

Wise	Wyden	Yates
Woolsey	Wynn	Young (AK)

NOT VOTING—16

Andrews (ME)	Edwards (CA)	Sundquist
Andrews (TX)	Gallo	Volkmer
Borski	Hastings	Washington
Brooks	Natcher	Whitten
Crane	Portman	
de la Garza	Reynolds	

So the amendment was not agreed to.

After some further time,

The Committee rose informally to receive a message from the President.

The SPEAKER pro tempore, Mr. PICKETT, assumed the Chair.

§20.9 MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Edwin Thomas, one of his secretaries.

The Committee resumed its sitting; and after some further time spent therein,

§20.10 RECORDED VOTE

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

Amendment submitted by Mr. KILDEE:

In section 4205 of the Elementary and Secondary Education Act of 1965, as proposed to be inserted by the substitute, add at the end the following new subsection:

“(d) DRUG ABUSE RESISTANCE EDUCATION PROGRAMS.—A chief executive officer shall use not less than 10 percent of the funds allotted under subsection (a) for a fiscal year for grants to local educational agencies in consortium with entities which have experience in assisting school districts to provide instruction to students grades kindergarten through 6 to recognize and resist pressures that influence such students to use controlled substances, as defined in Schedules I and II of section 202 of the Controlled Substances Act the possession or distribution of which is unlawful under such Act, or beverage alcohol, such as Project Drug Abuse Resistance Education.”

Substitute amendment submitted by Mr. OWENS:

In section 101 of the bill, in section 4003 of the Elementary and Secondary Education Act of 1965 (as proposed to be added by such section 101), strike paragraph (2) of such section 4003, and insert the following:

“(2) States for grants to, and contracts with, community-based organizations and other public and private nonprofit agencies and organizations for programs of drug and violence prevention, early intervention, rehabilitation referral, and education;

In section 101 of the bill, in paragraph (1) of section 4004(a) of the Elementary and Secondary Education Act of 1965 (as proposed to be added by such section 101), strike the “and” at the end of such paragraph.

In section 101 of the bill, in paragraph (2) of section 4004(a) of the Elementary and Secondary Education Act of 1965 (as proposed to be added by such section 101), strike the period at the end of such paragraph and insert “; and”.

In section 101 of the bill, in subsection (a) of section 4004 of the Elementary and Secondary Education Act of 1965 (as proposed to be added by such section 101), add at the end of such subsection the following new paragraph:

“(3) for State grants under part C, \$100,000,000 for fiscal year 1995 and such sums as may be necessary for each of fiscal years 1996 through 1999.

In section 101 of the bill, in paragraph (1) of section 4105(c) of the Elementary and Secondary Education Act of 1965 (as proposed to be added by such section 101), strike “shall expend not less than 21 percent” and insert “may expend not less than 21 percent”.

In section 101 of the bill, after part B of title IV of the Elementary and Secondary Education Act of 1965 (as proposed to be added by such section 101), add the following new part (and make appropriate conforming amendments):

“PART C—GRANTS TO STATE GOVERNORS

“SEC. 4203. STATE ALLOTMENTS.

“(a) IN GENERAL.—The Secretary shall allot to the States the amount available for each fiscal year under section 4004(a)(3) on the basis of the following factors:

“(1) ½ of such amount shall be allotted among the States on the basis of the school-aged population of each State as compared to the total school-aged population of all the States.

“(2) ½ of such amount shall be allotted among the States on the basis of the amount each State received under sections 1124 and 1124A of this Act for the preceding year (or, with respect to fiscal year 1995, sections 1005 and 1006 of this Act, as in effect on the day before the date of the enactment of the Improving America’s Schools Act of 1994) as compared to the sum total of such amounts received by all the States.

“(b) MINIMUM ALLOTMENT.—For any fiscal year, a State shall be allotted an amount under this section which is equal to at least 1 percent of the total amount allotted to all the States under this section.

“(c) REALLOTMENT.—The Secretary may reallocate any amount of an allotment to a State under this section if the Secretary determines that such State will be unable to use such amount within two years of such allotment. Such reallocation shall be made on the same basis as allotments made under subsection (a).

