

(E) will use funds received under this title to supplement, not supplant, other Federal, State, and local funds.

(c) EXCEPTION.—The sentencing requirements under subparagraphs (A) and (C) of subsection (b)(2) shall apply except that the State may provide that the Governor of the State may allow for the release of a prisoner over the age of 70 after a public hearing in which representatives of the public and the prisoner's victims have an opportunity to be heard regarding a proposed release.

(d) ADDITIONAL ELIGIBILITY PROVISION.—A State shall also be eligible for funding under this title when such State has enacted legislation that provides for the State to be in compliance with this section not later than 3 years after the date of the enactment of such legislation or with respect to subparagraph (A) of the subsection (b)(2) a State may receive funding upon approval of the Attorney General of a good faith plan to reach the 85 percent requirement within 5 years.

(e) CONSIDERATION.—The Attorney General, in making such grants, shall give consideration to the special burden placed on States which incarcerate a substantial number of inmates who are in the United States illegally.

SEC. 603. FEDERAL FUNDS.

(a) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated \$2,000,000,000 for each of the fiscal years 1995 through 1999 to carry out the purposes of this title.

(b) CARRY OVER OF APPROPRIATIONS.—Any funds authorized, but not expended during a fiscal year shall be carried over and will be made available until expended.

(c) MATCHING REQUIREMENT.—The Federal share of a grant received under this title may not exceed 75 percent of the costs of a proposal described in an application approved under this title.

SEC. 604. RULES AND REGULATIONS.

The Attorney General shall issue rules and regulations regarding the uses of grant funds received under this title not later than 90 days after the date of the enactment of this title.

SEC. 605. DEFINITIONS AS USED IN THIS TITLE.

As used in this section—

(1) The term "arson" means an offense that has as its elements maliciously damaged or destroying any building, inhabited structure, vehicle, vessel, or real property by means of fire or an explosive;

(2) the term "assault with intent to commit rape" means an offense that has as its elements engaging in physical conduct by which a person intentionally places another person in fear of aggravated sexual abuse or sexual abuse (as described in sections 2241 and 2242 of title 18, United States Code);

(3) the term "extortion" means an offense that has as its elements the extraction of anything of value from another person by threatening or placing that person in fear of injury to any person or kidnapping of any person;

(4) the term "firearms use" means an offense that has as its elements those described in section 924(c) or 929(a) of title 18, United States Code, if the firearm was brandished, discharged, or otherwise used as a weapon and the crime of violence or drug trafficking crime during and relation to which the firearm was used was subject to prosecution in a court of the United States or a court of a State, or both;

(5) the term "kidnapping" means an offense that has as its elements the abduction, restraining, confining, or carrying away of another person by force or threat of force;

(6) the term "serious violent felony" means—

(A) a Federal or State offense, by whatever designation and wherever committed, con-

sisting of murder (as described in section 1111 of title 18, United States Code); manslaughter other than involuntary manslaughter (as described in section 1112 of such title); assault with intent to commit murder (as described in section 113(a) of such title); assault with intent to commit rape; aggravated sexual abuse and sexual abuse (as described in sections 2241 and 2242 of such title); abusive sexual contact (as described in section 2244(a)(1) and 2244(a)(2) of such title); kidnapping; aircraft piracy (as described in section 902(i)(2) or 902(n)(2) of the Federal Aviation Act of 1958 (49 U.S.C. 1472(i)(2) or (n)(2))); robbery (as described in section 2111 of title 18, United States Code); carjacking (as described in section 2119 of title 18) extortion; arson; firearms use; or attempt, conspiracy, or solicitation to commit any of the above offenses;

(B) any other offense punishable by a maximum term of imprisonment of 10 years or more that has as an element the use, attempted use, or threatened use of physical force against the person of another or that, by its nature, involves a substantial risk that physical force against the person of another may be used in the course of committing the offense;

(C) robbery; an attempt, conspiracy, or solicitation to commit robbery, or an offense described in paragraph (6)(B) shall not serve as a basis for sentencing under this title if the defendant establishes by clear and convincing evidence that—

(i) no firearm or other dangerous weapon was involved in the offense; and

(ii) the offense did not result in death or serious bodily injury (as defined in section 1365) to any person; or

