mr. SPRATT, Mr. EVANS, Mr. TRAXLER, Mr. WALSH, Mr. OWENS of Utah, Mr. CRAMER, Mr. SANDERS, Mrs. BOXER, Mrs. PATTERSON, Mr. LIPINSKI, Mr. JENKINS, and Mr. KLUG):

H.J. Res. 469. Joint resolution to designate the second Sunday in October of 1992 as ''National Children's Day''; to the Committee on Post Office and Civil Service.

By Mr. BROOMFIELD:

H.J. Res. 470. Joint resolution to designate the month of September 1992 as ''National Spina Bifida Awareness Month''; to the Committee on Post Office and Civil Service.

By Mr. SOLARZ:

H.J. Res. 471. Joint resolution designating September 16, 1992, as ''National Occupational Therapy Day''; to the Committee on Post Office and Civil Service.

By Mr. DOOLEY:

H.J. Res. 472. Joint resolution proposing an amendment to the Constitution of the United States to grant to the President line-item veto authority; to the Committee on the Judiciary.

By Mr. GILMAN (for himself, Mr. ROHRABACHER, and Mr. ABERCROMBIE):

H. Con. Res. 308. Concurrent resolution condemning the involvement of the military regime in Burma, also known as the Union of Myanmar, in the ongoing, horrifying abuses of human rights, the trafficking of illicit drugs, and the mass transfer of military arms; to the Committee on Foreign Affairs.

By Mr. BUNNING (for himself, Mr. MCCLOSKEY, and Mr. MONTGOMERY):

H. Con. Res. 309. Concurrent resolution expressing the sense of the Congress that the current Canadian quota regime on chicken imports should be removed as part of the Uruguay round and North American Free-Trade Agreement negotiations and that Canada's imposition of quotas on United States processed chicken violates article XI of the General Agreement on Tariffs and Trade; to the Committee on Ways and Means.

By Mr. SCHEUER (for himself, Mr. GREEN of New York, Mr. KOSTMAYER, Mr. MCMILLEN of Maryland, Mr. RITTER, and Mr. TOWNS):

H. Con. Res. 310. Concurrent resolution to express the sense of the Congress that current natural gas economic or market demand ''prorationing'' policies being considered by several States are contrary to the public interest of the citizens of the United States of America; to the Committee on Energy and Commerce.

By Mr. DOOLITTLE:

H. Res. 430. Resolution requiring an explanation from the chairman and vice chairman of the Ad Hoc Committee Investigating the Post Office of the Committee on House Administration of the allegations regarding disruption of the ongoing investigation; considered and agreed to.

By Mr. RIGGS:

H. Res. 431. Resolution requiring an investigation into the published reports of illegal hiring practices in the House of Representatives; considered and laid on the table.

By Mr. FORD of Michigan:

H. Res. 433. Resolution relating to the consideration of the Senate amendment to H.R. 2967; considered and agreed to.

By Mr. WALKER:

H. Res. 434. Resolution requiring the counsel to the Clerk of the House to recuse himself from any and all legal requests made by the Department of Justice concerning its investigation into the Office of the Postmaster; considered and laid on the table.

By Mr. CAMP (for himself and Mr. UPTON):

H. Res. 435. Resolution amending the Rules of the House to limit the availability of appropriations for salaries and expenses of the House to 1 year and to require certain excess allowance amounts to be returned to the Treasury; to the Committee on Rules.

By Mr. LOWERY of California:

H. Res. 436. Resolution amending the Rules of the House of Representatives to provide for a chief financial officer for the House, a general counsel, an inspector general, enact major reform of House rules, and for other purposes. jointly, to the Committees on Rules, House Administration, Government Operations, and Post Office and Civil Service.

By Mr. ROBERTS:

H. Res. 437. Resolution providing for savings in the operations of the House of Representatives to be achieved by transferring functions to private sector entities and eliminating staff positions; to the Committee on House Administration.

By Mr. JAMES:

H. Res. 438. Resolution creating a bipartisan search committee to recommend to the House an individual to fill the position of Sergeant-at-Arms; to the Committee on Rules.

¶43.57 MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

367. By the SPEAKER: Memorial of the Senate of the Commonwealth of Virginia, relative to POW's and MIA's; jointly, to the Committees on Government Operations and Armed Services.

368. Also, memorial of the Legislature of the State of Florida, relative to H.R. 4066; jointly, to the Committees on Foreign Affairs, the Permanent Select Committee on Intelligence, and the Committee on Ways and Means.

369. Also, memorial of the Legislature of the State of Maine, relative to reinvestment in Hometown America; jointly, to the Committees on Armed Services; Energy and Commerce; Banking, Finance and Urban Affairs; Education and Labor; Public Works and Transportation; and the Judiciary.

¶43.58 PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. GILCHREST:

H.R. 4987. A bill to clear certain impediments to the licensing of a vessel for employment in the coastwise trade and fisheries of the United States; to the Committee on Merchant Marine and Fisheries.

By Mr. VANDER JAGT:

H.R. 4988. A bill for the relief of A.N. Deringer, Inc.; to the Committee on Ways and Means.

¶43.59 ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 25: Mr. SIKORSKI.

H.R. 44: Mr. COSTELLO, Mrs. VUCANOVICH, Mrs. MEYERS of Kansas, Mr. LANCASTER, Mrs. MORELLA, Mr. HALL of Texas, Mr. HATCHER, and Mr. SANTORUM.

H.R. 520: Mr. MORAN.

H.R. 617: Mr. ERDREICH.

H.R. 700: Mr. GALLO.

H.R. 840: Mr. FAZIO.

H.R. 911: Mr. NEAL of North Carolina.

H.R. 1063: Mrs. BOXER.

H.R. 1092: Mr. GORDON.

H.R. 1124: Mr. COSTELLO.

H.R. 1189: Mr. SABO.

H.R. 1218: Mr. MFUME and Mr. CONYERS.

H.R. 1330: Mr. DAVIS and Mr. JOHNSON of Texas.

H.R. 1393: Mr. HUGHES.

H.R. 1430: Mr. PALLONE and Mr. BLACKWELL.

H.R. 1468: Mr. ENGLISH.

H.R. 1482: Mr. NUSSLE, Mr. LEWIS of Florida, Mr. VALENTINE, Mr. YATES, Mr. MINETA, Mr. GORDON, Mr. QUILLEN, Mrs. MORELLA, Mr. DARDEN, and Mr. STOKES.

H.R. 1509: Mr. CHAPMAN.

H.R. 1546: Mr. SWETT.

H.R. 1547: Mr. SWETT and Mr. GILCHREST.

H.R. 1566: Mr. HUBBARD and Mr. BRUCE.

H.R. 1572: Mr. DORGAN of North Dakota, Mr. DOOLEY, and Mr. JOHNSON of Texas.

H.R. 1601: Mr. ATKINS.

H.R. 1618: Mrs. MORELLA.

H.R. 1692: Mr. BLAZ.

H.R. 1723: Mr. ENGEL and Mr. SMITH of New Jersey.

H.R. 1774: Mr. DWYER of New Jersey.

H.R. 1790: Mr. SANTORUM.

H.R. 1889: Mr. ROWLAND.

H.R. 1987: Mr. NEAL of Massachusetts, Mr. PETERSON of Minnesota, Mr. RIDGE, Ms. LONG, Mr. DIXON, Mr. SHARP, and Mr. OBERSTAR.

H.R. 2075: Mr. DAVIS, Mr. TRAXLER, Mr. JONES of North Carolina, and Mr. BEREUTER.

H.R. 2232: Mr. MCMILLEN of Maryland.

H.R. 2238: Mr. MCMILLEN of Maryland.

H.R. 2293: Mr. LIPINSKI, Mr. HAYES of Illinois, and Mr. KENNEDY.

H.R. 2303: Mr. ATKINS.

H.R. 2336: Mr. STUDDS and Mr. ENGEL.

H.R. 2407: Mr. POSHARD.

H.R. 2419: Mr. ENGEL.

H.R. 2437: Mr. SMITH of Florida, Mr. BILBRAY, Mr. RAHALL, Mrs. VUCANOVICH, and Mr. BROWDER.

H.R. 2464: Mr. LEHMAN of California, Mr. COYNE, Mr. GRANDY, and Mr. DORNAN of California.

H.R. 2678: Mr. SABO.

H.R. 2695: Mr. PETERSON of Florida, Mr. SMITH of New Jersey, Mr. ENGLISH, Mr. CHAPMAN, and Mr. FISH.

H.R. 2782: Mr. PANETTA, Mr. COYNE, Mr. DONNELLY, Mr. WEISS, and Mr. MAVROULES.

H.R. 2840: Mr. JOHNSON of South Dakota.

H.R. 2898: Mr. HALL of Ohio and Ms. SNOWE.

H.R. 2966: Mr. COYNE, Mr. GAYDOS, Mr. NAGLE, Mr. HALL of Texas, and Mr. RICHARDSON.

H.R. 3026: Mr. PAYNE of New Jersey.

H.R. 3067: Mr. SOLOMON, Mr. ALLEN, and Mr. PAXON.

H.R. 3109: Mr. PETERSON of Minnesota, Mr. HATCHER, Mr. SUNDQUIST, Mr. EMERSON, Mr. DARDEN, and Mr. THOMAS of California.

H.R. 3221: Mr. MCCRERY.

H.R. 3222: Mr. MARKEY.

H.R. 3238: Mr. CLAY.

H.R. 3253: Mr. ENGEL.

H.R. 3311: Mr. MATSUI.

H.R. 3349: Mrs. ROUKEMA.

H.R. 3360: Mr. ROEMER, Mr. THORNTON, Mr. MANTON, Mrs. LLOYD, Mr. NAGLE, Mr.

SCHEUER, Mr. TRAFICANT, and Mr. HALL of Texas.

H.R. 3373: Mr. MANTON, Mr. KLUG, Mr. RHODES, Mr. PETERSON of Florida, Mrs. KENNELLY, Mr. FISH, and Mr. MCCRERY.

H.R. 3526: Mr. ROYBAL.