“(d) STATE DEFINED.—For the purposes of this section, the term ‘State’ means each of the 50 States, the District of Columbia, and the Commonwealth of Puerto Rico.

“SEC. 4204. STATE APPLICATIONS.

“(a) IN GENERAL.—In order to receive an allotment under section 4203(a) for any fiscal year, a State shall submit to the Secretary, at such time as the Secretary may require, an application that contains a comprehensive plan for the use of funds under section 4205 by the chief executive officer that includes—

“(1) a statement of the chief executive officer’s measurable goals and objectives for drug abuse and violence prevention and a description of the procedures to be used for assessing and publicly reporting progress toward meeting those goals and objectives;

“(2) a description of how the chief executive officer will coordinate activities under section 4205 with the State educational agency and other State agencies and organizations involved with drug and violence prevention efforts;

“(3) a description of how funds allotted under section 4203 will be used so as not to duplicate the efforts of the State educational agency and local educational agencies with regard to the provision of school-based prevention efforts and services;

“(4) a description of how the chief executive officer will award funds under section 4205 and a plan for monitoring the performance of, and providing technical assistance to, recipients of such funds; and

“(5) a description of the special initiatives that will be undertaken with the funds allot-

ted under section 4203 to assist those communities within the State which have the greatest need for drug and violence prevention assistance, as measured by objective factors which include—

“(A) high rates of alcohol or other drug abuse among youth;

“(B) high rates of victimization of youth by violence and crime;

“(C) high rates of arrests and convictions of youth for violent or drug- or alcohol-related crime;

“(D) the extent of illegal gang activity;

“(E) high rates of referrals of youth to drug and alcohol abuse treatment and rehabilitation programs;

“(F) high rates of referrals of youth to juvenile court;

“(G) high rates of expulsions and suspensions of students from schools; and

“(H) high rates of reported cases of child abuse and domestic violence;

“(6) a description of the special outreach efforts and other activities which will be undertaken to ensure the full participation of community-based organizations located in communities with high rates of poverty, as well as organizations which provide services to African-Americans, Hispanics, and other minorities; and

“(7) a description of how funds will be used to support community-wide comprehensive drug abuse and violence prevention planning.

“(b) PEER REVIEW.—The Secretary shall use a peer review process in reviewing State applications under this section.

“SEC. 4205. USE OF FUNDS.

“(a) IN GENERAL.—The amount allotted to a State under section 4203 for each fiscal year shall be used by the chief executive officer of such State for drug abuse and violence prevention programs and activities in accordance with this section.

“(b) STATE ADMINISTRATION.—A chief executive officer may use no more than 4 percent of the amount allotted under section 4203 for a fiscal year for the administrative costs incurred in carrying out the duties of such officer under this section.

“(c) PROGRAMS AUTHORIZED.—A chief executive officer shall use amounts allotted under section 4203 for a fiscal year for grants to, or contracts with, parent groups, community action and job training agencies, community-based organizations, and other public entities and private nonprofit organizations to support programs and activities such as—

“(1) developing and implementing comprehensive, community-based drug and violence prevention programs that link community resources with schools and integrate services involving education, vocational and job skills training, law enforcement, health, mental health, and other appropriate services;

“(2) planning and implementing drug and violence prevention activities that coordinate the efforts of community-based agencies with those of the local educational agency;

“(3) activities to protect students traveling to and from school;

“(4) developing and implementing strategies to prevent illegal gang activity;

“(5) coordinating and conducting community-wide violence and safety assessments and surveys;

“(6) programs and activities which address the needs of children and youth who are not normally served by the local educational agency, including preschoolers, dropouts, youth in juvenile detention facilities, and runaways or homeless children and youth;

“(7) disseminating information about drugs and violence prevention;

“(8) training parents, law enforcement officials, judicial officials, social service provid-

ers, health service providers and community leaders about drug abuse and violence prevention, education, early intervention, counseling, or rehabilitation referral;

“(9) before- and after-school recreational, instructional, cultural, and artistic programs in supervised community settings; and

“(10) evaluating programs and activities carried out under this section.

