

H.R. 3136: Mr. CLAY.
 H.R. 3293: Mr. SAXTON and Mr. DORNAN.
 H.R. 3392: Mr. BOUCHER, Mr. BAESLER, and Mr. McMILLAN.
 H.R. 3433: Mr. ENGEL, Mr. GEPHARDT, Mr. GILMAN, Mr. JEFFERSON, and Mr. KENNEDY.
 H.R. 3455: Mr. SCHIFF.
 H.R. 3486: Mr. MOORHEAD, Mr. EWING, Mr. HANCOCK, Mr. INGLIS of South Carolina, Mr. SANGMEISTER, Mr. SHAYS, Mr. MCCANDLESS, Mr. LIGHTFOOT, Mr. JEFFERSON, Mr. LAZIO, and Mr. KYL.
 H.R. 3488: Mr. HOLDEN, Mr. BAKER of Louisiana, Mr. BLILEY, Mr. GALLEGLY, Mr. TALENT, Mr. HERGER, Mr. YOUNG of Alaska, Mr. ROBERTS, Mr. ROGERS, Mr. SAM JOHNSON, and Mr. CANADY.
 H.R. 3490: Mr. KINGSTON and Mr. POMEROY.
 H.R. 3538: Mr. MILLER of California, Ms. VELAZQUEZ, Ms. COLLINS of Michigan, Mr. THOMPSON, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. CLYBURN, Mr. LEWIS of Georgia, Mr. DEFAZIO, Mr. MEEK of Florida, Ms. BROWN of Florida, Ms. PELOSI, Mr. HAMBURG, Mr. EDWARDS of California, Mr. ANDREWS of New Jersey, Mr. OWENS, Ms. CANTWELL, Mr. FARR, Mr. UNDERWOOD, Mr. HINCHHEY, Mr. WATT, Mr. GONZALEZ, Mr. MATSUI, Ms. ROYBAL-ALLARD, Mr. KILDEE, Mr. CONYERS, Mr. YATES, Mr. SAWYER, Mr. PALLONE, Mr. DIXON, Ms. MARGOLIES-MEZVINSKY, Mr. TORRES, and Mrs. SCHROEDER.
 H.R. 3546: Mr. GEJDENSON.
 H.R. 3666: Ms. KAPTUR, Mr. COYNE, Mr. DORNAN, Mr. DELLUMS, Mr. ROMERO-BARCELO, Mr. FROST, Mr. LANTOS, Mr. TUCKER, and Mr. BLILEY.
 H.R. 3684: Mr. CRANE, Mr. CARDIN, and Mr. JEFFERSON.
 H.R. 3784: Mr. HANSEN.
 H.R. 3811: Mr. FAZIO and Mr. MILLER of California.
 H.R. 3812: Mr. TAUZIN, Mr. ARCHER, Mr. LIPINSKI, Mr. GENE GREEN of Texas, and Mr. ANDREWS of Texas.
 H.R. 3871: Mr. LIVINGSTON, Mr. EWING, Mr. GENE GREEN of Texas, and Mr. CANADY.
 H.R. 3878: Mr. WYNN.
 H.R. 3939: Mr. PETERSON of Minnesota.
 H.R. 3951: Ms. ROS-LEHTINEN, Mr. ROEMER, and Mr. BROWN of Ohio.
 H.R. 3966: Mr. HOYER.
 H.R. 3987: Mrs. BENTLEY, Mr. GILCHREST, Mr. JACOBS, and Mr. GALLEGLY.
 H.R. 4042: Mr. STARK.
 H.R. 4047: Mr. DURBIN.
 H.R. 4048: Mr. FROST, Mr. BONIOR, and Mr. EVANS.
 H.R. 4051: Mr. WYNN.
 H.R. 4057: Mr. KREIDLER, Ms. SCHENK, Mr. HANCOCK, Ms. ESHOO, Mr. EWING, and Mr. SHAYS.
 H.R. 4062: Mr. FOGLIETTA, Mr. MILLER of California, Mr. ACKERMAN, Ms. VELAZQUEZ, Mr. BONIOR, Mr. CASTLE, Mr. WAXMAN, Ms. KAPTUR, Mr. REYNOLDS, and Mr. KENNEDY.
 H.R. 4100: Mr. EVANS, Mr. HOEKSTRA, and Mrs. SCHROEDER.
 H.R. 4114: Mr. KENNEDY, Mr. FOGLIETTA, Mr. ABERCROMBIE, Mr. FRANK of Massachusetts, Mr. STUDDS, Mr. PENNY, Mr. KOPETSKI, Mr. DE LUGO, Mrs. SCHROEDER, Mr. SANDERS, Mr. FILNER, Mr. UNDERWOOD, Ms. FURSE, Ms. VELAZQUEZ, Mr. MEEHAN, Ms. PELOSI, Mr. STARK, Ms. HARMAN, Mr. SABO, Mr. OLVER, Mr. TORRES, Mr. MILLER of California, Mr. EDWARDS of California, Mr. EVANS, Mr. HAMBURG, Mr. FALEOMAVAEGA, Mr. ENGEL, Mr. BROWN of California, Mr. DEFAZIO, Mr. MARKEY, Mr. BONIOR, Mr. McDERMOTT, Mr. MINETA, Mr. WAXMAN, Mr. GONZALEZ, and Mr. HINCHHEY.
 H.R. 4115: Mr. MILLER of California, Mr. LEVY, Mr. KENNEDY, Mr. PORTER, and Mr. BROWN of California.
 H.R. 4128: Ms. EDDIE BERNICE JOHNSON of Texas and Mr. FRANK of Massachusetts.
 H.R. 4135: Mr. PARKER, Mr. CRAMER, Mr. CLAY, Mr. GLICKMAN, Mr. EMERSON, Mr. KAN-

JORSKI, Mr. HAYES, Mr. DORNAN, Mrs. LLOYD, Mr. BILIRAKIS, Mr. REED, Mr. STUMP, Mr. DINGELL, Mr. ORTON, Mrs. THURMAN, Mr. COBLE, Mr. SLATTERY, Mr. VOLKMER, Mr. STENHOLM, Mr. TAYLOR of Mississippi, Mr. CONDIT, Mr. PAYNE of Virginia, Mr. RAHALL, Mr. LAUGHLIN, Mr. COSTELLO, Mr. SISISKY, Mr. FINGERHUT, Mr. PENNY, Mr. GORDON, Mr. HEFNER, Mr. BREWSTER, Mr. ORTIZ, Mr. UNDERWOOD, Mr. HALL of Ohio, Mr. WASHINGTON, and Mr. HUGHES.
 H.R. 4148: Mr. NADLER and Mr. KREIDLER.
 H.J. Res. 173: Mr. CALVERT.
 H.J. Res. 209: Mr. WASHINGTON, Mr. REYNOLDS, Mr. PICKLE, and Mrs. VUCANOVICH.
 H.J. Res. 253: Mr. MOAKLEY, Mr. HASTINGS, Mr. BROWN of Ohio, Mr. PORTMAN, Mr. WATT, Mr. NADLER, Mr. MOLLOHAN, Mr. SCHIFF, Mr. WYDEN, Mr. GENE GREEN of Texas, Mr. FLAKE, Mr. DARDEN, Mr. APPELEGATE, Mr. DURBIN, Mr. COPPERSMITH, Ms. WOOLSEY, Ms. ESHOO, Ms. WATERS, Ms. ROYBAL-ALLARD, Ms. SCHENK, and Ms. SHEPHERD.
 H.J. Res. 297: Mr. REYNOLDS, Mr. WELDON, Mr. COBLE, Mr. JEFFERSON, Mr. BUNNING, Mr. FINGERHUT, and Mr. MARTINEZ.
 H.J. Res. 319: Mr. BALLENGER, Mr. CALVERT, Mr. PORTER, Mr. PARKER, Mr. KING, and Mrs. FOWLER.
 H.J. Res. 327: Mrs. BENTLEY, Mr. EVANS, Mr. GENE GREEN of Texas, Mr. DE LUGO, Mr. KINGSTON, Mr. KREIDLER, Mr. CRAPO, Mr. VALENTINE, and Mr. CALLAHAN.
 H.J. Res. 333: Ms. MOLINARI, Mrs. UNSOELD, Mr. ORTON, Mr. PAYNE of Virginia, Mr. LEWIS of Georgia, Ms. ROYBAL-ALLARD, Mr. STARK, Mr. LEHMAN, Mr. BOUCHER, Mr. ACKERMAN, Mr. OWENS, Mr. McNULTY, and Mr. BONIOR.
 H.J. Res. 342: Mr. PORTER, Mr. EDWARDS of Texas, Mrs. VUCANOVICH, Mr. ACKERMAN, Mr. PRICE of North Carolina, Mr. OWENS, Mr. PICKETT, Mr. McNULTY, Mr. RICHARDSON, Mr. ANDREWS of Texas, Mr. RIDGE, Mr. SAM JOHNSON, Mr. DE LUGO, Mr. JEFFERSON, Mr. MOORHEAD, Mr. EWING, Mr. QUILLEN, Mr. TOWNS, Mr. STOKES, Mr. BISHOP, Mrs. MEYERS of Kansas, Mr. FAZIO, Ms. NORTON, Mr. MEEHAN, Mr. FLAKE, Mr. KASICH, Mr. McHALE, Mr. KLECZKA, Mr. VALENTINE, Mr. MATSUI, Mr. HEFNER, Mr. WYNN and Mr. BLILEY.
 H. Con. Res. 110: Mr. FORD of Tennessee, Mr. SMITH of Oregon, Mr. SABO, Mr. TALENT, Mr. HOAGLAND, and Mr. CANADY.
 H. Con. Res. 168: Mr. COX and Mr. EWING.
 H. Con. Res. 199: Mr. KIM and Mr. STUPAK.
 H. Con. Res. 210: Mr. MONTGOMERY and Mr. DELLUMS.
 H. Res. 281: Mr. DEFAZIO.
 H. Res. 329: Mr. FAZIO, Mr. REYNOLDS and Mrs. CLAYTON.
 H. Res. 372: Mr. COYNE and Mr. JEFFERSON.