H.R. 3603: Mr. LEHMAN of Florida, Mr. KENNEDY, Mr. TOWNS, Mr. LIPINSKI, and Mr. RANGEL.

H.R. 3636: Mr. DERRICK, Mr. OBEY, Mr. ORTIZ, Mrs. JOHNSON of Connecticut, Mr. ANNUNZIO, Mr. PERKINS, Mr. YATRON, and Mr. ROE.

H.R. 3678: Mr. UPTON.

H.R. 3736: Mr. SCHAEFER, Mr. GLICKMAN, Ms. PELOSI, Mr. MARKEY, and Mr. ENGEL.

H.R. 3748: Mr. HOCHBRUECKNER, Mr. RICHARDSON, Mr. SKAGGS, and Mr. GUARINI.

H.R. 3763: Mr. LOWERY of California.

H.R. 3782: Mr. BROWN.

H.R. 3794: Mr. LEACH.

H.R. 3806: Mr. ROWLAND, Mr. TRAXLER, Mr. ABERCROMBIE, and Mr. BORSKI.

H.R. 3836: Mrs. MEYERS of Kansas.

H.R. 3838: Mr. SMITH of Oregon, Mr. TOWNS, Ms. HORN, Mr. KOLBE, Mr. BILIRAKIS, Mr. STEARNS, Mr. GEJDENSON, Mr. LIGHTFOOT, Mr. SARPALIUS, and Mr. GALLO.

H.R. 3849: Mr. HYDE, Mr. BENNETT, and Mr. KENNEDY,

H.R. 3953: Mr. HALL of Texas.

H.R. 3975: Mr. OWENS of New York, Mr. OLVER, Mr. STOKES, Mr. COX of Illinois, Mr. MARKEY, and Mr. STALLINGS.

H.R. 4007: Mr. FRANK of Massachusetts and Mrs. BOXER.

H.R. 4013: Mr. SLATTERY.

H.R. 4045: Mr. COLEMAN of Texas and Mr. LEHMAN of Florida.

H.R. 4053: Mr. DOOLEY, Mr. WILSON, Mr. RITTER, Mrs. MORELLA, Mr. SCHIFF, Mr. CONYERS, Mr. HUGHES, Mr. BROWN, Mr. CARDIN, Mr. ROYBAL, Mr. HERTEL, Mr. ABERCROMBIE, Mr. PETERSON of Florida, Mr. GILLMOR, Mr. JOHNSON of South Dakota, Mr. HOYER, Mr. LAFALCE, and Mr. KOPETSKI.

H.R. 4076: Mr. BUSTAMANTE and Mr. PERKINS.

H.R. 4093: Mr. BARRETT.

H.R. 4097: Mr. KOPETSKI.

H.R. 4100: Mr. TOWNS, Ms. OAKAR, Mr. MURPHY, and Ms. WATERS.

H.R. 4155: Mrs. JOHNSON of Connecticut, Mr. ZELIFF, Mr. KYL, and Mr. GILMAN.

H.R. 4163: Mr. HUNTER.

H.R. 4175: Mr. MARKEY, Mr. SIKORSKI, Mr. FOGLIETTA, Mrs. COLLINS of Illinois, Mr. FASCELL, Mr. FAZIO, Mrs. BYRON, Mr. SMITH of New Jersey, and Mr. DOWNEY.

H.R. 4199: Mr. RANGEL, Mr. JEFFERSON, Mr. ZELIFF, Mr. FROST, Mr. MCCANDLESS, Mr. SOLOMON, and Mr. ATKINS.

H.R. 4206: Mr. NOWAK and Ms. DELAURO.

H.R. 4218: Mr. BENNETT, Mr. FOGLIETTA, and Ms. KAPTUR.

H.R. 4230: Mr. ATKINS and Mr. BLACKWELL.

H.R. 4234: Mr. MCGRATH.

H.R. 4235: Mr. HOCHBRUECKNER.

H.R. 4249: Mr. GINGRICH.

H.R. 4253: Mr. SPRATT, Mr. MONTGOMERY, Mr. JONTZ, Mr. TRAXLER, Mr. LAUGHLIN, Mr. LEVINE of California, Mr. EVANS, Mr. HORTON, Mr. BLAZ, Mr. COLEMAN of Texas, and Mr. FROST.

H.R. 4255: Mr. BLACKWELL, Mr. DE LUGO, Mr. DIXON, Mr. JACOBS, Mr. KENNEDY, Mr. KLECZKA, Mr. MAVROULES, Mr. MCDERMOTT, Mr. MRAZEK, Mr. NEAL of Massachusetts, Mr. OWENS of New York, Mr. SANDERS, Mr. SANGMEISTER, Mr. SCHEUER, Mr. SIKORSKI, Mr. SKAGGS, Mr. STOKES, and Mr. DOWNEY.

H.R. 4256: Mr. BAKER, Mr. PAXON, Ms. NORTON, and Mr. LAFALCE.

H.R. 4280: Mr. KYL.

H.R. 4300: Mr. ACKERMAN, Mr. LEHMAN of Florida, and Mr. OBERSTAR.

H.R. 4334: Mr. ANDREWS of Texas, Mr. LAUGHLIN, Mr. INHOFE, Mr. BARTON of Texas, Mr. COX of California, Mr. FAWELL, and Mr. ZELIFF.

H.R. 4350: Mr. MCDERMOTT, Mr. FRANK of Massachusetts, Ms. PELOSI, Mr. JOHNSTON of Florida, Mr. LAFALCE, Mr. ATKINS, Mr. STARK, Ms. HORN, and Mr. DWYER of New Jersey.

H.R. 4356: Mr. ALEXANDER, Mr. FOGLIETTA, Mr. DEFAZIO, Ms. HORN, and Mr. FROST.

H.R. 4366: Ms. COLLINS of Michigan and Mr. MCCLOSKEY.

H.R. 4372: Mr. FOGLIETTA and Mr. EVANS.

H.R. 4377: Ms. NORTON and Mr. LIPINSKI.

H.R. 4383: Mr. FRANK of Massachusetts, Mr. MCNULTY, Mr. ENGEL, Mr. SCHEUER, Mr. SCHUMER, Mr. RANGEL, Mr. SOLARZ, Mr. NOWAK, Mr. WEISS, and Mr. CONYERS.

H.R. 4386: Mr. KOPETSKI, Mr. ATKINS, and Mr. MFUME.

H.R. 4393: Mr. BILIRAKIS, Mr. CALLAHAN, Mr. DARDEN, Mr. ENGEL, Mr. FASCELL, Mr. FISH, Mr. GINGRICH, Mr. GORDON, Mr. HAMMERSCHMIDT, Mr. HORTON, Mr. HUTTO, Mr. IRELAND, Mr. LEWIS of Florida, Mr. MANTON, Mr. RAY, Mr. STEARNS, and Mr. THORNTON.

H.R. 4399: Mr. MANTON, Mr. TOWNS, Mr. ZELIFF, Mr. PALLONE, and Mr. APPLEGATE.

H.R. 4405: Mr. FALEOMAVAEGA, Mrs. BYRON, Mr. RAHALL, Mr. ATKINS, Mr. REED, and Mr. FROST.

H.R. 4414: Mr. WELDON and Mr. EVANS.

H.R. 4416: Mrs. KENNELLY, Mr. DOWNEY, Mr. LIPINSKI, and Mr. ATKINS.

H.R. 4434: Mr. BRYANT, Mr. OWENS of Utah, and Mr. LIPINSKI.

H.R. 4458: Mr. EVANS.

H.R. 4463: Mr. AUCOIN and Mr. MAZZOLI.

H.R. 4464: Mr. THOMAS of Wyoming.

H.R. 4488: Mr. IRELAND, Mr. COBLE, Mr. RITTER, Mr. SCHULZE, Mr. MCCRERY, Mr. JONES of North Carolina, Mr. HAYES of Louisiana, Mr. BAKER, Mr. DANNEMEYER, Mr. LEWIS of Florida, Mr. MONTGOMERY, Mr. VALENTINE, and Mr. PARKER.

H.R. 4493: Mr. HORTON, Mr. ROE, and Mr. LAGOMARSINO.

H.R. 4507: Mr. BLACKWELL, Mr. BENNETT, Mr. LEACH, Mr. KYL, Ms. OAKAR, Mr. ALLARD, Mr. MANTON, Mr. SCHEUER, Mr. WYLIE, Mr. RICHARDSON, Mr. CONYERS, Mr. FISH, Mr. SMITH of New Jersey, Mr. COMBEST, Mr. MCCANDLESS, Mr. WALSH, Mr. SKELTON, Mr. RHODES, Mr. GUNDERSON, and Mr. PASTOR.

H.R. 4537: Mr. EVANS, Mr. TOWNS, Mr. BLAZ, Mr. BEILENSON, Mr. MCCLOSKEY, and Mr. TALLON.

H.R. 4538: Mr. HAYES of Illinois, Mr. ROE, Mr. PAYNE of New Jersey, Mr. FEIGHAN, Mr. OWENS of New York, Mr. RANGEL, Ms. NORTON, Mr. TOWNS, Mrs. MORELLA, Mr. MCGRATH, Mr. DEFAZIO, Mr. FOGLIETTA, Mr. MARTINEZ, Mr. FROST, Mr. PASTOR, and Mr. ENGEL.

H.R. 4551: Mr. MOAKLEY, Mr. LEHMAN of California, Mr. GILMAN, Mr. HAYES of Illinois, Ms. WATERS, Mr. MCNULTY, Mr. KENNEDY, Mr. TORRES, Mr. FEIGHAN, Mr. CAMPBELL of California, Mr. MRAZEK, Ms. HORN, Mr. STUDDS, and Mr. KOPETSKI.

H.R. 4591: Mr. LAFALCE, Mr. ALLEN, Mr. ATKINS, and Mr. FROST.

H.R. 4599: Mr. TOWNS and Mr. POSHARD.