It was decided in the affirmative { Yeas 425 Nays 0

20.11 [Roll No. 45] AYES—425

- Abercrombie de Lugo (VI)
Ackerman Deal
Allard DeFazio
Andrews (ME) DeLauro
Andrews (NJ) DeLay
Applegate Dellums
Archer Derrick
Army Deutsch
Bacchus (FL) Diaz-Balart
Bachus (AL) Dickey
Baesler Dicks
Baker (CA) Dingell
Baker (LA) Dixon
Ballenger Dooley
Barca Doolittle
Barcia Dornan
Barlow Dreier
Barrett (NE) Duncan
Barrett (WI) Dunn
Bartlett Durbin
Barton Edwards (TX)
Bateman Ehlers
Becerra Emerson
Beilenson Engel
Bentley English
Bereuter Eshoo
Berman Evans
Bevill Everett
Billbray Ewing
Bilirakis Faleomavaega
Bishop (AS)
Blackwell Farr
Bliley Fawell
Blute Fazio
Boehlert Fields (LA)
Boehner Fields (TX)
Bonilla Filner
Bonior Fingerhut
Boucher Fish
Brewster Flake
Browder Foglietta
Brown (CA) Ford (MI)
Brown (FL) Ford (TN)
Brown (OH) Fowler
Bryant Frank (MA)
Bunning Franks (CT)
Burton Franks (NJ)
Buyer Frost
Byrne Furse
Callahan Gallegly
Calvert Gejdenson
Camp Gekas
Canady Gephardt
Cantwell Geren
Cardin Gibbons
Carr Gilchrist
Castle Gillmor
Chapman Gilman
Clay Gingrich
Clayton Glickman
Clement Gonzalez
Clinger Goodlatte
Clyburn Goodling
Coble Gordon
Coleman Goss
Collins (GA) Grams
Collins (IL) Grandy
Collins (MI) Green
Combust Greenwood
Condit Gunderson
Conyers Gutierrez
Cooper Hall (OH)
Coppersmith Hall (TX)
Costello Hamburg
Cox Hamilton
Coyne Hancock
Cramer Hansen
Crapo Harman
Cunningham Hastert
Danner Hayes
Darden Hefley
de la Garza Hefner

- McCollum
McCrery
McCurdy
McDade
McDermott
McHale
McHugh
McInnis
McKeon
McKinney
McMillan
McNulty
Meehan
Meek
Menendez
Meyers
Mfume
Mica
Michel
Miller (CA)
Miller (FL)
Mineta
Minge
Mink
Moakley
Molinari
Mollohan
Montgomery
Moorhead
Moran
Morella
Murphy
Murtha
Myers
Nadler
Neal (MA)
Neal (NC)
Norton (DC)
Nussle
Oberstar
Obey
Olver
Ortiz
Orton
Owens
Oxley
Packard
Pallone
Parker
Pastor
Paxon
Payne (NJ)
Payne (VA)
Pelosi
Penny
Peterson (FL)
Peterson (MN)
Petri
Pickett
Pickle
Pombo
Pomeroy
Porter
Poshard
Price (NC)
Pryce (OH)
Quillen
Quinn
Rahall
Ramstad
Rangel
Ravenel
Reed
Regula
Richardson
Ridge
Roberts
Roemer
Rogers
Rohrabacher
Romero-Barcelo
Ros-Lehtinen
Rose
Rostenkowski
Roth
Roukema
Rowland
Roybal-Allard
Royce
Rush
Sabo
Sanders
Sangmeister
Santorum
Sarpalius
Sawyer
Saxton
Schaefer
Schenck
Schiff
Schroeder
Schumer
Scott
Sensenbrenner
Serrano
Sharp
Shaw
Shays
Shepherd
Shuster
Sisisky
Skaggs
Skean
Skelton
Slattery
Slaughter
Smith (IA)
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Snowe
Solomon
Spence
Spratt
Stark
Stearns
Stenholm
Stokes
Strickland
Studds
Stump
Stupak
Sweet
Swift
Synar
Talent
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Tejeda
Thomas (CA)
Thomas (WY)
Thompson
Thornton
Thurman
Torkildsen
Torres
Torrucelli
Towns
Traficant
Tucker
Underwood (GU)
Unsoeld
Upton
Valentine
Velazquez
Vento
Visclosky
Volkmer
Vucanovich
Walker
Walsh
Watt
Waters
Waxman
Weldon
Wheat
Williams
Wilson
Wise
Wolf
Woolsey
Wyden
Wynn
Yates
Young (AK)
Young (FL)
Zeliff
Zimmer