WEDNESDAY, APRIL 20, 1994 (36)

The House was called to order by the SPEAKER.

36.1 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Tuesday, April 19, 1994.

Mr. SOLOMON, 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. 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 236
 Nays 149

36.2

[Roll No. 127]

YEAS—236

Abercrombie	Hall (OH)	Ortiz
Ackerman	Hall (TX)	Orton
Andrews (ME)	Hamburg	Pallone
Andrews (NJ)	Hamilton	Parker
Andrews (TX)	Harman	Pastor
Applegate	Hastings	Payne (NJ)
Baesler	Hayes	Payne (VA)
Barca	Hilliard	Pelosi
Barcia	Hinchev	Penny
Barlow	Hoagland	Peterson (FL)
Barrett (WI)	Hochbrueckner	Peterson (MN)
Bateman	Holden	Pickett
Becerra	Houghton	Pickle
Beilenson	Hughes	Pombo
Berman	Hutto	Pomeroy
Bevill	Hyde	Poshard
Bishop	Inglis	Price (NC)
Blackwell	Inslee	Rahall
Bonior	Jefferson	Rangel
Borski	Johnson (GA)	Reed
Brewster	Johnson (SD)	Reynolds
Brooks	Johnson, E. B.	Richardson
Browder	Johnston	Roemer
Brown (FL)	Kanjorski	Rose
Brown (OH)	Kasich	Rostenkowski
Bryant	Kennedy	Rowland
Byrne	Kennelly	Roybal-Allard
Cantwell	Kildee	Rush
Cardin	Kingston	Sabo
Carr	Klecza	Sanders
Clayton	Klein	Sangmeister
Clement	Klink	Sarpalaw
Coleman	Kreidler	Sawyer
Combest	LaFalce	Schenk
Condit	Lambert	Schumer
Conyers	Lancaster	Scott
Cooper	Lantos	Serrano
Coppersmith	LaRocco	Shepherd
Costello	Laughlin	Sisisky
Coyne	Lehman	Skaggs
Cramer	Levin	Skelton
Danner	Lewis (GA)	Slattery
Darden	Lipinski	Slaughter
de la Garza	Livingston	Smith (IA)
Deal	Lloyd	Smith (NJ)
DeFazio	Long	Snowe
DeLauro	Lowe	Spratt
Derrick	Maloney	Stark
Deutsch	Mann	Stenholm
Dicks	Margolies-	Stokes
Dingell	Mezvinsky	Strickland
Durbin	Markey	Studds
Edwards (CA)	Martinez	Stupak
Edwards (TX)	Matsui	Swett
English	Mazzoli	Synar
Eshoo	McCloskey	Tanner
Evans	McCurdy	Tauzin
Everett	McDermott	Tejeda
Farr	McHale	Thompson
Fazio	McKinney	Thornton
Fields (LA)	Meehan	Thurman
Filner	Meek	Torres
Fingerhut	Menendez	Torricelli
Flake	Mfume	Traficant
Foglietta	Miller (CA)	Unsoeld
Ford (MI)	Mineta	Valentine
Frank (MA)	Minge	Velazquez
Gejdenson	Mink	Vento
Gephardt	Moakley	Visclosky
Geren	Mollohan	Volkmer
Gibbons	Montgomery	Watt
Gillmor	Moran	Wheat
Gilman	Murtha	Williams
Glickman	Myers	Wilson
Gonzalez	Nadler	Wise
Gordon	Neal (MA)	Woolsey
Green	Oberstar	Wyden
Greenwood	Obey	Wynn
Gutierrez	Olver	Yates

NAYS—149

Allard	Bliley	Coble
Archer	Blute	Collins (GA)
Armey	Boehler	Cox
Bachus (AL)	Boehner	Crane
Baker (CA)	Bonilla	Crapo
Baker (LA)	Bunning	Cunningham
Ballenger	Burton	DeLay
Barrett (NE)	Buyer	Diaz-Balart
Bartlett	Callahan	Dickey
Barton	Calvert	Doolittle
Bentley	Camp	Dornan
Bereuter	Canady	Dreier
Bilirakis	Castle	Duncan

Dunn	Kolbe	Ros-Lehtinen
Ehlers	Kyl	Roth
Emerson	Lazio	Roukema
Ewing	Levy	Royce
Fawell	Lewis (CA)	Santorum
Fields (TX)	Lewis (FL)	Saxton
Fowler	Lightfoot	Schaefer
Franks (CT)	Linder	Schiff
Franks (NJ)	Machtley	Schroeder
Gallegly	Manzullo	Sensenbrenner
Gekas	McCandless	Shaw
Gilchrist	McCollum	Shays
Gingrich	McHugh	Skeen
Goodlatte	McKeon	Smith (MI)
Goodling	Mica	Smith (OR)
Goss	Michel	Smith (TX)
Grams	Miller (FL)	Solomon
Gunderson	Molinari	Spence
Hancock	Moorhead	Stearns
Hansen	Morella	Stump
Hastert	Murphy	Sundquist
Hefley	Nussle	Talent
Herger	Oxley	Taylor (MS)
Hobson	Packard	Taylor (NC)
Hoekstra	Paxon	Thomas (CA)
Hoke	Petri	Thomas (WY)
Horn	Porter	Torkildsen
Hunter	Portman	Upton
Hutchinson	Pryce (OH)	Vucanovich
Inhofe	Quillen	Walker
Istook	Quinn	Walsh
Jacobs	Ramstad	Weldon
Johnson, Sam	Ravenel	Wolf
Kim	Regula	Young (FL)
King	Roberts	Zeliff
Klug	Rogers	Zimmer
Knollenberg	Rohrabacher	

NOT VOTING—47

Bacchus (FL)	Frost	McNulty
Bilbray	Furse	Meyers
Boucher	Gallo	Neal (NC)
Brown (CA)	Grandy	Owens
Chapman	Hefner	Ridge
Clay	Hoyer	Sharp
Clinger	Huffington	Shuster
Clyburn	Johnson (CT)	Swift
Collins (IL)	Kaptur	Towns
Collins (MI)	Kopetski	Tucker
Dellums	Leach	Washington
Dixon	Manton	Waters
Dooley	McCrery	Waxman
Engel	McDade	Whitten
Fish	McInnis	Young (AK)
Ford (TN)	McMillan	

So the Journal was approved.

136.3 COMMUNICATIONS

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

3011. A letter from the Secretary of Agriculture, transmitting a draft of proposed legislation to amend the act of March 4, 1913 (16 U.S.C. 502), and the act of June 20, 1058 (16 U.S.C. 556c), to increase maximum amounts for which Forest Service employees may be reimbursed for the loss of, or damage to, personal property; to the Committee on Agriculture.

3012. A letter from the President, Export-Import Bank of the United States, transmitting notification of their approval of a sale by the Boeing Co.; to the Committee on Banking, Finance and Urban Affairs.

3013. A letter from the Secretary of Housing and Urban Development, transmitting a status report on the Department's 1994 legislative agenda and its recent initiatives and a report entitled "Presidential Performance Agreement with HUD"; to the Committee on Banking, Finance and Urban Affairs.

3014. A letter from the Administrator, Energy Information Administration, Department of Energy, transmitting the Emergency Information Administration's annual report for calendar year 1993, pursuant to 15 U.S.C. 790f(a)(2); to the Committee on Energy and Commerce.

3015. A letter from the Secretary of Agriculture, transmitting the Department's annual report on its hazardous waste management activities for calendar year 1992, pursu-

ant to 41 U.S.C. 9620(e)(5); to the Committee on Energy and Commerce.

3016. A letter from the Director, Defense Security Assistance Agency, transmitting a copy of Transmittal No. 01-94, concerning a proposed agreement with the Government of Australia, pursuant to 22 U.S.C. 2767(f); to the Committee on Foreign Affairs.

3017. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting the semi-annual reports on voluntary contributions by the U.S. to international organizations for the period April 1, 1993 to September 30, 1993, pursuant to 22 U.S.C. 2226(b)(1); to the Committee on Foreign Affairs.

3018. A letter from the Assistant Secretary of State for Legislative Affairs, transmitting copies of the original report of political contributions by Carol Jones Carmody, of Louisiana, to be the American Representative on the Council of the International Civil Aviation Organization, and members of her family, pursuant to 22 U.S.C. 3944(b)(2); to the Committee on Foreign Affairs.

3019. A communication from the President of the United States, transmitting a further report on the status of the United States contribution to the ongoing United Nations embargo enforcement effort of Haiti. (H. Doc. No. 103-241); to the Committee on Foreign Affairs and ordered to be printed.

3020. A communication from the President of the United States, transmitting his further report concerning his decision to deploy a U.S. Army peacekeeping contingent as part of the United Nations protection force in the Republic of Macedonia. (H. Doc. No. 103-240); to the Committee on Foreign Affairs and ordered to be printed.

3021. A letter from the Director, Office of Management and Budget, transmitting OMB estimate of the amount of change in outlays or receipts, as the case may be, in each fiscal year through fiscal year 1999 resulting from passage of S. 476 and S. 1299, pursuant to Public Law 101-508, section 13101(a) (104 Stat. 1388-582); to the Committee on Government Operations.

3022. A letter from the Deputy Director for Administration, Central Intelligence Agency, transmitting a report of activities under the Freedom of Information Act for calendar year 1993, pursuant to 5 U.S.C. 552(d); to the Committee on Government Operations.

3023. A letter from the Chairman, Federal Communications Commission, transmitting a copy of the annual report in compliance with the Government in the Sunshine Act during the calendar year 1993, pursuant to 5 U.S.C. 552b(j); to the Committee on Government Operations.