H.R. 4617: Mr. OXLEY, Mr. SMITH of Texas, Mr. STUMP, Mr. MCEWEN, Mr. SOLOMON, Mr. BROOMFIELD, Mr. GUNDERSON, Mr. THOMAS of California, Mr. MACHTLEY, Mr. LAGOMARSINO, Mr. DREIER of California, Mr. HOBSON, Mr. CHANDLER, Mr. MILLER of Washington, Mr. GALLEGLY, Mr. GINGRICH, and Mr. HEFLEY.

H.R. 4618: Mr. OXLEY, Mr. SMITH of Texas, Mr. STUMP, Mr. MCEWEN, Mr. SOLOMON, Mr. BROOMFIELD, Mr. GUNDERSON, Mr. THOMAS of California, Mr. MACHTLEY, Mr. LAGOMARSINO, Mr. DREIER of California, Mr. HOBSON, Mr. CHANDLER, Mr. MILLER of Washington, Mr. GALLEGLY, Mr. GINGRICH, and Mr. HEFLEY.

H.R. 4619: Mr. OXLEY, Mr. SMITH of Texas, Mr. STUMP, Mr. MCEWEN, Mr. SOLOMON, Mr. BROOMFIELD, Mr. GUNDERSON, Mr. THOMAS of California, Mr. MACHTLEY, Mr. LAGOMARSINO, Mr. DREIER of California, Mr. HOBSON, Mr. CHANDLER, Mr. MILLER of Washington, Mr. GALLEGLY, Mr. GINGRICH, and Mr. HEFLEY.

H.R. 4620: Mr. OXLEY, Mr. SMITH of Texas, Mr. STUMP, Mr. MCEWEN, Mr. SOLOMON, Mr. BROOMFIELD, Mr. GUNDERSON, Mr. THOMAS of California, Mr. MACHTLEY, Mr. LAGOMARSINO, Mr. DREIER of California, Mr. HOBSON, Mr. CHANDLER, Mr. MILLER of Washington, Mr. GALLEGLY, Mr. GINGRICH, and Mr. HEFLEY.

H.R. 4621: Mr. OXLEY, Mr. SMITH of Texas, Mr. STUMP, Mr. MCEWEN, Mr. SOLOMON, Mr. BROOMFIELD, Mr. GUNDERSON, Mr. THOMAS of California, Mr. MACHTLEY, Mr. LAGOMARSINO, Mr. DREIER of California, Mr. HOBSON, Mr. CHANDLER, Mr. MILLER of Washington, Mr. GALLEGLY, Mr. GINGRICH, and Mr. HEFLEY.

H.R. 4622: Mr. OXLEY, Mr. SMITH of Texas, Mr. STUMP, Mr. MCEWEN, Mr. SOLOMON, Mr. BROOMFIELD, Mr. GUNDERSON, Mr. THOMAS of California, Mr. MACHTLEY, Mr. LAGOMARSINO, Mr. DREIER of California, Mr. HOBSON, Mr. CHANDLER, Mr. MILLER of Washington, Mr. GALLEGLY, Mr. GINGRICH, and Mr. HEFLEY.

H.R. 4623: Mr. OXLEY, Mr. SMITH of Texas, Mr. STUMP, Mr. MCEWEN, Mr. SOLOMON, Mr. BROOMFIELD, Mr. GUNDERSON, Mr. THOMAS of California, Mr. MACHTLEY, Mr. LAGOMARSINO, Mr. DREIER of California, Mr. HOBSON, Mr. CHANDLER, Mr. MILLER of Washington, Mr. GALLEGLY, Mr. GINGRICH, and Mr. HEFLEY.

H.R. 4624: Mr. OXLEY, Mr. SMITH of Texas, Mr. STUMP, Mr. MCEWEN, Mr. SOLOMON, Mr. BROOMFIELD, Mr. GUNDERSON, Mr. THOMAS of California, Mr. MACHTLEY, Mr. LAGOMARSINO, Mr. DREIER of California, Mr. HOBSON, Mr. CHANDLER, Mr. MILLER of Washington, Mr. GALLEGLY, Mr. GINGRICH, and Mr. HEFLEY.

H.R. 4625: Mr. OXLEY, Mr. SMITH of Texas, Mr. STUMP, Mr. MCEWEN, Mr. SOLOMON, Mr. BROOMFIELD, Mr. GUNDERSON, Mr. THOMAS of California, Mr. MACHTLEY, Mr. LAGOMARSINO, Mr. DREIER of California, Mr. HOBSON, Mr. CHANDLER, Mr. MILLER of Washington, Mr. GALLEGLY, Mr. GINGRICH, and Mr. HEFLEY.

H.R. 4626: Mr. OXLEY, Mr. SMITH of Texas, Mr. STUMP, Mr. MCEWEN, Mr. SOLOMON, Mr. BROOMFIELD, Mr. GUNDERSON, Mr. THOMAS of California, Mr. MACHTLEY, Mr. LAGOMARSINO, Mr. DREIER of California, Mr. HOBSON, Mr. CHANDLER, Mr. MILLER of Washington, Mr. GALLEGLY, Mr. GINGRICH, and Mr. HEFLEY.

H.R. 4627: Mr. OXLEY, Mr. SMITH of Texas, Mr. STUMP, Mr. MCEWEN, Mr. SOLOMON, Mr. BROOMFIELD, Mr. GUNDERSON, Mr. THOMAS of California, Mr. MACHTLEY, Mr. LAGOMARSINO, Mr. DREIER of California, Mr. HOBSON, Mr. CHANDLER, Mr. MILLER of Washington, Mr. GALLEGLY, Mr. GINGRICH, and Mr. HEFLEY.

H.R. 4628: Mr. OXLEY, Mr. SMITH of Texas, Mr. STUMP, Mr. MCEWEN, Mr. SOLOMON, Mr. BROOMFIELD, Mr. GUNDERSON, Mr. THOMAS of California, Mr. MACHTLEY, Mr. LAGOMARSINO, Mr. DREIER of California, Mr. HOBSON, Mr. CHANDLER, Mr. MILLER of Washington, Mr. GALLEGLY, Mr. GINGRICH, and Mr. HEFLEY.

H.R. 4629: Mr. OXLEY, Mr. SMITH of Texas, Mr. STUMP, Mr. MCEWEN, Mr. SOLOMON, Mr. BROOMFIELD, Mr. GUNDERSON, Mr. THOMAS of California, Mr. MACHTLEY, Mr. LAGOMARSINO, Mr. DREIER of California, Mr. HOBSON, Mr. CHANDLER, Mr. MILLER of Washington, Mr. GALLEGLY, Mr. GINGRICH, and Mr. HEFLEY.

H.R. 4630: Mr. OXLEY, Mr. SMITH of Texas, Mr. STUMP, Mr. MCEWEN, Mr. SOLOMON, Mr. BROOMFIELD, Mr. GUNDERSON, Mr. THOMAS of California, Mr. MACHTLEY, Mr. LAGOMARSINO, Mr. DREIER of California, Mr. HOBSON, Mr. CHANDLER, Mr. MILLER of Washington, Mr. GALLEGLY, Mr. GINGRICH, and Mr. HEFLEY.

H.R. 4631: Mr. OXLEY, Mr. SMITH of Texas, Mr. STUMP, Mr. MCEWEN, Mr. SOLOMON, Mr. BROOMFIELD, Mr. GUNDERSON, Mr. THOMAS of California, Mr. MACHTLEY, Mr. LAGOMARSINO, Mr. DREIER of California, Mr. HOBSON, Mr. CHANDLER, Mr. MILLER of Washington, Mr. GALLEGLY, Mr. GINGRICH, and Mr. HEFLEY.

H.R. 4632: Mr. OXLEY, Mr. SMITH of Texas, Mr. STUMP, Mr. MCEWEN, Mr. SOLOMON, Mr. BROOMFIELD, Mr. GUNDERSON, Mr. THOMAS of

California, Mr. MACHTLEY, Mr. LAGOMARSINO, Mr. DREIER of California, Mr. HOBSON, Mr. CHANDLER, Mr. MILLER of Washington, Mr. GALLEGLY, Mr. GINGRICH, and Mr. HEFLEY.

H.R. 4633: Mr. OXLEY, Mr. SMITH of Texas, Mr. STUMP, Mr. MCEWEN, Mr. SOLOMON, Mr. BROOMFIELD, Mr. GUNDERSON, Mr. THOMAS of California, Mr. MACHTLEY, Mr. LAGOMARSINO, Mr. DREIER of California, Mr. HOBSON, Mr. CHANDLER, Mr. MILLER of Washington, Mr. GALLEGLY, Mr. GINGRICH, and Mr. HEFLEY.

H.R. 4634: Mr. OXLEY, Mr. SMITH of Texas, Mr. STUMP, Mr. MCEWEN, Mr. SOLOMON, Mr. BROOMFIELD, Mr. GUNDERSON, Mr. THOMAS of California, Mr. MACHTLEY, Mr. LAGOMARSINO, Mr. DREIER of California, Mr. HOBSON, Mr. CHANDLER, Mr. MILLER of Washington, Mr. GALLEGLY, Mr. GINGRICH, and Mr. HEFLEY.

H.R. 4635: Mr. OXLEY, Mr. SMITH of Texas, Mr. STUMP, Mr. MCEWEN, Mr. SOLOMON, Mr. BROOMFIELD, Mr. GUNDERSON, Mr. THOMAS of California, Mr. MACHTLEY, Mr. LAGOMARSINO, Mr. DREIER of California, Mr. HOBSON, Mr. CHANDLER, Mr. MILLER of Washington, Mr. GALLEGLY, Mr. GINGRICH, and Mr. HEFLEY.

H.R. 4636: Mr. OXLEY, Mr. SMITH of Texas, Mr. STUMP, Mr. MCEWEN, Mr. SOLOMON, Mr. BROOMFIELD, Mr. GUNDERSON, Mr. THOMAS of California, Mr. MACHTLEY, Mr. LAGOMARSINO, Mr. DREIER of California, Mr. HOBSON, Mr. CHANDLER, Mr. MILLER of Washington, Mr. GALLEGLY, Mr. GINGRICH, and Mr. HEFLEY.