NOES—0 NOT VOTING—13

- Andrews (TX) Gallo
Borski Hastings
Brooks Natcher
Crane Portman
Edwards (CA) Reynolds

So the amendment to the substitute amendment was agreed to.

After some further time,

20.12 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the foregoing substitute amendment, as amended, submitted by Mr. OWENS for the following amendment submitted by Mr. BARRETT of Nebraska:

Amendment submitted by Mr. BARRETT of Nebraska:

—Page 413, strike line 14 and all that follows through line 17.

—Page 413, line 18, strike “(2)” and insert “(1)”.

—Page 414, line 6, strike “(3)” and insert “(2)”.

—Page 414, line 12, strike “(4)” and insert “(3)”.

—Page 414, line 18, strike “(5)” and insert “(4)”.

—Page 414, line 22, strike “(6)” and insert “(5)”.

—Page 415, line 1, strike “(7)” and insert “(6)”.

—Page 416, after line 4, insert the following: “(c) GOVERNOR’S FUNDS.—A State’s application under this section shall also contain a comprehensive plan for the use of funds under section 4103A by the chief executive officer that includes—

“(1) a statement of the chief executive officer’s measurable goals and objectives for drug and violence prevention and a description of the procedures to be used for assessing and publicly reporting progress toward meeting those goals and objectives;

“(2) a description of how the chief executive officer will coordinate his or her activities under this part with the State educational agency and other State agencies and organizations involved with drug and violence prevention efforts;

“(3) a description of how funds reserved under section 4103A will be used so as not to duplicate the efforts of the State educational agency and local educational agencies with regard to the provision of school-based prevention efforts and services and how those funds will be used to serve populations not normally served by the State educational agency, such as school dropouts and youth in detention centers;

“(4) a description of how the chief executive officer will award funds under section 4103A and a plan for monitoring the performance of, and providing technical assistance to, recipients of such funds; and

“(5) a description of how funds will be used to support community-wide comprehensive drug and violence prevention planning.

—Page 416, line 24, strike “the total amount” and insert “an amount equal to 80 percent of the total amount”.

—Page 419, line 14, strike “(1)”.

—Page 419, strike line 18 and all that follows through line 21.

—Page 422, after line 21, insert the following:

SEC. 4103A. GOVERNOR’S PROGRAMS.

“(a) USE OF FUNDS.—(1) An amount equal to 20 percent of the total amount allocated to a State under section 4101 for each fiscal year shall be used by the chief executive officer of such State for drug and violence prevention programs and activities in accordance with this section.

“(2) A chief executive officer shall use not less than 10 percent of the 20 percent of the total amount described in paragraph (1) for each fiscal year for drug abuse resistance education programs in accordance with subsection (e).

“(3) A chief executive officer may use no more than five percent of the 20 percent of the total amount described in paragraph (1) for the administrative costs incurred in carrying out the duties of such officer under this section.

“(b) ADVISORY PANEL.—

“(1) ESTABLISHMENT.—

“(A) IN GENERAL.—Except as provided in subparagraph (B), a chief executive officer shall establish an advisory panel in accordance with this subsection for the purpose of developing a plan for the use of funds reserved under subsection (a)(1).

“(B) EXCEPTION.—The chief executive officer of a State shall be exempt from the requirement under subparagraph (A) if such State, on or before January 1, 1994, has established an independent agency as described in section 4103(a)(2)(A).

“(2) PLAN.—The advisory panel established under paragraph (1) shall develop a plan under which—

“(A) existing drug and violence prevention programs, projects, and activities in the State (including activities of the State educational agency and local educational agencies and community-based organizations) that are determined by the panel to be suc-