3024. A letter from the Executive Director, Pension Benefit Guaranty Corporation, transmitting a report of activities under the Freedom of Information Act for calendar year 1993, pursuant to 5 U.S.C. 552(d); to the Committee on Government Operations.

3025. A letter from the Commandant, U.S. Coast Guard and the Under Secretary for the National Oceanic and Atmospheric Administration, transmitting notification that the report on whether measures for regulating vessel traffic in the Monterey Bay National Marine Sanctuary will be submitted by the end of calendar year 1994, pursuant to 16 U.S.C. 1433 note; to the Committee on Merchant Marine and Fisheries.

3026. A letter from the Deputy General Counsel, Department of Commerce, transmitting a draft of proposed legislation to amend the National Oceanic and Atmospheric Administration Marine Fisheries Program Authorization Act to authorize appropriations for fiscal years 1994 and through 1996; to the Committee on Merchant Marine and Fisheries.

3027. A letter from the Secretary of Transportation, transmitting notification con-

cerning the report on highway and transit conditions and performance to be submitted in summer 1994, pursuant to 49 U.S.C. 308(e) transmitting; to the Committee on Public Works and Transportation.

136.4 SCHOOL-TO-WORK OPPORTUNITIES

Mr. FORD of Michigan, pursuant to the special order of the House of Tuesday, April 19, 1994, called up the following conference report (Rept. No. 103-480):

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to 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, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same 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 "School-to-Work Opportunities Act of 1994".

(b) TABLE OF CONTENTS.—The table of contents is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Findings.
- Sec. 3. Purposes and congressional intent.
- Sec. 4. Definitions.
- Sec. 5. Federal administration.

TITLE I—SCHOOL-TO-WORK OPPORTUNITIES BASIC PROGRAM COMPONENTS

- Sec. 101. General program requirements.
- Sec. 102. School-based learning component.
- Sec. 103. Work-based learning component.
- Sec. 104. Connecting activities component.

TITLE II—SCHOOL-TO-WORK OPPORTUNITIES SYSTEM DEVELOPMENT AND IMPLEMENTATION GRANTS TO STATES**Subtitle A—State Development Grants**

- Sec. 201. Purpose.
- Sec. 202. Authorization.
- Sec. 203. Application.
- Sec. 204. Approval of application.
- Sec. 205. Use of amounts.
- Sec. 206. Maintenance of effort.
- Sec. 207. Reports.

Subtitle B—State Implementation Grants

- Sec. 211. Purpose.
- Sec. 212. Authorization.
- Sec. 213. Application.
- Sec. 214. Review of application.
- Sec. 215. Use of amounts.
- Sec. 216. Allocation requirement.
- Sec. 217. Limitation on administrative costs.

Subtitle C—Development and Implementation Grants for School-to-Work Programs for Indian Youths

- Sec. 221. Authorization.
- Sec. 222. Requirements.

TITLE III—FEDERAL IMPLEMENTATION GRANTS TO LOCAL PARTNERSHIPS

- Sec. 301. Purposes.
- Sec. 302. Authorization.
- Sec. 303. Application.
- Sec. 304. Use of amounts.
- Sec. 305. Conformity with approved State plan.
- Sec. 306. Reports.
- Sec. 307. High poverty area defined.

TITLE IV—NATIONAL PROGRAMS

- Sec. 401. Research, demonstration, and other projects.

- Sec. 402. Performance outcomes and evaluation.
 Sec. 403. Training and technical assistance.
 Sec. 404. Capacity building and information and dissemination network.
 Sec. 405. Reports to Congress.
 Sec. 406. Funding.

TITLE V—WAIVER OF STATUTORY AND REGULATORY REQUIREMENTS

- Sec. 501. State and local partnership requests and responsibilities for waivers.
 Sec. 502. Waiver authority of Secretary of Education.
 Sec. 503. Waiver authority of Secretary of Labor.
 Sec. 504. Combination of Federal funds for high poverty schools.
 Sec. 505. Combination of Federal funds by States for school-to-work activities.

TITLE VI—GENERAL PROVISIONS

- Sec. 601. Requirements.
 Sec. 602. Sanctions.
 Sec. 603. State authority.
 Sec. 604. Prohibition on Federal mandates, direction, and control.
 Sec. 605. Authorization of appropriations.

TITLE VII—OTHER PROGRAMS

Subtitle A—Reauthorization of Job Training for the Homeless Demonstration Program Under the Stewart B. McKinney Homeless Assistance Act

- Sec. 701. Reauthorization.

Subtitle B—Tech-Prep Programs

- Sec. 711. Tech-prep education.

Subtitle C—Alaska Native Art and Culture

- Sec. 721. Short title.
 Sec. 722. Alaska Native art and culture.

Subtitle D—Job Training

- Sec. 731. Amendment to Job Training Partnership Act to provide allowances for child care costs to certain individuals participating in the Job Corps.

TITLE VIII—TECHNICAL PROVISIONS

- Sec. 801. Effective date.
 Sec. 802. Sunset.

SEC. 2. FINDINGS.

Congress finds that—

- (1) three-fourths of high school students in the United States enter the workforce without baccalaureate degrees, and many do not possess the academic and entry-level occupational skills necessary to succeed in the changing United States workplace;
- (2) a substantial number of youths in the United States, especially disadvantaged students, students of diverse racial, ethnic, and cultural backgrounds, and students with disabilities, do not complete high school;
- (3) unemployment among youths in the United States is intolerably high, and earnings of high school graduates have been falling relative to earnings of individuals with more education;
- (4) the workplace in the United States is changing in response to heightened international competition and new technologies, and such forces, which are ultimately beneficial to the Nation, are shrinking the demand for and undermining the earning power of unskilled labor;
- (5) the United States lacks a comprehensive and coherent system to help its youths acquire the knowledge, skills, abilities, and information about and access to the labor market necessary to make an effective transition from school to career-oriented work or to further education and training;
- (6) students in the United States can achieve high academic and occupational standards, and many learn better and retain more when the students learn in context, rather than in the abstract;

(7) while many students in the United States have part-time jobs, there is infrequent linkage between—

- (A) such jobs; and
 - (B) the career planning or exploration, or the school-based learning, of such students;
- (8) the work-based learning approach, which is modeled after the time-honored apprenticeship concept, integrates theoretical instruction with structured on-the-job training, and this approach, combined with school-based learning, can be very effective in engaging student interest, enhancing skill acquisition, developing positive work attitudes, and preparing youths for high-skill, high-wage careers;

(9) Federal resources currently fund a series of categorical, work-related education and training programs, many of which serve disadvantaged youths, that are not administered as a coherent whole; and

(10) in 1992 approximately 3,400,000 individuals in the United States age 16 through 24 had not completed high school and were not currently enrolled in school, a number representing approximately 11 percent of all individuals in this age group, which indicates that these young persons are particularly unprepared for the demands of a 21st century workforce.

SEC. 3. PURPOSES AND CONGRESSIONAL INTENT.

(a) PURPOSES.—The purposes of this Act are—

(1) to establish a national framework within which all States can create statewide School-to-Work Opportunities systems that—

- (A) are a part of comprehensive education reform;
- (B) are integrated with the systems developed under the Goals 2000: Educate America Act and the National Skill Standards Act of 1994; and
- (C) offer opportunities for all students to participate in a performance-based education and training program that will—

- (i) enable the students to earn portable credentials;
- (ii) prepare the students for first jobs in high-skill, high-wage careers; and
- (iii) increase their opportunities for further education, including education in a 4-year college or university;

(2) to facilitate the creation of a universal, high-quality school-to-work transition system that enables youths in the United States to identify and navigate paths to productive and progressively more rewarding roles in the workplace;

(3) to utilize workplaces as active learning environments in the educational process by making employers joint partners with educators in providing opportunities for all students to participate in high-quality, work-based learning experiences;

(4) to use Federal funds under this Act as venture capital, to underwrite the initial costs of planning and establishing statewide School-to-Work Opportunities systems that will be maintained with other Federal, State, and local resources;

(5) to promote the formation of local partnerships that are dedicated to linking the worlds of school and work among secondary schools and postsecondary educational institutions, private and public employers, labor organizations, government, community-based organizations, parents, students, State educational agencies, local educational agencies, and training and human service agencies;

(6) to promote the formation of local partnerships between elementary schools and secondary schools (including middle schools) and local businesses as an investment in future workplace productivity and competitiveness;

(7) to help all students attain high academic and occupational standards;

(8) to build on and advance a range of promising school-to-work activities, such as tech-prep education, career academies, school-to-apprenticeship programs, cooperative education, youth apprenticeship, school-sponsored enterprises, business-education compacts, and promising strategies that assist school dropouts, that can be developed into programs funded under this Act;

(9) to improve the knowledge and skills of youths by integrating academic and occupational learning, integrating school-based and work-based learning, and building effective linkages between secondary and postsecondary education;

(10) to encourage the development and implementation of programs that will require paid high-quality, work-based learning experiences;

(11) to motivate all youths, including low-achieving youths, school dropouts, and youths with disabilities, to stay in or return to school or a classroom setting and strive to succeed, by providing enriched learning experiences and assistance in obtaining good jobs and continuing their education in postsecondary educational institutions;

(12) to expose students to a broad array of career opportunities, and facilitate the selection of career majors, based on individual interests, goals, strengths, and abilities;

(13) to increase opportunities for minorities, women, and individuals with disabilities, by enabling individuals to prepare for careers that are not traditional for their race, gender, or disability; and

(14) to further the National Education Goals set forth in title I of the Goals 2000: Educate America Act.

(b) CONGRESSIONAL INTENT.—It is the intent of Congress that the Secretary of Labor and the Secretary of Education jointly administer this Act in a flexible manner that—

(1) promotes State and local discretion in establishing and implementing statewide School-to-Work Opportunities systems and School-to-Work Opportunities programs; and

(2) contributes to reinventing government by—

- (A) building on State and local capacity;
- (B) eliminating duplication in education and training programs for youths by integrating such programs into 1 comprehensive system;
- (C) maximizing the effective use of resources;
- (D) supporting locally established initiatives;
- (E) requiring measurable goals for performance; and
- (F) offering flexibility in meeting such goals.