H.R. 4637: Mr. OXLEY, Mr. SMITH of Texas, Mr. STUMP, Mr. MCEWEN, Mr. SOLOMON, Mr. BROOMFIELD, Mr. GUNDERSON, Mr. THOMAS of California, Mr. MACHTLEY, Mr. LAGOMARSINO, Mr. DREIER of California, Mr. HOBSON, Mr. CHANDLER, Mr. MILLER of Washington, Mr. GALLEGLY, Mr. GINGRICH, and Mr. HEFLEY.

H.R. 4638: Mr. OXLEY, Mr. SMITH of Texas, Mr. STUMP, Mr. MCEWEN, Mr. SOLOMON, Mr. BROOMFIELD, Mr. GUNDERSON, Mr. THOMAS of California, Mr. MACHTLEY, Mr. LAGOMARSINO, Mr. DREIER of California, Mr. HOBSON, Mr. CHANDLER, Mr. MILLER of Washington, Mr. GALLEGLY, Mr. GINGRICH, and Mr. HEFLEY.

H.R. 4639: Mr. OXLEY, Mr. SMITH of Texas, Mr. STUMP, Mr. MCEWEN, Mr. SOLOMON, Mr. BROOMFIELD, Mr. GUNDERSON, Mr. THOMAS of California, Mr. MACHTLEY, Mr. LAGOMARSINO, Mr. DREIER of California, Mr. HOBSON, Mr. CHANDLER, Mr. MILLER of Washington, Mr. GALLEGLY, Mr. GINGRICH, and Mr. HEFLEY.

H.R. 4640: Mr. OXLEY, Mr. SMITH of Texas, Mr. STUMP, Mr. MCEWEN, Mr. SOLOMON, Mr. BROOMFIELD, Mr. GUNDERSON, Mr. THOMAS of California, Mr. MACHTLEY, Mr. LAGOMARSINO, Mr. DREIER of California, Mr. HOBSON, Mr. CHANDLER, Mr. MILLER of Washington, Mr. GALLEGLY, Mr. GINGRICH, and Mr. HEFLEY.

H.R. 4641: Mr. OXLEY, Mr. SMITH of Texas, Mr. STUMP, Mr. MCEWEN, Mr. SOLOMON, Mr. BROOMFIELD, Mr. GUNDERSON, Mr. THOMAS of California, Mr. MACHTLEY, Mr. LAGOMARSINO, Mr. DREIER of California, Mr. HOBSON, Mr. CHANDLER, Mr. MILLER of Washington, Mr. GALLEGLY, Mr. GINGRICH, and Mr. HEFLEY.

H.R. 4642: Mr. OXLEY, Mr. SMITH of Texas, Mr. STUMP, Mr. MCEWEN, Mr. SOLOMON, Mr. BROOMFIELD, Mr. GUNDERSON, Mr. THOMAS of California, Mr. MACHTLEY, Mr. LAGOMARSINO, Mr. DREIER of California, Mr. HOBSON, Mr. CHANDLER, Mr. MILLER of Washington, Mr. GALLEGLY, Mr. GINGRICH, and Mr. HEFLEY.

H.R. 4643: Mr. OXLEY, Mr. SMITH of Texas, Mr. STUMP, Mr. MCEWEN, Mr. SOLOMON, Mr. BROOMFIELD, Mr. GUNDERSON, Mr. THOMAS of California, Mr. MACHTLEY, Mr. LAGOMARSINO, Mr. DREIER of California, Mr. HOBSON, Mr. CHANDLER, Mr. MILLER of Washington, Mr. GALLEGLY, Mr. GINGRICH, and Mr. HEFLEY.

H.R. 4644: Mr. OXLEY, Mr. SMITH of Texas, Mr. STUMP, Mr. MCEWEN, Mr. SOLOMON, Mr. BROOMFIELD, Mr. GUNDERSON, Mr. THOMAS of California, Mr. MACHTLEY, Mr. LAGOMARSINO, Mr. DREIER of California, Mr. HOBSON, Mr. CHANDLER, Mr. MILLER of Washington, Mr. GALLEGLY, Mr. GINGRICH, and Mr. HEFLEY.

H.R. 4645: Mr. OXLEY, Mr. SMITH of Texas, Mr. STUMP, Mr. MCEWEN, Mr. SOLOMON, Mr. BROOMFIELD, Mr. GUNDERSON, Mr. THOMAS of California, Mr. MACHTLEY, Mr. LAGOMARSINO, Mr. DREIER of California, Mr. HOBSON, Mr. CHANDLER, Mr. MILLER of Washington, Mr. GALLEGLY, Mr. GINGRICH, and Mr. HEFLEY.

H.R. 4646: Mr. OXLEY, Mr. SMITH of Texas, Mr. STUMP, Mr. MCEWEN, Mr. SOLOMON, Mr. BROOMFIELD, Mr. GUNDERSON, Mr. THOMAS of California, Mr. MACHTLEY, Mr. LAGOMARSINO, Mr. DREIER of California, Mr. HOBSON, Mr. CHANDLER, Mr. MILLER of Washington, Mr. GALLEGLY, Mr. GINGRICH, and Mr. HEFLEY.

H.R. 4647: Mr. OXLEY, Mr. SMITH of Texas, Mr. STUMP, Mr. MCEWEN, Mr. SOLOMON, Mr. BROOMFIELD, Mr. GUNDERSON, Mr. THOMAS of California, Mr. MACHTLEY, Mr. LAGOMARSINO, Mr. DREIER of California, Mr. HOBSON, Mr. CHANDLER, Mr. MILLER of Washington, Mr. GALLEGLY, Mr. GINGRICH, and Mr. HEFLEY.

H.R. 4648: Mr. OXLEY, Mr. SMITH of Texas, Mr. STUMP, Mr. MCEWEN, Mr. SOLOMON, Mr. BROOMFIELD, Mr. GUNDERSON, Mr. THOMAS of California, Mr. MACHTLEY, Mr. LAGOMARSINO, Mr. DREIER of California, Mr. HOBSON, Mr. CHANDLER, Mr. MILLER of Washington, Mr. GALLEGLY, Mr. GINGRICH, and Mr. HEFLEY.

H.R. 4649: Mr. OXLEY, Mr. SMITH of Texas, Mr. STUMP, Mr. MCEWEN, Mr. SOLOMON, Mr. BROOMFIELD, Mr. GUNDERSON, Mr. THOMAS of California, Mr. MACHTLEY, Mr. LAGOMARSINO, Mr. DREIER of California, Mr. HOBSON, Mr. CHANDLER, Mr. MILLER of Washington, Mr. GALLEGLY, Mr. GINGRICH, and Mr. HEFLEY.

H.R. 4650: Mr. OXLEY, Mr. SMITH of Texas, Mr. STUMP, Mr. MCEWEN, Mr. SOLOMON, Mr. BROOMFIELD, Mr. GUNDERSON, Mr. THOMAS of California, Mr. MACHTLEY, Mr. LAGOMARSINO, Mr. DREIER of California, Mr. HOBSON, Mr. CHANDLER, Mr. MILLER of Washington, Mr. GALLEGLY, Mr. GINGRICH, and Mr. HEFLEY.

H.R. 4651: Mr. OXLEY, Mr. SMITH of Texas, Mr. STUMP, Mr. MCEWEN, Mr. SOLOMON, Mr. BROOMFIELD, Mr. GUNDERSON, Mr. THOMAS of California, Mr. MACHTLEY, Mr. LAGOMARSINO, Mr. DREIER of California, Mr. HOBSON, Mr. CHANDLER, Mr. MILLER of Washington, Mr. GALLEGLY, Mr. GINGRICH, and Mr. HEFLEY.

H.R. 4652: Mr. OXLEY, Mr. SMITH of Texas, Mr. STUMP, Mr. MCEWEN, Mr. SOLOMON, Mr. BROOMFIELD, Mr. GUNDERSON, Mr. THOMAS of California, Mr. MACHTLEY, Mr. LAGOMARSINO, Mr. DREIER of California, Mr. HOBSON, Mr. CHANDLER, Mr. MILLER of Washington, Mr. GALLEGLY, Mr. GINGRICH, and Mr. HEFLEY.

H.R. 4653: Mr. OXLEY, Mr. SMITH of Texas, Mr. STUMP, Mr. MCEWEN, Mr. SOLOMON, Mr. BROOMFIELD, Mr. GUNDERSON, Mr. THOMAS of California, Mr. MACHTLEY, Mr. LAGOMARSINO, Mr. DREIER of California, Mr. HOBSON, Mr. CHANDLER, Mr. MILLER of Washington, Mr. GALLEGLY, Mr. GINGRICH, and Mr. HEFLEY.

H.R. 4654: Mr. OXLEY, Mr. SMITH of Texas, Mr. STUMP, Mr. MCEWEN, Mr. SOLOMON, Mr. BROOMFIELD, Mr. GUNDERSON, Mr. THOMAS of California, Mr. MACHTLEY, Mr. LAGOMARSINO, Mr. DREIER of California, Mr. HOBSON, Mr. CHANDLER, Mr. MILLER of Washington, Mr. GALLEGLY, Mr. GINGRICH, and Mr. HEFLEY.

H.R. 4655: Mr. OXLEY, Mr. SMITH of Texas, Mr. STUMP, Mr. MCEWEN, Mr. SOLOMON, Mr. BROOMFIELD, Mr. GUNDERSON, Mr. THOMAS of California, Mr. MACHTLEY, Mr. LAGOMARSINO, Mr. DREIER of California, Mr. HOBSON, Mr. CHANDLER, Mr. MILLER of Washington, Mr. GALLEGLY, Mr. GINGRICH, and Mr. HEFLEY.

H.R. 4656: Mr. OXLEY, Mr. SMITH of Texas, Mr. STUMP, Mr. MCEWEN, Mr. SOLOMON, Mr. BROOMFIELD, Mr. GUNDERSON, Mr. THOMAS of California, Mr. MACHTLEY, Mr. LAGOMARSINO, Mr. DREIER of California, Mr. HOBSON, Mr. CHANDLER, Mr. MILLER of Washington, Mr. GALLEGLY, Mr. GINGRICH, and Mr. HEFLEY.