(D) arson shall not serve as the basis for sentencing under this title if the defendant establishes by clear and convincing evidence that—

(i) the offense posed no threat to human life; and

(ii) the defendant reasonably believed the offense posed no threat to human life;

(7) the term "serious drug offense" means—

(i) an offense subject to a penalty provided for in section 401(b)(1)(A) or 408 of the Controlled Substances Act or section 1010(b)(1)(A) of the Controlled Substances Import and Export Act; or

(ii) an offense under State law that, had the offense been prosecuted in a court of the United States, would have been subject to a penalty provided for in section 401(b)(1)(A) or 408 of the Controlled Substances Act or section 1010(b)(1)(A) of the Controlled Substances Import and Export Act.

(8) the term "State" means a State of the United States, the District of Columbia, or any commonwealth, territory, or possession of the United States.

The vote was taken by electronic device.

It was decided in the affirmative Yeas 215 Nays 206 Answered present 1

35.31

[Roll No. 126]

AYES—215

- Abercrombie Bishop Chapman
Ackerman Blackwell Clay
Andrews (ME) Bonior Clayton
Andrews (TX) Borski Clyburn
Applegate Boucher Coleman
Baesler Brooks Collins (GA)
Barcia Brown (CA) Collins (MI)
Barlow Brown (OH) Conyers
Barrett (WI) Bryant Cooper
Becerra Byrne Coppersmith
Beilenson Cantwell Costello
Berman Cardin Coyne
Bilbray Carr Danner

- de la Garza Kildee Reynolds
de Lugo (VI) Kleczka Romero-Barcelo
Deal Klein (PR)
DeFazio Kopetski Rose
DeLauro Kreidler Rostenkowski
Dellums LaFalce Rowland
Derrick Lancaster Roybal-Allard
Dicks Lantos Rush
Dingell LaRocco Sabo
Dixon Laughlin Sanders
Durbin Levin Sangmeister
Edwards (CA) Lewis (GA) Sarpalio
Edwards (TX) Lipinski Sawyer
Engel Lloyd Schenk
English Long Schroeder
Eshoo Lowey Schumer
Evans Maloney Scott
Farr Mann Serrano
Fazio Manton Sharp
Fields (LA) Markey Shepherd
Filner Martinez Skaggs
Fingerhut Matsui Skelton
Flake Mazzoli Slattery
Foglietta McCloskey Slaughter
Ford (TN) McDermott Smith (IA)
Frank (MA) McKinney Spratt
Frost McNulty Stokes
Furse Meehan Strickland
Gejdenson Meek Studds
Gephardt Menendez Stupak
Gibbons Mfume Swift
Glickman Miller (CA) Synar
Gonzalez Mineta Tanner
Gordon Minge Tejada
Green Mink Thompson
Gutierrez Moakley Thornton
Hall (OH) Mollohan Thurman
Hamburg Murtha Torres
Hamilton Nadler Towns
Hastings Neal (MA) Tucker
Hefner Neal (NC) Underwood (GU)
Hilliard Norton (DC) Unsoeld
Hinchey Oberstar Valentine
Hoagland Obey Velazquez
Hochbrueckner Olver Vento
Hoyer Ortiz Visclosky
Hughes Orton Volkmer
Hutto Owens Washington
Inglis Pallone Watt
Inslee Pastor Waxman
Jacobs Payne (NJ) Wheat
Jefferson Pelosi Whitten
Johnson (GA) Penny Williams
Johnson (SD) Pickett Wilson
Johnson, E. B. Pomeroy Wise
Johnston Poshard Woolsey
Kanjorski Price (NC) Wyden
Kennedy Rahall Wynn
Kennelly Reed Yates