SEC. 4. DEFINITIONS.

As used in this Act:

(1) ALL ASPECTS OF AN INDUSTRY.—The term “all aspects of an industry” means all aspects of the industry or industry sector a student is preparing to enter, including planning, management, finances, technical and production skills, underlying principles of technology, labor and community issues, health and safety issues, and environmental issues, related to such industry or industry sector.

(2) ALL STUDENTS.—The term “all students” means both male and female students from a broad range of backgrounds and circumstances, including disadvantaged students, students with diverse racial, ethnic, or cultural backgrounds, American Indians, Alaska Natives, Native Hawaiians, students with disabilities, students with limited-English proficiency, migrant children, school dropouts, and academically talented students.

(3) APPROVED STATE PLAN.—The term “approved State plan” means a statewide School-to-Work Opportunities system plan

that is submitted by a State under section 213, is determined by the Secretaries to include the program components described in sections 102 through 104 and otherwise meet the requirements of this Act, and is consistent with the State improvement plan for the State, if any, under the Goals 2000: Educate America Act.

(4) CAREER GUIDANCE AND COUNSELING.—The term “career guidance and counseling” means programs—

(A) that pertain to the body of subject matter and related techniques and methods organized for the development in individuals of career awareness, career planning, career decisionmaking, placement skills, and knowledge and understanding of local, State, and national occupational, educational, and labor market needs, trends, and opportunities;

(B) that assist individuals in making and implementing informed educational and occupational choices; and

(C) that aid students to develop career options with attention to surmounting gender, race, ethnic, disability, language, or socioeconomic impediments to career options and encouraging careers in nontraditional employment.

(5) CAREER MAJOR.—The term “career major” means a coherent sequence of courses or field of study that prepares a student for a first job and that—

(A) integrates academic and occupational learning, integrates school-based and work-based learning, establishes linkages between secondary schools and postsecondary educational institutions;

(B) prepares the student for employment in a broad occupational cluster or industry sector;

(C) typically includes at least 2 years of secondary education and at least 1 or 2 years of postsecondary education;

(D) provides the students, to the extent practicable, with strong experience in and understanding of all aspects of the industry the students are planning to enter;

(E) results in the award of—

(i) a high school diploma or its equivalent, such as—

(I) a general equivalency diploma; or

(II) an alternative diploma or certificate for students with disabilities for whom such alternative diploma or certificate is appropriate;

(ii) a certificate or diploma recognizing successful completion of 1 or 2 years of postsecondary education (if appropriate); and

(iii) a skill certificate; and

(F) may lead to further education and training, such as entry into a registered apprenticeship program, or may lead to admission to a 2- or 4-year college or university.

(6) COMMUNITY-BASED ORGANIZATIONS.—The term “community-based organizations” has the meaning given such term in section 4(5) of the Job Training Partnership Act (29 U.S.C. 1503(5)).

(7) ELEMENTARY SCHOOL.—The term “elementary school” means a day or residential school that provides elementary education, as determined under State law.

(8) EMPLOYER.—The term “employer” includes both public and private employers.

(9) GOVERNOR.—The term “Governor” means the chief executive of a State.

(10) LOCAL EDUCATIONAL AGENCY.—The term “local educational agency” means a public board of education or other public authority legally constituted within a State for either administrative control or direction of, or to perform a service function for, public elementary or secondary schools in a city, county, township, school district, or other political subdivision of a State, or such combination of school districts or counties as are recognized in a State as an administrative agency for its public elementary or second-

ary schools. Such term includes any other public institution or agency having administrative control and direction of a public elementary or secondary school.

(11) LOCAL PARTNERSHIP.—The term “local partnership” means a local entity that is responsible for local School-to-Work Opportunities programs and that—

(A) consists of employers, representatives of local educational agencies and local postsecondary educational institutions (including representatives of area vocational education schools, where applicable), local educators (such as teachers, counselors, or administrators), representatives of labor organizations or nonmanagerial employee representatives, and students; and

(B) may include other entities, such as—

(i) employer organizations;

(ii) community-based organizations;

(iii) national trade associations working at the local levels;

(iv) industrial extension centers;

(v) rehabilitation agencies and organizations;

(vi) registered apprenticeship agencies;

(vii) local vocational education entities;

(viii) proprietary institutions of higher education (as defined in section 481(b) of the Higher Education Act of 1965 (20 U.S.C. 1088(b)) that continue to meet the eligibility and certification requirements under title IV of such Act (20 U.S.C. 1070 et seq.);

(ix) local government agencies;

(x) parent organizations;

(xi) teacher organizations;

(xii) vocational student organizations;

(xiii) private industry councils established under section 102 of the Job Training Partnership Act (29 U.S.C. 1512);

(xiv) federally recognized Indian tribes, Indian organizations, and Alaska Native villages within the meaning of the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.); and

(xv) Native Hawaiian entities.

(12) POSTSECONDARY EDUCATIONAL INSTITUTION.—The term “postsecondary educational institution” means an institution of higher education (as such term is defined in section 481 of the Higher Education Act of 1965 (20 U.S.C. 1088)) which continues to meet the eligibility and certification requirements under title IV of such Act (20 U.S.C. 1070 et seq.).

(13) REGISTERED APPRENTICESHIP AGENCY.—The term “registered apprenticeship agency” means the Bureau of Apprenticeship and Training in the Department of Labor or a State apprenticeship agency recognized and approved by the Bureau of Apprenticeship and Training as the appropriate body for State registration or approval of local apprenticeship programs and agreements for Federal purposes.

(14) REGISTERED APPRENTICESHIP PROGRAM.—The term “registered apprenticeship program” means a program registered by a registered apprenticeship agency.

(15) RELATED SERVICES.—The term “related services” includes the types of services described in section 602(17) of the Individuals with Disabilities Education Act (20 U.S.C. 1401(17)).

(16) RURAL COMMUNITY WITH LOW POPULATION DENSITY.—The term “rural community with low population density” means a county, block number area in a nonmetropolitan county, or consortium of counties or of such block number areas, that has a population density of 20 or fewer individuals per square mile.

(17) SCHOOL DROPOUT.—The term “school dropout” means a youth who is no longer attending any school and who has not received a secondary school diploma or a certificate from a program of equivalency for such a diploma.

(18) SCHOOL SITE MENTOR.—The term “school site mentor” means a professional

employed at a school who is designated as the advocate for a particular student, and who works in consultation with classroom teachers, counselors, related services personnel, and the employer of the student to design and monitor the progress of the School-to-Work Opportunities program of the student.

(19) SCHOOL-TO-WORK OPPORTUNITIES PROGRAM.—The term “School-to-Work Opportunities program” means a program that meets the requirements of this Act, other than a program described in section 401(a).

(20) SECONDARY SCHOOL.—The term “secondary school” means—

(A) a nonprofit day or residential school that provides secondary education, as determined under State law, except that it does not include any education provided beyond grade 12; and

(B) a Job Corps center under part B of title IV of the Job Training Partnership Act (29 U.S.C. 1691 et seq.).

(21) SECRETARIES.—The term “Secretaries” means the Secretary of Education and the Secretary of Labor.

(22) SKILL CERTIFICATE.—The term “skill certificate” means a portable, industry-recognized credential issued by a School-to-Work Opportunities program under an approved State plan, that certifies that a student has mastered skills at levels that are at least as challenging as skill standards endorsed by the National Skill Standards Board established under the National Skill Standards Act of 1994, except that until such skill standards are developed, the term “skill certificate” means a credential issued under a process described in the approved State plan.

(23) STATE.—The term “State” means each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, American Samoa, Guam, the Virgin Islands, the Federated States of Micronesia, the Republic of the Marshall Islands, and the Republic of Palau.

(24) STATE EDUCATIONAL AGENCY.—The term “State educational agency” means the officer or agency primarily responsible for the State supervision of public elementary and secondary schools.

(25) WORKPLACE MENTOR.—The term “workplace mentor” means an employee or other individual, approved by the employer at a workplace, who possesses the skills and knowledge to be mastered by a student, and who instructs the student, critiques the performance of the student, challenges the student to perform well, and works in consultation with classroom teachers and the employer of the student.

SEC. 5. FEDERAL ADMINISTRATION.

(a) JOINT ADMINISTRATION.—

(1) IN GENERAL.—Notwithstanding the Department of Education Organization Act (20 U.S.C. 3401 et seq.), the General Education Provisions Act (20 U.S.C. 1221 et seq.), the Act entitled “An Act To Create a Department of Labor”, approved March 4, 1913 (29 U.S.C. 551 et seq.), and section 166 of the Job Training Partnership Act (29 U.S.C. 1576), the Secretaries shall jointly provide for, and shall exercise final authority over, the administration of this Act, and shall have final authority to jointly issue whatever procedures, guidelines, and regulations, in accordance with section 553 of title 5, United States Code, the Secretaries consider necessary and appropriate to administer and enforce the provisions of this Act.

(2) SUBMISSION OF PLAN.—Not later than 120 days after the date of enactment of this Act, the Secretaries shall prepare a plan for the joint administration of this Act and submit such plan to Congress for review and comment.

(b) ACCEPTANCE OF GIFTS.—The Secretaries are authorized, in carrying out this Act, to accept, purchase, or lease in the name of the Department of Labor or the Department of Education, and employ or dispose of in furtherance of the purposes of this Act, any money or property, real, personal, or mixed, tangible or intangible, received by gift, devise, bequest, or otherwise.

(c) USE OF VOLUNTARY AND UNCOMPENSATED SERVICES.—Notwithstanding section 1342 of title 31, United States Code, the Secretaries are authorized to accept voluntary and uncompensated services in furtherance of the purposes of this Act.