H.R. 4657: Mr. OXLEY, Mr. SMITH of Texas, Mr. STUMP, Mr. MCEWEN, Mr. SOLOMON, Mr. BROOMFIELD, Mr. GUNDERSON, Mr. THOMAS of California, Mr. MACHTLEY, Mr. LAGOMARSINO, Mr. DREIER of California, Mr. HOBSON, Mr. CHANDLER, Mr. MILLER of Washington, Mr. GALLEGLY, Mr. GINGRICH, and Mr. HEFLEY.

H.R. 4658: Mr. OXLEY, Mr. SMITH of Texas, Mr. STUMP, Mr. MCEWEN, Mr. SOLOMON, Mr. BROOMFIELD, Mr. GUNDERSON, Mr. THOMAS of California, Mr. MACHTLEY, Mr. LAGOMARSINO, Mr. DREIER of California, Mr. HOBSON, Mr. CHANDLER, Mr. MILLER of Washington, Mr. GALLEGLY, Mr. GINGRICH, and Mr. HEFLEY.

H.R 4659: Mr. OXLEY, Mr. SMITH of Texas, Mr. STUMP, Mr. MCEWEN, Mr. SOLOMON, Mr. BROOMFIELD, Mr. GUNDERSON, Mr. THOMAS of California, Mr. MACHTLEY, Mr. LAGOMARSINO, Mr. DREIER of California, Mr. HOBSON, Mr. CHANDLER, Mr. MILLER of Washington, Mr. GALLEGLY, Mr. GINGRICH, and Mr. HEFLEY.

H.R. 4660: Mr. OXLEY, Mr. SMITH of Texas, Mr. STUMP, Mr. MCEWEN, Mr. SOLOMON, Mr. BROOMFIELD, Mr. GUNDERSON, Mr. THOMAS of California, Mr. MACHTLEY, Mr. LAGOMARSINO, Mr. DREIER of California, Mr. HOBSON, Mr. CHANDLER, Mr. MILLER of Washington, Mr. GALLEGLY, Mr. GINGRICH, and Mr. HEFLEY.

H.R. 4661: Mr. OXLEY, Mr. SMITH of Texas, Mr. STUMP, Mr. MCEWEN, Mr. SOLOMON, Mr. BROOMFIELD, Mr. GUNDERSON, Mr. THOMAS of California, Mr. MACHTLEY, Mr. LAGOMARSINO, Mr. DREIER, of California, Mr. HOBSON, Mr. CHANDLER, Mr. MILLER of Washington, Mr. GALLEGLY, Mr. GINGRICH, and Mr. HEFLEY.

H.R. 4662: Mr. OXLEY, Mr. SMITH of Texas, Mr. STUMP, Mr. MCEWEN, Mr. SOLOMON, Mr. BROOMFIELD, Mr. GUNDERSON, Mr. THOMAS of California, Mr. MACHTLEY, Mr. LAGOMARSINO, Mr. DREIER of California, Mr. HOBSON, Mr. CHANDLER, Mr. MILLER of Washington, Mr. GALLEGLY, Mr. GINGRICH, and Mr. HEFLEY.

H.R. 4663: Mr. OXLEY, Mr. SMITH of Texas, Mr. STUMP, Mr. MCEWEN, Mr. SOLOMON, Mr. BROOMFIELD, Mr. GUNDERSON, Mr. THOMAS of California, Mr. MACHTLEY, Mr. LAGOMARSINO, Mr. DREIER of California, Mr. HOBSON, Mr. CHANDLER, Mr. MILLER of Washington, Mr. GALLEGLY, Mr. GINGRICH, and Mr. HEFLEY.

H.R. 4664: Mr. OXLEY, Mr. SMITH of Texas, Mr. STUMP, Mr. MCEWEN, Mr. SOLOMON, Mr. BROOMFIELD, Mr. GUNDERSON, Mr. THOMAS of California, Mr. MACHTLEY, Mr. LAGOMARSINO, Mr. DREIER of California, Mr. HOBSON, Mr. CHANDLER, Mr. MILLER of Washington, Mr. GALLEGLY, Mr. GINGRICH, and Mr. HEFLEY.

H.R. 4665: Mr. OXLEY, Mr. SMITH of Texas, Mr. STUMP, Mr. MCEWEN, Mr. SOLOMON, Mr. BROOMFIELD, Mr. GUNDERSON, Mr. THOMAS of California, Mr. MACHTLEY, Mr. LAGOMARSINO, Mr. DREIER of California, Mr. HOBSON, Mr. CHANDLER, Mr. MILLER of Washington, Mr. GALLEGLY, Mr. GINGRICH, and Mr. HEFLEY.

H.R. 4666: Mr. OXLEY, Mr. SMITH of Texas, Mr. STUMP, Mr. MCEWEN, Mr. SOLOMON, Mr. BROOMFIELD, Mr. GUNDERSON, Mr. THOMAS of California, Mr. MACHTLEY, Mr. LAGOMARSINO, Mr. DREIER of California, Mr. HOBSON, Mr. CHANDLER, Mr. MILLER of Washington, Mr. GALLEGLY, Mr. GINGRICH, and Mr. HEFLEY.

H.R. 4667: Mr. OXLEY, Mr. SMITH of Texas, Mr. STUMP, Mr. MCEWEN, Mr. SOLOMON, Mr. BROOMFIELD, Mr. GUNDERSON, Mr. THOMAS of California, Mr. MACHTLEY, Mr. LAGOMARSINO, Mr. DREIER of California, Mr. HOBSON, Mr. CHANDLER, Mr. MILLER of Washington, Mr. GALLEGLY, Mr. GINGRICH, and Mr. HEFLEY.

H.R. 4668: Mr. OXLEY, Mr. SMITH of Texas, Mr. STUMP, Mr. MCEWEN, Mr. SOLOMON, Mr. BROOMFIELD, Mr. GUNDERSON, Mr. THOMAS of California, Mr. MACHTLEY, Mr. LAGOMARSINO, Mr. DREIER of California, Mr. HOBSON, Mr. CHANDLER, Mr. MILLER of Washington, Mr. GALLEGLY, Mr. GINGRICH, and Mr. HEFLEY.

H.R. 4669: Mr. OXLEY, Mr. SMITH of Texas, Mr. STUMP, Mr. MCEWEN, Mr. SOLOMON, Mr. BROOMFIELD, Mr. GUNDERSON, Mr. THOMAS of California, Mr. MACHTLEY, Mr. LAGOMARSINO, Mr. DREIER of California, Mr. HOBSON, Mr. CHANDLER, Mr. MILLER of Washington, Mr. GALLEGLY, Mr. GINGRICH, and Mr. HEFLEY.

H.R. 4670: Mr. OXLEY, Mr. SMITH of Texas, Mr. STUMP, Mr. MCEWEN, Mr. SOLOMON, Mr. BROOMFIELD, Mr. GUNDERSON, Mr. THOMAS of California, Mr. MACHTLEY, Mr. LAGOMARSINO, Mr. DREIER of California, Mr. HOBSON, Mr.

CHANDLER, Mr. MILLER of Washington, Mr. GALLEGLY, Mr. GINGRICH, and Mr. HEFLEY.

H.R. 4671: Mr. OXLEY, Mr. SMITH of Texas, Mr. STUMP, Mr. MCEWEN, Mr. SOLOMON, Mr. BROOMFIELD, Mr. GUNDERSON, Mr. THOMAS of California, Mr. MACHTLEY, Mr. LAGOMARSINO, Mr. DREIER of California, Mr. HOBSON, Mr. CHANDLER, Mr. MILLER of Washington, Mr. GALLEGLY, Mr. GINGRICH, and Mr. HEFLEY.

H.R. 4672: Mr. OXLEY, Mr. SMITH of Texas, Mr. STUMP, Mr. MCEWEN, Mr. SOLOMON, Mr. BROOMFIELD, Mr. GUNDERSON, Mr. THOMAS of California, Mr. MACHTLEY, Mr. LAGOMARSINO, Mr. DREIER of California, Mr. HOBSON, Mr. CHANDLER, Mr. MILLER of Washington, Mr. GALLEGLY, Mr. GINGRICH, and Mr. HEFLEY.

H.R. 4673: Mr. OXLEY, Mr. SMITH of Texas, Mr. STUMP, Mr. MCEWEN, Mr. SOLOMON, Mr. BROOMFIELD, Mr. GUNDERSON, Mr. THOMAS of California, Mr. MACHTLEY, Mr. LAGOMARSINO, Mr. DREIER of California, Mr. HOBSON, Mr. CHANDLER, Mr. MILLER of Washington, Mr. GALLEGLY, Mr. GINGRICH, and Mr. HEFLEY.

H.R. 4674: Mr. OXLEY, Mr. SMITH of Texas, Mr. STUMP, Mr. MCEWEN, Mr. SOLOMON, Mr. BROOMFIELD, Mr. GUNDERSON, Mr. THOMAS of California, Mr. MACHTLEY, Mr. LAGOMARSINO, Mr. DREIER of California, Mr. HOBSON, Mr. CHANDLER, Mr. MILLER of Washington, Mr. GALLEGLY, Mr. GINGRICH, and Mr. HEFLEY.

H.R. 4675: Mr. OXLEY, Mr. SMITH of Texas, Mr. STUMP, Mr. MCEWEN, Mr. SOLOMON, Mr. BROOMFIELD, Mr. GUNDERSON, Mr. THOMAS of California, Mr. MACHTLEY, Mr. LAGOMARSINO, Mr. DREIER of California, Mr. HOBSON, Mr. CHANDLER, Mr. MILLER of Washington, Mr. GALLEGLY, Mr. GINGRICH, and Mr. HEFLEY.