NOES—206

- Allard Crapo Hayes
Archer Cunningham Hefley
Armey Darden Herger
Bacchus (FL) DeLay Hobson
Bachus (AL) Deutsch Hoekstra
Baker (CA) Diaz-Balart Hoke
Baker (LA) Dickey Holden
Ballenger Dooley Horn
Barca Doolittle Houghton
Barrett (NE) Dornan Huffington
Bartlett Dreier Hunter
Barton Duncan Hutchinson
Bateman Dunn Hyde
Bentley Ehlers Inhofe
Bereuter Emerson Istook
Bevill Everett Johnson (CT)
Bilirakis Ewing Johnson, Sam
Bliley Fawell Kasich
Blute Fields (TX) Kim
Boehlert Fowler King
Boehner Franks (CT) Kingston
Bonilla Gallegly Klink
Brewster Gekas Klug
Browder Geren Knollenberg
Bunning Gilchrist Kolbe
Burton Gillmor Kyl
Buyer Gilman Lambert
Callahan Callahan Gingrich
Clay Calvert Goodlatte
Clayton Camp Goodling
Clyburn Canady Goss
Coleman Castle Grams
Collins (GA) Clinger Greenwood
Collins (MI) Coble Greenwood
Conyers Coble Gunderson
Cooper Combust Hall (TX)
Coppersmith Condit Hancock
Costello Cox Hansen
Coyne Cramer Harman
Danner Crane Hastert

Margolies-	Pombo	Smith (OR)
Mezvinsky	Porter	Smith (TX)
McCandless	Portman	Snowe
McCollum	Pryce (OH)	Solomon
McCrery	Quillen	Spence
McCurdy	Quinn	Stearns
McDade	Ramstad	Stenholm
McHale	Ravenel	Stump
McHugh	Regula	Sundquist
McInnis	Richardson	Swett
McKeon	Ridge	Talent
McMillan	Roberts	Tauzin
Meyers	Roemer	Taylor (MS)
Mica	Rogers	Taylor (NC)
Michel	Rohrabacher	Thomas (CA)
Miller (FL)	Ros-Lehtinen	Thomas (WY)
Molinari	Roth	Torkildsen
Montgomery	Roukema	Torricelli
Moorhead	Royce	Trafficant
Moran	Santorum	Upton
Morella	Saxton	Vucanovich
Murphy	Schaefer	Walker
Myers	Schiff	Walsh
Nussle	Sensenbrenner	Weldon
Oxley	Shaw	Wolf
Packard	Shays	Young (AK)
Parker	Shuster	Young (FL)
Paxon	Sisisky	Zeliff
Payne (VA)	Skeen	Zimmer
Peterson (MN)	Smith (MI)	
Petri	Smith (NJ)	

ANSWERED "PRESENT"—1

Waters

NOT VOTING—15

Andrews (NJ)	Fish	Peterson (FL)
Brown (FL)	Ford (MI)	Pickle
Clement	Franks (NJ)	Rangel
Collins (IL)	Gallo	Stark
Faleomavaega (AS)	Grandy	
	Kaptur	

So the substitute amendment to the amendment was agreed to.

After some further time,

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

When Mr. TORRICELLI, Chairman, reported that the Committee, having had under consideration said bill, had come to no resolution thereon.

¶35.32 ORDER OF BUSINESS—
CONSIDERATION OF H.R. 2884

On motion of Mr. MILLER of California, by unanimous consent,

Ordered, That it may be in order on Wednesday, April 20, 1994, or any day thereafter, for the House to consider the conference report on the bill (H.R. 2884) to establish a national framework for the development of School-to-Work Opportunities systems in all States, and for other purposes; and all points of order against said conference report and its consideration are hereby waived, and said conference report shall be considered as read when called up.

¶35.33 PERMISSION TO FILE CONFERENCE REPORT

On motion of Mr. MILLER of California, by unanimous consent, the managers on the part of the House were granted permission until midnight tonight to file a conference report (Rept. No. 103-480) on the bill (H.R. 2884) to establish a national framework for the development of School-to-Work Opportunities systems in all States, and for other purposes; together with a statement thereon, for printing in the Record under the rule.