TITLE I—SCHOOL-TO-WORK OPPORTUNITIES BASIC PROGRAM COMPONENTS

SEC. 101. GENERAL PROGRAM REQUIREMENTS.

A School-to-Work Opportunities program under this Act shall—

(1) integrate school-based learning and work-based learning, as provided for in sections 102 and 103, integrate academic and occupational learning, and establish effective linkages between secondary and postsecondary education;

(2) provide participating students with the opportunity to complete career majors;

(3) incorporate the program components provided in sections 102 through 104;

(4) provide participating students, to the extent practicable, with strong experience in and understanding of all aspects of the industry the students are preparing to enter; and

(5) provide all students with equal access to the full range of such program components (including both school-based and work-based learning components) and related activities, such as recruitment, enrollment, and placement activities, except that nothing in this Act shall be construed to provide any individual with an entitlement to services under this Act.

SEC. 102. SCHOOL-BASED LEARNING COMPONENT.

The school-based learning component of a School-to-Work Opportunities program shall include—

(1) career awareness and career exploration and counseling (beginning at the earliest possible age, but not later than the 7th grade) in order to help students who may be interested to identify, and select or reconsider, their interests, goals, and career majors, including those options that may not be traditional for their gender, race, or ethnicity;

(2) initial selection by interested students of a career major not later than the beginning of the 11th grade;

(3) a program of study designed to meet the same academic content standards the State has established for all students, including, where applicable, standards established under the Goals 2000: Educate America Act, and to meet the requirements necessary to prepare a student for postsecondary education and the requirements necessary for a student to earn a skill certificate;

(4) a program of instruction and curriculum that integrates academic and vocational learning (including applied methodologies and team-teaching strategies), and incorporates instruction, to the extent practicable, in all aspects of an industry, appropriately tied to the career major of a participant;

(5) regularly scheduled evaluations involving ongoing consultation and problem solving with students and school dropouts to identify their academic strengths and weaknesses, academic progress, workplace knowledge, goals, and the need for additional learning opportunities to master core academic and vocational skills; and

(6) procedures to facilitate the entry of students participating in a School-to-Work

Opportunities program into additional training or postsecondary education programs, as well as to facilitate the transfer of the students between education and training programs.

SEC. 103. WORK-BASED LEARNING COMPONENT.

(a) MANDATORY ACTIVITIES.—The work-based learning component of a School-to-Work Opportunities program shall include—

(1) work experience;

(2) a planned program of job training and work experiences (including training related to preemployment and employment skills to be mastered at progressively higher levels) that are coordinated with learning in the school-based learning component described in section 102 and are relevant to the career majors of students and lead to the award of skill certificates;

(3) workplace mentoring;

(4) instruction in general workplace competencies, including instruction and activities related to developing positive work attitudes, and employability and participative skills; and

(5) broad instruction, to the extent practicable, in all aspects of the industry.

(b) PERMISSIBLE ACTIVITIES.—Such component may include such activities as paid work experience, job shadowing, school-sponsored enterprises, or on-the-job training.

SEC. 104. CONNECTING ACTIVITIES COMPONENT.

The connecting activities component of a School-to-Work Opportunities program shall include—

(1) matching students with the work-based learning opportunities of employers;

(2) providing, with respect to each student, a school site mentor to act as a liaison among the student and the employer, school, teacher, school administrator, and parent of the student, and, if appropriate, other community partners;

(3) providing technical assistance and services to employers, including small- and medium-sized businesses, and other parties—

(A) designing school-based learning components described in section 102, work-based learning components described in section 103, and counseling and case management services; and

(B) training teachers, workplace mentors, school site mentors, and counselors;

(4) providing assistance to schools and employers to integrate school-based and work-based learning and integrate academic and occupational learning into the program;

(5) encouraging the active participation of employers, in cooperation with local education officials, in the implementation of local activities described in section 102, section 103, or this section;

(6)(A) providing assistance to participants who have completed the program in finding an appropriate job, continuing their education, or entering into an additional training program; and

(B) linking the participants with other community services that may be necessary to assure a successful transition from school to work;

(7) collecting and analyzing information regarding post-program outcomes of participants in the School-to-Work Opportunities program, to the extent practicable, on the basis of socioeconomic status, race, gender, ethnicity, culture, and disability, and on the basis of whether the participants are students with limited-English proficiency, school dropouts, disadvantaged students, or academically talented students; and

(8) linking youth development activities under this Act with employer and industry strategies for upgrading the skills of their workers.

TITLE II—SCHOOL-TO-WORK OPPORTUNITIES SYSTEM DEVELOPMENT AND IMPLEMENTATION GRANTS TO STATES

Subtitle A—State Development Grants

SEC. 201. PURPOSE.

The purpose of this subtitle is to assist States in planning and developing comprehensive statewide School-to-Work Opportunities systems.

SEC. 202. AUTHORIZATION.

(a) GRANTS TO STATES.—

(1) IN GENERAL.—On the application of the Governor on behalf of a State in accordance with section 203, the Secretaries may provide a development grant to the State in such amounts as the Secretaries determine to be necessary to enable such State to complete planning and development of a comprehensive statewide School-to-Work Opportunities system.

(2) AMOUNT.—The amount of a development grant under this section may not exceed \$1,000,000 for any fiscal year.

(3) COMPLETION.—The Secretaries may provide such grant to complete development of a statewide School-to-Work Opportunities systems initiated with funds received 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.).

(b) GRANTS TO TERRITORIES.—In providing grants under this section to the Commonwealth of the Northern Mariana Islands, American Samoa, Guam, the Virgin Islands, the Federated States of Micronesia, the Republic of the Marshall Islands, or the Republic of Palau, the Secretaries shall use amounts reserved under section 605(b)(1).

SEC. 203. APPLICATION.

(a) IN GENERAL.—The Secretaries may not provide a development grant under section 202 to a State unless the Governor of the State, on behalf of the State, submits to the Secretaries an application, at such time, in such form, and containing such information as the Secretaries may reasonably require.

(b) CONTENTS.—Such application shall include—

(1) a timetable and an estimate of the amount of funding needed to complete the planning and development necessary to implement a comprehensive statewide School-to-Work Opportunities system for all students;

(2) a description of how—

(A) the Governor;

(B) the State educational agency;

(C) the State agency officials responsible for economic development;

(D) the State agency officials responsible for employment;

(E) the State agency officials responsible for job training;

(F) the State agency officials responsible for postsecondary education;

(G) the State agency officials responsible for vocational education;

(H) the State agency officials responsible for vocational rehabilitation;

(I) the individual assigned by the State under section 111(b)(1) of the Carl D. Perkins Vocational and Applied Technology Education Act (20 U.S.C. 2321(b)(1));

(J) other appropriate officials, including the State human resource investment council established in accordance with title VII of the Job Training Partnership Act (29 U.S.C. 1792 et seq.), if the State has established such a council; and

(K) representatives of the private sector;

will collaborate in the planning and development of the statewide School-to-Work Opportunities system;

(3) a description of the manner in which the State has obtained and will continue to obtain the active and continued participa-

tion, in the planning and development of the statewide School-to-Work Opportunities system, of employers and other interested parties, such as locally elected officials, secondary schools and postsecondary educational institutions (or related agencies), business associations, industrial extension centers, employees, labor organizations or associations of such organizations, teachers, related services personnel, students, parents, community-based organizations, rehabilitation agencies and organizations, Indian tribes, registered apprenticeship agencies, vocational educational agencies, vocational student organizations, and human service agencies;

(4) a description of the manner in which the State will coordinate planning activities with any local school-to-work programs, including programs funded under title III, if any;

(5) a designation of a fiscal agent to receive and be accountable for funds provided from a grant under section 202; and

(6) a description of how the State will provide opportunities for students from low-income families, low-achieving students, students with limited English proficiency, students with disabilities, students living in rural communities with low population densities, school dropouts, and academically talented students to participate in School-to-Work Opportunities programs.

(c) **COORDINATION WITH GOALS 2000: EDUCATE AMERICA ACT.**—A State seeking assistance under both this subtitle and the Goals 2000: Educate America Act may—

(1) submit a single application containing plans that meet the requirements of such subtitle and such Act and ensure that the plans are coordinated and not duplicative; or

(2) if such State has already submitted its application for funds under the Goals 2000: Educate America Act, submit its application under this subtitle as an amendment to the Goals 2000: Educate America Act application if such amendment meets the requirements of this subtitle and is coordinated with and not duplicative of the Goals 2000: Educate America Act application.

SEC. 204. APPROVAL OF APPLICATION.

The Secretaries may approve an application submitted by a State under section 203 only if the State demonstrates in such application that the activities proposed to be undertaken by the State to develop a statewide School-to-Work Opportunities system are consistent with the State improvement plan for the State, if any, under the Goals 2000: Educate America Act.

SEC. 205. USE OF AMOUNTS.