H.R. 4676: Mr. OXLEY, Mr. SMITH of Texas, Mr. STUMP, Mr. MCEWEN, Mr. SOLOMON, Mr. BROOMFIELD, Mr. GUNDERSON, Mr. THOMAS of California, Mr. MACHTLEY, Mr. LAGOMARSINO, Mr. DREIER of California, Mr. HOBSON, Mr. CHANDLER, Mr. MILLER of Washington, Mr. GALLEGLY, Mr. GINGRICH, and Mr. HEFLEY.

H.R. 4677: Mr. OXLEY, Mr. SMITH of Texas, Mr. STUMP, Mr. MCEWEN, Mr. SOLOMON, Mr. BROOMFIELD, Mr. GUNDERSON, Mr. THOMAS of California, Mr. MACHTLEY, Mr. LAGOMARSINO, Mr. DREIER of California, Mr. HOBSON, Mr. CHANDLER, Mr. MILLER of Washington, Mr. GALLEGLY, Mr. GINGRICH, and Mr. HEFLEY.

H.R. 4678: Mr. OXLEY, Mr. SMITH of Texas, Mr. STUMP, Mr. MCEWEN, Mr. SOLOMON, Mr. BROOMFIELD, Mr. GUNDERSON, Mr. THOMAS of California, Mr. MACHTLEY, Mr. LAGOMARSINO, Mr. DREIER of California, Mr. HOBSON, Mr. CHANDLER, Mr. MILLER of Washington, Mr. GALLEGLY, Mr. GINGRICH, and Mr. HEFLEY.

H.R. 4679: Mr. OXLEY, Mr. SMITH of Texas, Mr. STUMP, Mr. MCEWEN, Mr. SOLOMON, Mr. BROOMFIELD, Mr. GUNDERSON, Mr. THOMAS of California, Mr. MACHTLEY, Mr. LAGOMARSINO, Mr. DREIER of California, Mr. HOBSON, Mr. CHANDLER, Mr. MILLER of Washington, Mr. GALLEGLY, Mr. GINGRICH, and Mr. HEFLEY.

H.R. 4680: Mr. OXLEY, Mr. SMITH of Texas, Mr. STUMP, Mr. MCEWEN, Mr. SOLOMON, Mr. BROOMFIELD, Mr. GUNDERSON, Mr. THOMAS of California, Mr. MACHTLEY, Mr. LAGOMARSINO, Mr. DREIER of California, Mr. HOBSON, Mr. CHANDLER, Mr. MILLER of Washington, Mr. GALLEGLY, Mr. GINGRICH, and Mr. HEFLEY.

H.R. 4681: Mr. OXLEY, Mr. SMITH of Texas, Mr. STUMP, Mr. MCEWEN, Mr. SOLOMON, Mr. BROOMFIELD, Mr. GUNDERSON, Mr. THOMAS of California, Mr. MACHTLEY, Mr. LAGOMARSINO, Mr. DREIER of California, Mr. HOBSON, Mr. CHANDLER, Mr. MILLER of Washington, Mr. GALLEGLY, Mr. GINGRICH, and Mr. HEFLEY.

H.R. 4682: Mr. OXLEY, Mr. SMITH of Texas, Mr. STUMP, Mr. MCEWEN, Mr. SOLOMON, Mr. BROOMFIELD, Mr. GUNDERSON, Mr. THOMAS of California, Mr. MACHTLEY, Mr. LAGOMARSINO, Mr. DREIER of California, Mr. HOBSON, Mr. CHANDLER, Mr. MILLER of Washington, Mr. GALLEGLY, Mr. GINGRICH, and Mr. HEFLEY.

H.R. 4683: Mr. OXLEY, Mr. SMITH of Texas, Mr. STUMP, Mr. MCEWEN, Mr. SOLOMON, Mr. BROOMFIELD, Mr. GUNDERSON, Mr. THOMAS of California, Mr. MACHTLEY, Mr. LAGOMARSINO, Mr. DREIER of California, Mr. HOBSON, Mr. CHANDLER, Mr. MILLER of Washington, Mr. GALLEGLY, Mr. GINGRICH, and Mr. HEFLEY.

H.R. 4684: Mr. OXLEY, Mr. SMITH of Texas, Mr. STUMP, Mr. MCEWEN, Mr. SOLOMON, Mr. BROOMFIELD, Mr. GUNDERSON, Mr. THOMAS of California, Mr. MACHTLEY, Mr. LAGOMARSINO, Mr. DREIER of California, Mr. HOBSON, Mr. CHANDLER, Mr. MILLER of Washington, Mr. GALLEGLY, and Mr. GINGRICH.

H.R. 4689: Mr. GOSS, Mr. JOHNSON of South Dakota, Mr. RAMSTAD, Mr. SKAGGS, Mr. GALLEGLY, Mr. RAY, and Mr. SANTORUM.

H.R. 4700: Ms. LONG, Mr. LANTOS, Mr. CHAPMAN, Mr. PANETTA, Mr. TOWNS, Mr. PENNY, and Mr. YATRON.

H.R. 4724: Mr. WYDEN, Mr. BACCHUS, Mr. BILBRAY, Mr. HALL of Ohio, Mr. JONES of North Carolina, Mr. KOSTMAYER, Mr. LIPINSKI, Mrs. MINK, Mr. MURPHY, Mr. OBERSTAR, Mr. TANNER, Mr. TOWNS, Mr. ANDREWS of New Jersey, Mr. ERDREICH, Mr. KOPETSKI, and Mr. SPENCE.

H.R. 4727: Mr. GREEN of New York and Mr. HUBBARD.

H.R. 4750: Mr. BACCHUS, Mr. NEAL of Massachusetts, Mr. MARKEY, Mr. JOHNSON of South Dakota, Mrs. COLLINS of Michigan, Mr. OLVER, Ms. NORTON, Mr. LANCASTER, Mr. PASTOR, Mr. WALSH, Mr. MINETA, Mr. GIBBONS, Mr. NEAL of North Carolina, Mr. FORD of Tennessee, Mr. DYMALLY, Mr. SHAYS, Mr. REED, Mr. ACKERMAN, Mr. SPRATT, Mr. LEWIS of Georgia, Mr. OBEY, and Ms. DELAURO.

H.R. 4754: Mr. MCCANDLESS and Mr. DORNAN of California.

H.R. 4755: Mr. BEREUTER, Mr. ENGLISH, Mr. KLUG, and Mr. NEAL of North Carolina.

H.R. 4761: Mr. MCCLOSKEY.

H.R. 4775: Mrs. MORELLA, Mrs. COLLINS of Michigan, Mr. YOUNG of Alaska, Mr. SIKORSKI, Ms. OAKAR, Mrs. SCHROEDER, and Mr. SAWYER.

H.J. Res. 237: Mr. JONES of Georgia.

H.J. Res. 271: Mr. BLAZ and Mr. FROST.

H.J. Res. 290: Mr. MAZZOLI, Mr. HALL of Ohio, Mr. COX of Illinois, Ms. HORN, and Mr. HOAGLAND.

H.J. Res. 318: Ms. SLAUGHTER, Mr. DOOLITTLE, Mr. DIXON, Mr. SISISKY, Mr. GILCHREST, Mr. HAMILTON, Mr. CHAPMAN, Mr. COLEMAN of Texas, Mr. HOYER, Mr. HYDE, Mr. LEACH, Mrs. UNSOELD, Mr. EVANS, Mr. WELDON, Mr. LANTOS, Mr. MCCLOSKEY, Mr. MARTIN, Mr. OWENS of New York, Mr. PERKINS, Mr. BLILEY, Mr. RIGGS, Mr. GEREN of Texas, Mrs. MINK, Mr. DWYER of New Jersey, and Mr. FEIGHAN.

H.J. Res. 336: Mr. DARDEN.

H.J. Res. 353: Mr. LIGHTFOOT.

H.J. Res. 358: Mr. PANETTA, Ms. PELOSI, Mr. REED, Mr. BORSKI, Ms. DELAURO, Mr. DOWNEY, Mr. DURBIN, Mr. JOHNSTON of Florida, Mr. HEFNER, Mr. MOODY, Mr. ORTON, Mr. PALLONE, Mr. ROHRABACHER, Mr. SABO, Mr. WEISS, Mr. WELDON, Mr. WISE, Mr. ANDREWS of Maine, Mr. BACCHUS, Mr. HAYES of Louisiana, Mr. LANCASTER, Mrs. LOWEY of New York, Mr. PICKETT, Mr. SAWYER, Mr. SYNAR, Mr. TANNER, Mr. VOLKMER, Mr. YATES, Mr. BEVILL, Mr. ROE, Mr. GLICKMAN, Mr. SARPALIUS, Mr. APPLEGATE, Mr. BILBRAY, Mr. DARDEN, Mr. DOOLEY, Mr. ECKART, Mr. HEFLEY, Mr. JONES of Georgia, Mrs. PATTERSON, Mr. RAHALL, Mr. SMITH of Iowa, Mr. STALLINGS, Mr. THOMAS of Wyoming, Mr. ENGLISH, Mr. CARR, Mr. DELLUMS, Mr. HOYER, Mr. ORTIZ, Mr. PRICE, Mr. SAVAGE, Mr. TORRES, Mr. ANDERSON, Mr. ACKERMAN, Mr. MOAKLEY, Mr. MRAZEK, Mr. OLVER, Mr. PURSELL, Mr. SWETT, Mr. SWIFT, Mr. TRAFICANT, Mr. WHEAT, Mr. WOLF, Mr. CAMP, Ms. COLLINS of Michigan, Mr. CRAMER, Mr. DICKS, Mr. FEIGHAN, Mr. GIBBONS, Mr. GUNDERSON, Mr. LEHMAN of Florida, Mrs. MINK, Ms. OAKAR, Mr. SHARP, Mr. SIKORSKI, Mr. TRAXLER, Mr. UPTON, Mr. WOLPE, Mr. GEPHARDT, Mr. HOUGHTON, Mr. BEREUTER, Mr. SMITH of Florida, Mr. ANTHONY, Mr. BROWN, Mr. HERGER, Mr. PARKER, Mr. PERKINS, Mrs. UNSOELD, Mr. WEBER, Mr. SANGMEISTER, Mr. MINETA, Mr. MACHTLEY, Ms. KAPTUR, Mr. ALLEN, Mr. BROOKS, Mr. CLEMENT, Mr. COOPER, Mr. DE LA GARZA, Mr. EMERSON, Mr. HALL of Texas, Mr. HALL of Ohio, Mr. HUCKABY, Mr. JENKINS, and Mr. LANTOS.