¶35.34 HONORABLE THOMAS P. "TIP" O'NEILL YEAR

Mr. ROSE moved to suspend the rules and agree to the following resolution (H. Res. 329); as amended:

Whereas the death of the late Speaker of the House of Representatives, Thomas P. "Tip" O'Neill, Jr., on January 5, 1994, has created not only a personal loss to his many friends and colleagues, but also a great loss to the Nation;

Whereas Speaker O'Neill, is remembered by all for his dedication to good government and his love for the people of the United States;

Whereas Speaker O'Neill's compassion and goodness of heart and his spirit of cooperation and conciliation were evident to all who knew him;

Whereas in the House of Representatives and in his life, Speaker O'Neill's personal charm and political skill transcended differences of personality and party;

Whereas Speaker O'Neill presided over the House of Representatives from the Ninety-fifth Congress through the Ninety-ninth Congress and emerged as one of the greatest American political leader of this century; and

Whereas it is appropriate that the House of Representatives rededicate itself to the principles of leadership personified by Speaker O'Neill: Now, therefore, be it

Resolved, That 1994 is designated as a year to honor the memory and leadership qualities of the Honorable Thomas P. "Tip" O'Neill, Jr., the late Speaker of the House of Representatives.

SEC. 2. The Committee on House Administration of the House of Representatives shall have authority to prescribe regulations to carry out this resolution.

The SPEAKER pro tempore, Mr. BAESLER, recognized Mr. ROSE and Mr. THOMAS of California, each for 20 minutes.

After debate,

The question being put, *viva voce*,

Will the House suspend the rules and agree to said resolution, as amended?

The SPEAKER pro tempore, Mr. BAESLER, announced that two-thirds of the Members present had voted in the affirmative.

Mr. ROSE 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 SPEAKER pro tempore, Mr. BAESLER, pursuant to clause 5, rule I, announced that further proceedings on the motion were postponed until Wednesday, April 20, 1994, pursuant to the prior announcement of the Chair.

¶35.35 ENROLLED BILL SIGNED

Mr. ROSE, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 4066. An Act to suspend temporarily the duty on the personal effects of participants in, and certain other individuals associated with, the 1994 World Cup Soccer Games, the 1994 World Rowing Championships, the 1995 Special Olympics World Games, the 1996 Summer Olympics, and the 1996 Paralympics.

¶35.36 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted—

To Mr. GALLO, for the week of April 18;

To Mr. PORTMAN, for April 18;

To Mr. FISH, for today;

To Mrs. COLLINS of Illinois, for today;

To Mr. FALEOMAVAEGA, for today; and

To Mr. FRANKS of New Jersey, for today after 6:30 p.m.

And then,

¶35.37 ADJOURNMENT

On motion of Mr. SWETT, pursuant to the special order heretofore agreed, at 11 o'clock and 11 minutes p.m., the House adjourned until 10 o'clock a.m. on Wednesday, April 20, 1994.

¶35.38 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MILLER of California. Committee on Natural Resources, S. 1654. An Act to make certain technical corrections; with an amendment (Rept. No. 103-479, Pt. 1). Ordered to be printed.

Mr. FORD of Michigan. Committee of Conference. Conference report on H.R. 2884. A bill to establish a national framework for the development of school-to-work opportunities systems in all States, and for other purposes (Rep. 103-480). Ordered to be printed.

¶35.39 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. ROSTENKOWSKI:

H.R. 4245. A bill to amend title II of the Social Security Act and the Internal Revenue Code of 1986 to provide for the long-range solvency of the old-age, survivors, and disability insurance program; to the Committee on Ways and Means.

By Mr. TAUZIN (for himself and Mr. STUDDS):

H.R. 4246. A bill to authorize expenditures for fiscal year 1995 for the operation and maintenance of the Panama Canal, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. BARTLETT of Maryland:

H.R. 4247. A bill to establish the Department of Energy Laboratory Facilities Commission, and for other purposes; jointly, to the Committees on Science, Space, and Technology; Armed Services; and Rules.

By Mr. FIELDS of Texas:

H.R. 4248. A bill to provide for the protection of books and materials from the Library of Congress, and for other purposes; to the Committee on House Administration.

By Mr. FRANK of Massachusetts:

H.R. 4249. A bill to amend Public Law 89-732 to permit the adjustment to lawful permanent residence of Haitians in the same manner as provided for Cubans; to the Committee on the Judiciary.

By Mr. MARTINEZ (for himself, Ms. MOLINARI, Mr. FORD of Michigan, Mr. GOODLING, Mr. KILDEE, Mr. WILLIAMS, Mr. MILLER of California, and Mr. CASTLE):

H.R. 4250. A bill to authorize appropriations for fiscal years 1995 through 1998 to