The Secretaries may not provide a development grant under section 202 to a State unless the State agrees that the State will use all amounts received from such grant for activities to develop a statewide School-to-Work Opportunities system, which may include—

(1) identifying or establishing an appropriate State structure to administer the statewide School-to-Work Opportunities system;

(2) identifying secondary and postsecondary school-to-work programs in existence on or after the date of the enactment of this Act that might be incorporated into such system;

(3) identifying or establishing broad-based partnerships among employers, labor, education, government, and other community-based organizations and parent organizations to participate in the design, development, and administration of School-to-Work Opportunities programs;

(4) developing a marketing plan to build consensus and support for such programs;

(5) promoting the active involvement of business (including small- and medium-sized

businesses) in planning, developing, and implementing local School-to-Work Opportunities programs, and in establishing partnerships between business and elementary schools and secondary schools (including middle schools);

(6) identifying ways that local school-to-work programs in existence on or after the date of the enactment of this Act could be coordinated with the statewide School-to-Work Opportunities system;

(7) supporting local planning and development activities to provide guidance, training and technical assistance for teachers, employers, mentors, counselors, administrators, and others in the development of School-to-Work Opportunities programs;

(8) identifying or establishing mechanisms for providing training and technical assistance to enhance the development of the statewide School-to-Work Opportunities system;

(9) developing a training and technical support system for teachers, employers, mentors, counselors, related services personnel, and others that includes specialized training and technical support for the counseling and training of women, minorities, and individuals with disabilities for high-skill, high-wage careers in nontraditional employment;

(10) initiating pilot programs for testing key components of the program design of programs under the statewide School-to-Work Opportunities system;

(11) developing a State process for issuing skill certificates that is, to the extent feasible, consistent with the skill standards certification systems endorsed under the National Skill Standards Act of 1994;

(12) designing challenging curricula, in cooperation with representatives of local partnerships, that take into account the diverse learning needs and abilities of the student population served by the statewide School-to-Work Opportunities system;

(13) developing a system for labor market analysis and strategic planning for local targeting of industry sectors or broad occupational clusters that can provide students with placements in high-skill workplaces;

(14) analyzing the post-high school employment experiences of recent high school graduates and school dropouts;

(15) preparing the plan described in section 213(d);

(16) working with localities to develop strategies to recruit and retain all students in programs under this Act through collaborations with community-based organizations, where appropriate, and other entities with expertise in working with such students;

(17) coordinating recruitment of out-of-school, at-risk, and disadvantaged youths with those organizations and institutions that have a successful history of working with such youths; and

(18) providing technical assistance to rural areas in planning, developing, and implementing local School-to-Work Opportunities programs that meet the needs of rural communities with low population densities.

SEC. 206. MAINTENANCE OF EFFORT.

(a) **IN GENERAL.**—A State may receive a development grant under section 202 for a fiscal year only if the State provides assurances, satisfactory to the Secretaries, that—

(1) the amount of State funds expended per student by the State for school-to-work activities of the type described in title I for the preceding fiscal year was not less than 90 percent of the amount so expended for the second preceding fiscal year; or

(2) the aggregate amount of State funds expended by the State for such activities for the preceding fiscal year was not less than 90 percent of the amount so expended for the second preceding fiscal year.

(b) **WAIVER.**—

(1) **DETERMINATION.**—The Secretaries may jointly waive the requirements described in subsection (a) for a State that requests such a waiver if the Secretaries determine that such a waiver would be equitable due to—

(A) exceptional or uncontrollable circumstances such as a natural disaster; or

(B) a precipitous decline in the financial resources of the State.

(2) **REQUEST.**—To be eligible to receive such a waiver, a State shall submit a request at such time, in such form, and containing such information as the Secretaries may require.

SEC. 207. REPORTS.

The Secretaries may not provide a development grant under section 202 to a State unless the State agrees that the State will submit to the Secretaries such reports as the Secretaries may reasonably require, relating to the use of amounts from such grant, except that the Secretaries may not require more than 1 such report during any 3-month period.

Subtitle B—State Implementation Grants

SEC. 211. PURPOSE.

The purpose of this subtitle is to assist States in the implementation of comprehensive statewide School-to-Work Opportunities systems.

SEC. 212. AUTHORIZATION.

(a) **GRANTS TO STATES.**—On the application of the Governor on behalf of a State in accordance with section 213, the Secretaries may provide an implementation grant to the State in such amounts as the Secretaries determine to be necessary to enable such State to implement a comprehensive statewide School-to-Work Opportunities system.

(b) **GRANTS TO TERRITORIES.**—In providing grants under this section to the Commonwealth of the Northern Mariana Islands, American Samoa, Guam, the Virgin Islands, the Federated States of Micronesia, the Republic of the Marshall Islands, or the Republic of Palau, the Secretaries shall use amounts reserved under section 605(b)(1).

(c) **PERIOD OF GRANT.**—The provision of payments under a grant under subsection (a) shall not exceed 5 fiscal years and shall be subject to the annual approval of the Secretaries and subject to the availability of appropriations for the fiscal year involved to make the payments.

(d) **LIMITATION.**—A State shall be eligible to receive only 1 implementation grant under subsection (a).

SEC. 213. APPLICATION.

(a) **IN GENERAL.**—

(1) **SUBMISSION BY GOVERNOR ON BEHALF OF STATE.**—Subject to paragraph (2), the Secretaries may not provide an implementation grant under section 212 to a State unless the Governor of the State, on behalf of the State, submits to the Secretaries an application, at such time, in such form, and containing such information as the Secretaries may reasonably require.

(2) **REVIEW AND COMMENT BY CERTAIN INDIVIDUALS AND ENTITIES.**—If, after a reasonable effort, the Governor is unable in accordance with subsection (d)(4) to obtain the support of the individuals and entities described in subparagraphs (A) through (J) of subsection (b)(4) for the State plan described in subsection (d), then the Governor shall—

(A) provide such individuals and entities with copies of such application;

(B) allow such individuals and entities to submit to the Governor, not later than the end of the 30-day period beginning on the date on which the Governor provides such individuals and entities with copies of such application under subparagraph (A), comments on those portions of the plan that address matters that, under State or other applicable law, are under the jurisdiction of such individuals or entities; and

(C) include any such comments in the application in accordance with subsection (b)(5).

(b) CONTENTS.—Such application shall include—

(1) a plan for a comprehensive, statewide School-to-Work Opportunities system that meets the requirements of subsection (d);

(2) a description of the manner in which the State will allocate funds made available through such a grant to local partnerships under section 215(b)(7);

(3) a request, if the State decides to submit such a request, for 1 or more waivers of certain statutory or regulatory requirements, as provided for under title V;

(4) a description of the manner in which—

(A) the Governor;

(B) the State educational agency;

(C) the State agency officials responsible for economic development;

(D) the State agency officials responsible for employment;

(E) the State agency officials responsible for job training;

(F) the State agency officials responsible for postsecondary education;

(G) the State agency officials responsible for vocational education;

(H) the State agency officials responsible for vocational rehabilitation;

(I) the individual assigned for the State under section 111(b)(1) of the Carl D. Perkins Vocational and Applied Technology Education Act (20 U.S.C. 2321(b)(1));

(J) other appropriate officials, including the State human resource investment council established in accordance with title VII of the Job Training Partnership Act (29 U.S.C. 1792 et seq.), if the State has established such a council; and

(K) representatives of the private sector; collaborated in the development of the application;

(5) the comments submitted to the Governor under subsection (a)(2), where applicable; and

(6) such other information as the Secretaries may require.

(c) COORDINATION WITH GOALS 2000: EDUCATE AMERICA ACT.—A State seeking assistance under both this subtitle and the Goals 2000: Educate America Act may—

(1) submit a single application containing plans that meet the requirements of such subtitle and such Act and ensure that the plans are coordinated and not duplicative; or

(2) if such State has already submitted its application for funds under the Goals 2000: Educate America Act, submit its application under this subtitle as an amendment to the Goals 2000: Educate America Act application if such amendment meets the requirements of this subtitle and is coordinated with and not duplicative of the Goals 2000: Educate America Act application.

(d) STATE PLAN.—A State plan referred to in subsection (b)(1) shall—

(1) designate the geographical areas, including urban and rural areas, to be served by local partnerships that receive grants under 215(b), which geographic areas shall, to the extent feasible, reflect local labor market areas;

(2) describe the manner in which the State will stimulate and support local School-to-Work Opportunities programs and the manner in which the statewide School-to-Work Opportunities system will be expanded over time to cover all geographic areas in the State, including urban and rural areas;

(3) describe the procedure by which the individuals and entities described in subsection (b)(4) will collaborate in the implementation of the School-to-Work Opportunities system;

(4) demonstrate the support of individuals and entities described in subparagraphs (A)

through (J) of subsection (b)(4) for the plan, except in the case where the Governor is unable to obtain the support of such individuals and entities as provided in subsection (a)(2);

(5) describe the manner in which the State has obtained and will continue to obtain the active and continued involvement, in the statewide School-to-Work Opportunities system, of employers and other interested parties such as locally elected officials, secondary schools and postsecondary educational institutions (or related agencies), business associations, industrial extension centers, employees, labor organizations or associations of such organizations, teachers, related services personnel, students, parents, community-based organizations, rehabilitation agencies and organizations, registered apprenticeship agencies, local vocational educational agencies, vocational student organizations, State or regional cooperative education associations, and human service agencies;

(6) describe the manner in which the statewide School-to-Work Opportunities system will coordinate with or integrate local school-to-work programs in existence on or after the date of the enactment of this Act, including programs financed from State and private sources, with funds available from such related Federal programs as programs under—

(A) the Adult Education Act (20 U.S.C. 1201 et seq.);

(B) the Carl D. Perkins Vocational and Applied Technology Education Act (20 U.S.C. 2301 et seq.);

(C) the Elementary and Secondary Education Act of 1965 (20 U.S.C. 2701 et seq.);

(D) the Higher Education Act of 1965 (20 U.S.C. 1001 et seq.);

(E) part F of title IV of the Social Security Act (42 U.S.C. 681 et seq.);

(F) the Goals 2000: Educate America Act;

(G) the National Skills Standards Act of 1994;

(H) the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.);

(I) the Job Training Partnership Act (29 U.S.C. 1501 et seq.);

(J) the Act of August 16, 1937 (commonly known as the "National Apprenticeship Act"; 50 Stat. 664, chapter 663; 29 U.S.C. 50 et seq.);

(K) the Rehabilitation Act of 1973 (29 U.S.C. 701 et seq.); and

(L) the National and Community Service Act of 1990 (42 U.S.C. 12501 et seq.);

(7) describe the strategy of the State for providing training for teachers, employers, mentors, counselors, related services personnel, and others, including specialized training and technical support for the counseling and training of women, minorities, and individuals with disabilities for high-skill, high-wage careers in nontraditional employment, and provide assurances of coordination with similar training and technical support under other provisions of law;