H.J. Res. 384: Mr. DUNCAN and Mr. UPTON.

H.J. Res. 391: Mr. BROWDER, Mr. STUMP, Mr. CONDIT, Mr. NAGLE, Mr. BRUCE, Mr. HUCKABY, Mrs. BYRON, Mr. NEAL of North Carolina, Mr. TAYLOR of Mississippi, Mr. VOLKMER, Mr. SKELTON, Mr. LUKEN, Mr. WOLF, Mr. MORAN, Mr. STAGGERS, Mr. WISE, Mr. GRANDY, Mr. RAHALL, Mr. MAZZOLI, Mr. CLEMENT, Mr. OWENS of Vermont, Mr. HARRIS, Mr. PAYNE of Virginia, Mr. OLIN and Mr. SLATTERY.

H.J. Res. 397: Mr. REED, Mr. PETERSON of Minnesota, Mr. MOODY, Mr. FROST, Mr. FEIGHAN, Mr. SIKORSKI, and Mr. SHAYS.

H.J. Res. 399: Mr. GALLO.

H.J. Res. 421: Mr. ALEXANDER, Mr. ANDERSON, Mr. BATEMAN, Mr. BROWDER, Mr. CRAMER, Mr. DAVIS, Mr. DIXON, Mr. FISH, Mr. FORD of Tennessee, Mr. GEJDENSON, Mr. GEKAS, Mr. GILCHREST, Mr. GINGRICH, Mr. HEFNER, Mr. HERTEL, Mr. HOYER, Mr. HYDE, Mr. JEFFERSON, Mr. JONES of North Carolina, Mr. KENNEDY, Mr. KILDEE, Mr. KOPETSKI, Mr. LANTOS, Mr. LEVINE of California, Mr. LIPINSKI, Ms. LONG, Mr. MCDADE, Mr. MCDERMOTT, Mr. MCGRATH, Mr. MACHTLEY, MR. MARTIN, Mr. MARTINEZ, Mrs. MEYERS of Kansas, Mr. MOODY, Mrs. MORELLA, Mr. MURPHY, Mr. MYERS of Indiana, Mr. NAGLE, Mr. NEAL of North Carolina, Ms. OAKAR, Mr. OBERSTAR, Mr. PALLONE, Mr. PAYNE of New Jersey, Mr. PICKETT, Mr. PORTER, Mr. RAVENEL, Mr. REGULA, Mr. RHODES, Mr. SABO, Mr. SANDERS, Mr. SAVAGE, Mr. SERRANO, Mr. SIKORSKI, Mr. SKELTON, Mr. SLATTERY, Mr. SMITH of Texas, Mr. STARK, Mr. SWETT, Mr. THORNTON, Mr. WYDEN, Mr. YATES, Mr. ZELIFF, Mr. BILBRAY, Mr. GALLO, and Mr. SMITH of Iowa.

H.J. Res. 424: Mr. MCDERMOTT and Mr. SPENCE.

H.J. Res. 425: Mr. BUSTAMANTE, Mr. DE LA GARZA, Mr. BACCHUS, Mr. SMITH of Florida, Mr. LEHMAN of Florida, Mr. LEWIS of Florida, Mr. JONES of North Carolina, Mr. OWENS of New York, Mr. KOSTMAYER, Mr. BROWDER, Mr. MCDERMOTT, Mr. ECKART, Mr. SWIFT, Mr. MCMILLEN of Maryland, Mr. MANTON, Mr. BILBRAY, Mr. JOHNSON of South Dakota, Mr. DONNELLY, Ms. MOLINARI, Mr. SOLOMON, Mr. SCHAEFER, Mr. BUNNING, Mr. SMITH of Oregon, Mr. GEJDENSON, Mr. THORNTON, Mr. VOLKMER, Mr. SLATTERY, Mr. NAGLE, Mr. DURBIN, Ms. SLAUGHTER, Mr. HUBBARD, Mr. MAVROULES, Mr. STUMP, Mr. ACKERMAN, Mr. LIGHTFOOT, Mr. HYDE, Mr. HASTERT, Mr. MCNULTY, Ms. KAPTUR, Mr. GEPHARDT, Mr. EDWARDS of California, Mr. STARK, Mr. ROSE, Mr. RAY, Mr. LIVINGSTON, Mr. KILDEE, Mr. BOUCHER, Mr. TRAXLER, Mr. DEFAZIO, Mr. MINETA, Mr. BATEMAN, Mrs. MORELLA, Mr. HAMILTON, Mr. CARDIN, Mr. FORD of Tennessee, Mr. MILLER of California, Mr. SAWYER, Mr. HAYES of Illinois, Mr. EDWARDS of Texas, Mr. ABERCROMBIE, Mr. FORD of Michigan, Mr. KLECZKA, Mr. PAYNE of New Jersey, Mr. DWYER of New Jersey, Mr. HOAGLAND, Mr. CONDIT, Mr. MOAKLEY, Mr. Weiss, Mrs. BYRON, Mr. FROST, Mr. SHARP, Mrs. LOWEY of New York, Mr. MURPHY, Mr. ROBERTS, Mrs. UNSOELD, Mr. Hoyer, Mr. Fazio, Mr. HENRY, Mr. EARLY, Mr. LUKEN, Mr. BROOKS, Mr. HALL of Ohio, Mr. WHEAT, Mr. SYNAR, Mr. WASHINGTON, Mr. BENNETT, Mr. DELLUMS, Mr. STAGGERS, Mr. FLAKE, Mr. BERMAN Mr. GAYDOS, Mr. MURTHA, Mr. TRAFICANT, Mr. HOCHBRUECKNER, Ms. LONG, Ms. OAKAR, Mr. MARKEY, Mr. LEHMAN of California, Mr. STALLINGS, Mr. ROGERS, Ms. COLLINS of Michigan, Ms. WATERS, Mr. SCHEUER, Mr. BALLENGER, Mr. HERGER, and Mrs. BENTLEY.

H.J. Res. 430: Mr. GORDON, Mr. BILBRAY, Mr. SMITH of New Jersey, Mr. ABERCROMBIE, Mr. BENNETT, Mr. PAYNE of New Jersey, Mr. DARDEN, Mrs. JOHNSON of Connecticut, Mr. MINETA, Mr. ANDERSON, Mr. PETERSON of Florida, Mr. BROWN, Mr. WILSON, Mr. DELLUMS, Mr. WEISS, and Mr. CLINGER.

H.J. Res. 431: Mr. MATSUI, Mr. MILLER of Ohio, Mr. GALLO, Mr. HAMILTON, Mr. ANDREWS of New Jersey, Mr. COOPER, Mr. SANDERS, Mrs. VUCANOVICH, Mr. SAWYER, Mr. RAVENEL, Mr. ANTHONY, Mr. LEHMAN of Florida, Mr. ORTON, Mr. MACHTLEY, Mr. HUBBARD, Mr. WYLIE, Mr. HEFNER, Mr. SHAW, Mr. ARCHER, Mr. LAROCCO, Mr. MILLER of Washington, Mr. LIVINGSTON, Mr. MORAN, Mr. KENNEDY, Mrs. LLOYD, Mr. EMERSON, Mr. KLECZKA, Mr. SLATTERY, Mr. GILLMOR, Mr. NUSSLE, Mr. DARDEN, Mr. HOUGHTON, Mr. CLEMENT, Mr. JEFFERSON, Mr. ROHRABACHER, Mr. PRICE, Mr. SMITH of New Jersey, Mr. IRELAND, Mr. OXLEY, Mr. JONES of Georgia, Mr. COSTELLO, Mr. BILBRAY, Mr. DELLUMS, Mr. LANTOS, Mr. FASCELL, Mr. LEVINE of California, Mr. FISH, Mr. MAVROULES, Mr. FROST, Mr. THOMAS of Georgia, Mrs. MEYERS of Kansas, Mr. COBLE, Mr. QUILLEN, Mr. KLUG, Mr. BROOMFIELD, Mr. DORNAN of California, Ms. KAPTUR, Mr. HUGHES, Mr. MCNULTY, Mr. OWENS of Utah, Mr. JACOBS, Mr. LEHMAN of California, Mr. UPTON, Mr. RIGGS, Mr. MCDADE, Mr. BLACKWELL, Mr. PARKER, Mr. ESPY, Mr. DE LUGO, Mr. LENT, Mr. STALLINGS, Mr. BLILEY, Mr. BUNNING, Mr. COLEMAN of Texas, Mr. WHEAT, Mr. MCCLOSKEY, Mr. EVANS, Mr. BENNETT, Mr. MAZZOLI, Mr. ANNUNZIO, Mr. SABO, Mr. HAYES of Illinois, Ms. HORN, Mr. SKEEN, Mr. MONTGOMERY, Ms. NORTON, Mr. BARNARD, Mr. GINGRICH, Mr. GRANDY, Mr. HATCHER, Mr. FAWELL, Mr. BACCHUS, Mrs. MORELLA, Mr. TANNER, Mr. GONZALEZ, Mr. RAHALL, and Mr. YOUNG of Florida.

H.J. Res. 440: Mr. FASCELL, Mr. FROST, Mr. HAMILTON, Mr. HEFNER, Ms. HORN, and Mr. OWENS of Utah.

H.J. Res. 442: Mr. DORNAN of California, Mr. COBLE, Mr. FASCELL, Mr. PETERSON of Florida, Mr. MANTON, Mr. ACKERMAN, Mr. HAMILTON, Mr. JONES of North Carolina, Mr. HOAGLAND, Mr. DYMALLY, Mr. SANDERS, Mr. GORDON, Mr. MAZZOLI, Mr. CLINGER, Mr. ROSE, Mr. HALL of Texas, Mr. MCGRATH, and Mr. WAXMAN.