(8) describe how the State will adopt, develop, or assist local partnerships to adopt or develop model curricula and innovative instructional methodologies, to be used in the secondary, and where possible, the elementary grades, that integrate academic and vocational learning and promote career awareness, and that are consistent with academic and skill standards established pursuant to the Goals 2000: Educate America Act and the National Skill Standards Act of 1994;

(9) describe how the State will expand and improve career and academic counseling in the elementary and secondary grades, which may include linkages to career counseling and labor market information services outside of the school system;

(10) describe the strategy of the State for integrating academic and vocational education;

(11) describe the resources, including private sector resources, the State intends to employ in maintaining the statewide School-to-Work Opportunities system when funds under this Act are no longer available;

(12) describe the extent to which the statewide School-to-Work Opportunities system will include programs that will require paid high-quality, work-based learning experiences, and the steps the State will take to generate such paid experiences;

(13) describe the manner in which the State will ensure effective and meaningful opportunities for all students in the State to participate in School-to-Work Opportunities programs;

(14) describe the goals of the State and the methods the State will use, such as awareness and outreach, to ensure opportunities for young women to participate in School-to-Work Opportunities programs in a manner that leads to employment in high-performance, high-paying jobs, including nontraditional employment, and goals to ensure an environment free from racial and sexual harassment;

(15) describe how the State will ensure opportunities for low achieving students, students with disabilities, school dropouts, and academically talented students to participate in School-to-Work Opportunities programs;

(16) describe the process of the State for assessing the skills and knowledge required in career majors, and the process for awarding skill certificates that is, to the extent feasible, consistent with the skills standards certification systems endorsed under the National Skill Standards Act of 1994;

(17) describe the manner in which the State will ensure that students participating in the programs are provided, to the greatest extent possible, with flexibility to develop new career goals over time and to change career majors;

(18) describe the manner in which the State will, to the extent feasible, continue programs funded under title III in the statewide School-to-Work Opportunities system;

(19) describe how the State will serve students from rural communities with low population density;

(20) describe how local School-to-Work Opportunities programs, including those funded under title III, if any, will be integrated into the statewide School-to-Work Opportunities system;

(21) describe the performance standards that the State intends to meet in establishing and carrying out the statewide School-to-Work Opportunities system, including how such standards relate to those performance standards established under other related programs;

(22) designate a fiscal agent to receive and be accountable for funds provided from a grant under section 212; and

(23) describe the procedures to facilitate the entry of students participating in a School-to-Work Opportunities program into additional training or postsecondary education programs, as well as to facilitate the transfer of the students between education and training programs.

SEC. 214. REVIEW OF APPLICATION.

(a) CONSIDERATIONS.—In evaluating applications submitted under section 213, the Secretaries shall—

(1) give priority to applications that describe the highest levels of concurrence by the individuals and entities described in section 213(b)(4) with the State plan for the statewide School-to-Work Opportunities system;

(2) give priority to applications that require paid, high-quality work-based learning

experiences as an integral part of such system; and

(3) take into consideration the quality of the application, including the replicability, sustainability, and innovation of School-to-Work Opportunities programs described in the application.

(b) APPROVAL CRITERIA.—The Secretaries—

(1) shall approve only those applications submitted under section 213 that demonstrate the highest levels of collaboration by the individuals and entities described in section 213(b)(4) in the development and implementation of the statewide School-to-Work system;

(2) shall approve an application submitted under section 213 only if the State provides the assurances described in section 206(a) (relating to maintenance of effort) in accordance with such section, except that this requirement may be waived in accordance with section 206(b); and

(3) may approve an application submitted under section 213 only if the State demonstrates in the application—

(A) that other Federal, State, and local resources will be used to implement the proposed State plan;

(B) the extent to which such plan would limit administrative costs and increase amounts spent on delivery of services to students enrolled in programs under this Act;

(C) that the State, where appropriate, will ensure the establishment of a partnership in at least 1 urban and 1 rural area in the State; and

(D) that the State plan contained in such application is consistent with the State improvement plan for the State, if any, under the Goals 2000: Educate America Act.

(c) ACTIONS.—

(1) IN GENERAL.—In reviewing each application submitted under section 213, the Secretaries shall determine whether the application and the plan described in such application meet the approval criteria in subsection (b).

(2) ACTIONS AFTER AFFIRMATIVE DETERMINATION.—If the determination under paragraph (1) is affirmative, the Secretaries may take 1 or more of the following actions:

(A) Provide an implementation grant under section 212 to the State submitting the application.

(B) Approve the request of the State, if any, for a waiver in accordance with the procedures set forth in title V.

(3) ACTION AFTER NONAFFIRMATIVE DETERMINATION.—If the determination under paragraph (1) is not affirmative, the Secretaries shall inform the State of the opportunity to apply for development funds under subtitle A in accordance with such subtitle.

(d) USE OF FUNDS FOR REVIEW OF APPLICATIONS.—The Secretaries may use amounts reserved under section 605(b)(4) for the review of applications submitted under section 213.

SEC. 215. USE OF AMOUNTS.

(a) IN GENERAL.—The Secretaries may not provide an implementation grant under section 212 to a State unless the State agrees that the State will use all amounts received from such grant to implement the statewide School-to-Work Opportunities system in accordance with this section.

(b) SUBGRANTS TO LOCAL PARTNERSHIPS.—(1) AUTHORITY.—

(A) IN GENERAL.—Except as provided in subparagraph (B), the State shall provide subgrants to local partnerships, according to criteria established by the State, for the purpose of carrying out School-to-Work Opportunities programs.

(B) PROHIBITION.—The State shall not provide subgrants to local partnerships that have received implementation grants under title III, except that this prohibition shall not apply with respect to local partnerships

that are located in high poverty areas, as such term is defined in section 307.

(2) APPLICATION.—A local partnership that seeks a subgrant to carry out a local School-to-Work Opportunities program, including a program initiated under section 302, shall submit an application to the State that—

(A) describes how the program will include the program components described in sections 102, 103, and 104 and otherwise meet the requirements of this Act;

(B) sets forth measurable program goals and outcomes;

(C) describes the local strategies and timetables of the local partnership to provide opportunities for all students in the area served to participate in a School-to-Work Opportunities program;

(D) describes the extent to which the program will require paid high-quality, work-based learning experiences, and the steps the local partnerships will take to generate such paid experiences;

(E) describes the process that will be used to ensure employer involvement in the development and implementation of the local School-to-Work Opportunities program;

(F) provides assurances that, to the extent practicable, opportunities provided to students to participate in a School-to-Work Opportunities program will be in industries and occupations offering high-skill, high-wage employment opportunities;

(G) provides such other information as the State may require; and

(H) is submitted at such time and in such form as the State may require.

(3) DISAPPROVAL OF APPLICATION.—If the State determines that an application submitted by a local partnership does not meet the criteria under paragraph (2), or that the application is incomplete or otherwise unsatisfactory, the State shall—

(A) notify the local partnership of the reasons for the failure to approve the application; and

(B) permit the local partnership to resubmit a corrected or amended application.

(4) ALLOWABLE ACTIVITIES.—A local partnership shall expend funds provided through subgrants under this subsection only for activities undertaken to carry out local School-to-Work Opportunities programs, and such activities may include, for each such program—

(A) recruiting and providing assistance to employers, including small- and medium-size businesses, to provide the work-based learning components described in section 103;

(B) establishing consortia of employers to support the School-to-Work Opportunities program and provide access to jobs related to the career majors of students;

(C) supporting or establishing intermediaries (selected from among the members of the local partnership) to perform the activities described in section 104 and to provide assistance to students or school dropouts in obtaining jobs and further education and training;

(D) designing or adapting school curricula that can be used to integrate academic, vocational, and occupational learning, school-based and work-based learning, and secondary and postsecondary education for all students in the area served;

(E) providing training to work-based and school-based staff on new curricula, student assessments, student guidance, and feedback to the school regarding student performance;

(F) establishing, in schools participating in the School-to-Work Opportunities program, a graduation assistance program to assist at-risk students, low-achieving students, and students with disabilities, in graduating from high school, enrolling in postsecondary education or training, and finding or advancing in jobs;

(G) providing career exploration and awareness services, counseling and mentoring services, college awareness and preparation services, and other services (beginning at the earliest possible age, but not later than the 7th grade) to prepare students for the transition from school to work;

(H) providing supplementary and support services, including child care and transportation, when such services are necessary for participation in a local School-to-Work Opportunities program;

(I) conducting or obtaining an in-depth analysis of the local labor market and the generic and specific skill needs of employers to identify high-demand, high-wage careers to target;

(J) integrating school-based and work-based learning into job training programs that are for school dropouts and that are in existence on or after the date of the enactment of this Act;

(K) establishing or expanding school-to-apprenticeship programs in cooperation with registered apprenticeship agencies and apprenticeship sponsors;

(L) assisting participating employers, including small- and medium-size businesses, to identify and train workplace mentors and to develop work-based learning components;

(M) promoting the formation of partnerships between elementary schools and secondary schools (including middle schools) and local businesses as an investment in future workplace productivity and competitiveness;

(N) designing local strategies to provide adequate planning time and staff development activities for teachers, school counselors, related services personnel, and school site mentors, including opportunities outside the classroom that are at the worksite;

(O) enhancing linkages between after-school, weekend, and summer jobs, career exploration, and school-based learning; and

(P) obtaining the assistance of organizations and institutions that have a history of success in working with school dropouts and at-risk and disadvantaged youths in recruiting such school dropouts and youths to participate in the local School-to-Work Opportunities program.

(5) LOCAL PARTNERSHIP COMPACT.—The State may not provide a subgrant under paragraph (1) to a local partnership unless the partnership agrees that the local partnership will establish a process by which the responsibilities and expectations of students, parents, employers, and schools are clearly established and agreed upon at the point of entry of the student into a career major program of study.