H.J. Res. 449: Mrs. MINK, Mr. MCMILLEN of Maryland, Mr. MORAN, Mr. MCDERMOTT, Mr. ESPY, Mr. MATSUI, Mr. FALEOMAVAEGA, Mr. LEHMAN of Florida, Mr. DORNAN of California, Mr. TRAXLER, Mrs. PATTERSON, Mr. WALSH, Mr. LAFALCE, Mr. LIPINSKI, Mr. OWENS of Utah, Mr. EMERSON, Mr. VALENTINE, Mr. WOLPE, Mr. MCGRATH, Mrs. ROUKEMA, Mr. RANGEL, and Mr. BLILEY.

H.J. Res. 450: Mr. EVANS, Mr. QUILLAN, Mr. KOPETSKI, Mr. FROST, Mr. BLILEY, and Mr. BUSTAMANTE.

H.J. Res. 454: Mr. SMITH of Oregon, Mr. HOCHBRUECKNER, Mr. MACHTLEY, Mr. YATES, Mr. MYERS of Indiana, Mr. BURTON of Indiana, Mr. MCCLOSKEY, Mr. BLACKWELL, Mr. WYDEN, Mr. SHAYS, Mr. WOLF, Mr. RIGGS, Mrs. MORELLA, Mr. HYDE, Mr. TOWNS, Mr. WEISS, Mr. LEVINE of California, Mr. WILLIAMS, Mr. WALSH, Mrs. ROUKEMA, Mr. MORRISON, Mr. BERMAN, Mr. DANNEMEYER, Mr. CAMP, Mr. DOOLEY, Mr. PRICE, Mr. SMITH of Florida, Mr. HUGHES, Mr. SANDERS, Mr. COYNE, Mr. MARLENEE, Mr. EVANS, Mr. DIXON, and Mr. LAFALCE.

H.J. Res. 458: Mr. COBLE, Mr. LEVINE of California, and Mr. ALEXANDER.

H.J. Res. 459: Mr. EMERSON, Mr. FROST, Mr. HUGHES, and Mr. ROSE.

H. Con. Res. 42: Mr. HYDE, Mr. LENT, and Mrs. LLOYD.

H. Con. Res. 92: Mr. WILLIAMS and Mr. MCHUGH.

H. Con. Res. 96: Mr. ALLEN, Mr. PAXON, and Mr. Nichols.

H. Con. Res. 192: Mr. BRYANT, Mr. RICHARDSON, Mr. DE LA GARZA, Mr. DELLUMS, Mr. DREIER of California, Mr. TALLON, Mr. ABERCROMBIE, Ms. COLLINS OF MICHIGAN, Mr. GEPHARDT, Mr. HOYER, Mrs. MEYERS of Kansas, and Mr. FAZIO.

H. Con. Res. 233: Mrs. Roukema, Mr. DOOLITTLE, Mr. MCNULTY, Mr. DARDEN, Mr. PAXON, Mr. HARRIS, and Mr. QUILLEN.

H. Con. Res. 246: Mr. SHAYS, Mr. NEAL of North Carolina, Mr. COYNE, Mrs. SCHROEDER, and Mr. LUKEN.

H. Con. Res. 257: Mr. CHANDLER, Mr. LAGOMARSINO, Mr. LENT, Mr. MARTINEZ, Mr. MCDERMOTT, Mr. MORRISON, Mr. NOWAK, and Mr. RIGGS.

H. Con. Res. 276: Mr. LIPINSKI.

H. Con. Res. 295: Mr. CONYERS, Mr. DELLUMS, Mr. GORDON, Mr. DOWNEY, Mr. TOWNS, Mr. HORTON, Mr. COX of Illinois, Mr. LIPINSKI, Mr. SHAYS, Mr. RANGEL, Mr. HOCHBRUECKNER, Mr. DWYER, of New Jersey, and Mr. BUSTAMANTE.

H. Con. Res. 306: Mr. YATRON, Mr. LEVINE of California, Mr. GOSS, and Mr. PAYNE of New Jersey.

H. Con. Res. 307: Mr. WILSON, Mr. OXLEY, Mr. HAYES of Louisiana, Mr. SPENCE, Mr. HERGER, Mr. SANTORUM, and Mr. FAWELL.

H. Res. 359: Mr. Fazio.

H. Res. 376: Mr. ZELIFF and Mr. SCHAEFER.

H. Res. 404: Mr. COBLE.

H. Res. 406: Mr. MCEWEN, Mr. SHAYS, Mr. TAYLOR of Mississippi, Mr. ZELIFF, Mr. SIKORSKI, Mr. RAMSTAD, and Mr. ATKINS.

H. Res. 411: Mr. MACHTLEY, Mr. WALSH, Mr. DARDEN, Mr. HORTON, and Mr. FROST.

H. Res. 417: Mr. LIPINSKI, Mr. OWENS of New York, Ms. HORN, Mr. DURBIN, Mr. GORDON, and Mr. CLAY.

H. Res. 419: Mr. SHAW, Mr. SHAYS, Mr. SKEEN, Mr. SMITH of New Jersey, Mr. STUMP, Mr. SUNDQUIST, Mr. TAYLOR of North Carolina, Mr. THOMAS of Wyoming, Mrs. VUCANOVICH, Mr. YOUNG of Florida, Mr. YOUNG of Alaska, Mr. BAKER, Mr. KASICH, Mr. DUNCAN, Mr. PETRI, Mr. GALLEGLY, Mr. RINALDO, Mr. KLUG, Mr. LEWIS of Florida, Mr. BILIRAKIS, Mr. ZIMMER, Mr. KYL, Mr. ROHRABACHER, Mr. COLEMAN of Missouri, Mr. DREIER of California, Mr. MCGRATH, Mr. GALLO, Mr. FAWELL, Mr. IRELAND, Mr. ALLEN, Mr. KOLBE, Mr. FIELDS, Mr. ARMEY, Mr. BATEMAN, Mr. BLILEY, Mr. BUNNING, Mr. COMBEST, Mr. CUNNINGHAM, Mr. DOOLITTLE, Mr. EDWARDS of Oklahoma, Mr. EWING, Mr. GEKAS, Mr. GILCHREST, Mr. GILMAN, Mr. GINGRICH, Mr. HAMMERSCHMIDT, Mr. HASTERT, Mr. HERGER, Mr. HOLLOWAY, Mr. HUNTER, Mr. INHOFE, Mr. LEACH, Mr. LOWERY of California, Mr. MCCANDLESS, Mrs. MEYERS of Kansas, Mr. MILLER of Washington, Mr. MORRISON, Mr. PACKARD, Mr. PORTER, Mr. PURSELL, Mr. FISH, Mr. RIGGS, Mr. SANTORUM, Mr. STEARNS, and Ms. SNOWE.

¶43.60 DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, sponsors were deleted from public bills and resolutions as follows:

H.R. 330: Mr. ROSE.

H.R. 2437: Mr. MCMILLAN of North Carolina.

H.R. 3211: Mr. SANTORUM.

H.R. 3221: Ms. COLLINS of Michigan.

H.R. 3484: Mrs. BENTLEY.

H.R. 4617: Mr. PORTER.

¶43.61 PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

149. By the SPEAKER: Petition of the National League of Cities, relative to metropolitan disparities and economic growth; to the Committee on Government Operations.

150. Also, petition of the city of council of the city of La Puente, CA, relative to H.R. 3936; jointly, to the Committees on Banking, Finance and Urban Affairs and Ways and Means.

151. Also, petition of the city council of the city of La Puente, CA, relative to H.R. 2806; jointly, to the Committees on Banking, Finance and Urban Affairs and Science, Space, and Technology.

TUESDAY, APRIL 28, 1992 (44)

The House was called to order by the SPEAKER.

¶44.1 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Thursday, April 9, 1992.

Pursuant to clause 1, rule I, the Journal was approved.

¶44.2 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XXIV, were referred as follows:

3307. A letter from the Deputy Secretary of Defense, transmitting a report on what would be the anticipated impact of termination of the funding by the Department of Defense for the activities and operations of the National Board for the Promotion of Rifle Practice, pursuant to Public Law 102–172 (105 Stat. 1158); to the Committee on Appropriations.

3308. A letter from the Deputy Director, Defense Research and Engineering, Department of Defense, transmitting notification of one additional fiscal year 1992 test project, pursuant to 10 U.S.C. 2350a(g); to the Committee on Armed Services.

3309. A letter from the Deputy Under Secretary of Defense, transmitting the annual report of the Foreign Comparative Testing [FCT] Program, pursuant to 10 U.S.C. 2350a(g)(4); to the Committee on Armed Services.

3310. A letter from the Office of General Counsel, Department of Defense, transmitting a draft of proposed legislation to authorize appropriations for fiscal year 1993 for military functions of the Department of Defense, to prescribe military personnel levels for fiscal year 1993, and for other purposes; to the Committee on Armed Services.

3311. A letter from the General Counsel, Federal Emergency Management Agency, transmitting a draft of proposed legislation to amend title XXXIV of the National Defense Authorization Act for fiscal years 1992 and 1993, and for other purposes; to the Committee on Armed Services.

3312. A letter from the Secretary of Defense, transmitting a draft of proposed legislation to provide for effective acquisition, maintenance, and operation of sealift for the Armed Forces, and for other purposes; to the Committee on Armed Services.

3313. A letter from the Secretary of Energy and Deputy Secretary of Defense, transmitting a report of the Defense Science Board on warhead pit-reuse, pursuant to Public Law 102–190, section 3133(c); to the Committee on Armed Services.

3314. A letter from the Secretary, Department of Housing and Urban Development, transmitting the report entitled, ''Final Evaluation of the Neighborhood Development Demonstration Program,'' pursuant to 42 U.S.C. 5318 note; to the Committee on Banking, Finance and Urban Affairs.

3315. A letter from the Director, Office of Personnel Management, transmitting a draft of proposed legislation to authorize financial