(6) ADMINISTRATIVE COSTS.—The local partnership may not use more than 10 percent of amounts received from a subgrant under paragraph (1) for any fiscal year for administrative costs associated with activities in carrying out, but not including, activities under paragraphs (4) and (5) for such fiscal year.

(7) ALLOCATION REQUIREMENTS.—

(A) FIRST YEAR.—In the 1st fiscal year for which a State receives amounts from a grant under section 212, the State shall use not less than 70 percent of such amounts to provide subgrants to local partnerships under paragraph (1).

(B) SECOND YEAR.—In the 2d fiscal year for which a State receives amounts from a grant under section 212, the State shall use not less than 80 percent of such amounts to provide subgrants to local partnerships under paragraph (1).

(C) THIRD YEAR AND SUCCEEDING YEARS.—In the 3d fiscal year for which a State receives amounts from a grant under section 212, and in each succeeding year, the State shall use not less than 90 percent of such amounts to

provide subgrants to local partnerships under paragraph (1).

(c) **ADDITIONAL STATE ACTIVITIES.**—In carrying out the statewide School-to-Work Opportunities system, the State may also—

(1) recruit and provide assistance to employers to provide work-based learning for all students;

(2) conduct outreach activities to promote and support collaboration, in School-to-Work Opportunities programs, by businesses, labor organizations, and other organizations;

(3) provide training for teachers, employers, workplace mentors, school site mentors, counselors, related services personnel, and other parties;

(4) provide labor market information to local partnerships that is useful in determining which high-skill, high-wage occupations are in demand;

(5) design or adapt model curricula that can be used to integrate academic, vocational, and occupational learning, school-based and work-based learning, and secondary and postsecondary education, for all students in the State;

(6) design or adapt model work-based learning programs and identify best practices for such programs;

(7) conduct outreach activities and provide technical assistance to other States that are developing or implementing School-to-Work Opportunities systems;

(8) reorganize and streamline school-to-work programs in the State to facilitate the development of a comprehensive statewide School-to-Work Opportunities system;

(9) identify ways that local school-to-work programs in existence on or after the date of the enactment of this Act could be integrated with the statewide School-to-Work Opportunities system;

(10) design career awareness and exploration activities (beginning at the earliest possible age, but not later than the 7th grade), such as job shadowing, job site visits, school visits by individuals in various occupations, and mentoring;

(11) design and implement school-sponsored work experiences, such as school-sponsored enterprises and community development projects;

(12) promote the formation of partnerships between elementary schools and secondary schools (including middle schools) and local businesses as an investment in future workplace productivity and competitiveness;

(13) obtain the assistance of organizations and institutions that have a history of success in working with school dropouts and at-risk and disadvantaged youths in recruiting such school dropouts and youths to participate in the statewide School-to-Work Opportunities system;

(14) conduct outreach to all students in a manner that most appropriately meets their needs and the needs of their communities; and

(15) provide career exploration and awareness services, counseling and mentoring services, college awareness and preparation services, and other services (beginning at the earliest possible age, but not later than the 7th grade) to prepare students for the transition from school to work.

SEC. 216. ALLOCATION REQUIREMENT.

The Secretaries shall establish the minimum and maximum amounts available for an implementation grant under section 212, and shall determine the actual amount granted to any State under such section, based on such criteria as the scope and quality of the plan described in section 213(d) and the number of projected participants in programs carried out through the system.

SEC. 217. LIMITATION ON ADMINISTRATIVE COSTS.

A State that receives an implementation grant under section 212 may not use more

than 10 percent of the amounts received through the grant for any fiscal year for administrative costs associated with implementing the statewide School-to-Work Opportunities system for such fiscal year.

SEC. 218. REPORTS.

The Secretaries may not provide an implementation grant under section 212 to a State unless the State agrees that the State will submit to the Secretaries such reports as the Secretaries may reasonably require, relating to the use of amounts from such grant, except that the Secretaries may not require more than 1 such report during any 3-month period.

Subtitle C—Development and Implementation Grants for School-to-Work Programs for Indian Youths

SEC. 221. AUTHORIZATION.

(a) **IN GENERAL.**—From amounts reserved under section 605(b)(2), the Secretaries shall provide grants to establish and carry out School-to-Work Opportunities programs for Indian youths that involve Bureau funded schools (as defined in section 1139(3) of the Education Amendments of 1978 (25 U.S.C. 2019(3))).

(b) **ADDITIONAL AUTHORITIES.**—The Secretaries may carry out subsection (a) through such means as the Secretaries find appropriate, including—

(1) the transfer of funds to the Secretary of the Interior; and

(2) the provision of financial assistance to Indian tribes and Indian organizations.

SEC. 222. REQUIREMENTS.

In providing grants under section 221, the Secretaries shall require recipients of such grants to comply with requirements similar to those requirements imposed on States under subtitles A and B of this title.

TITLE III—FEDERAL IMPLEMENTATION GRANTS TO LOCAL PARTNERSHIPS

SEC. 301. PURPOSES.

The purposes of this title are—

(1) to authorize the Secretaries to provide competitive grants directly to local partnerships in order to provide funding for communities that have built a sound planning and development base for School-to-Work Opportunities programs and are ready to begin implementing a local School-to-Work Opportunities program; and

(2) to authorize the Secretaries to provide competitive grants to local partnerships to implement School-to-Work Opportunities programs in high poverty areas of urban and rural communities to provide support for a comprehensive range of education, training, and support services for youths residing in such areas.

SEC. 302. AUTHORIZATION.

(a) **GRANTS TO LOCAL PARTNERSHIPS.**—

(1) **IN GENERAL.**—Subject to paragraph (2), the Secretaries may provide implementation grants, in accordance with competitive criteria established by the Secretaries, directly to local partnerships in States in such amounts as the Secretaries determine to be necessary to enable such partnerships to implement School-to-Work Opportunities programs.

(2) **RESTRICTIONS.**—A local partnership—

(A) shall be eligible to receive only 1 grant under this subsection; and

(B) shall not be eligible to receive a grant under this subsection if such partnership is located in a State that—

(i) has been provided an implementation grant under section 212; and

(ii) has received amounts from such grant for any fiscal year after the 1st fiscal year under such grant.

(b) **GRANTS TO LOCAL PARTNERSHIPS IN HIGH POVERTY AREAS.**—

(1) **IN GENERAL.**—Subject to paragraphs (2) and (3), the Secretaries shall, from amounts

reserved under section 605(b)(3), provide grants to local partnerships that are located in high poverty areas in States in such amounts as the Secretaries determine to be necessary to enable such partnerships to implement School-to-Work Opportunities programs in such areas.

(2) **RESTRICTION.**—A local partnership shall be eligible to receive only 1 grant under this subsection.

(3) **PRIORITY.**—In providing grants under paragraph (1), the Secretaries shall give priority to local partnerships that have a demonstrated effectiveness in the delivery of comprehensive vocational preparation programs with successful rates in job placement through cooperative activities among local educational agencies, local businesses, labor organizations, and other organizations.

(c) **PERIOD OF GRANT.**—The provision of payments under a grant under subsection (a) or (b) shall not exceed 5 fiscal years and shall be subject to the annual approval of the Secretaries and subject to the availability of appropriations for the fiscal year involved to make the payments.

SEC. 303. APPLICATION.

(a) **IN GENERAL.**—A local partnership that desires to receive a Federal implementation grant under section 302 shall submit an application to the Secretaries at such time and in such form as the Secretaries may require. The local partnership shall submit the application to the State for review and comment before submitting the application to the Secretaries.

(b) **TIME LIMIT FOR STATE REVIEW AND COMMENT.**—

(1) **IN GENERAL.**—The State shall provide for review and comment on the application under subsection (a) not later than 30 days after the date on which the State receives the application from the local partnership.

(2) **SUBMISSION WITHOUT STATE REVIEW AND COMMENT.**—If the State does not provide review and comment within the 30-day time period specified in paragraph (1), the local partnership may submit the application to the Secretaries without first obtaining such review and comment.

(c) **CONTENTS.**—The application described in subsection (a) shall include a plan for local School-to-Work Opportunities programs that—

(1) describes the manner in which the local partnership will meet the requirements of this Act;

(2) includes the comments of the State on the plan, if any;

(3) contains information that is consistent with the information required to be submitted as part of a State plan in accordance with paragraphs (5) through (17) and paragraph (23) of section 213(d);

(4) designates a fiscal agent to receive and be accountable for funds under this section; and

(5) provides such other information as the Secretaries may require.

(d) **USE OF FUNDS FOR REVIEW OF APPLICATIONS.**—The Secretaries may use amounts reserved under section 605(b)(4) for the review of applications submitted under subsection (a).

SEC. 304. USE OF AMOUNTS.

The Secretaries may not provide an implementation grant under section 302 to a local partnership unless the partnership agrees that it will use all amounts from such grant to carry out activities to implement a School-to-Work Opportunities program, including the activities described in section 215(b)(4).

SEC. 305. CONFORMITY WITH APPROVED STATE PLAN.

The Secretaries shall not provide a grant under section 302 to a local partnership in a State that has an approved State plan unless

the Secretaries determine, after consultation with the State, that the plan submitted by the partnership is in accordance with such approved State plan.

SEC. 306. REPORTS.

The Secretaries may not provide an implementation grant under section 302 to a local partnership unless the partnership agrees that the local partnership will submit to the Secretaries such reports as the Secretaries may reasonably require, relating to the use of amounts from such grant, except that the Secretaries may not require more than 1 such report during any 3-month period.

SEC. 307. HIGH POVERTY AREA DEFINED.

For purposes of this title, the term "high poverty area" means an urban census tract, a contiguous group of urban census tracts, a block number area in a nonmetropolitan county, a contiguous group of block number areas in a nonmetropolitan county, or an Indian reservation (as defined in section 403(9) of the Indian Child Protection and Family Violence Prevention Act (25 U.S.C. 3202(9))), with a poverty rate of 20 percent or more among individuals who have not attained the age of 22, as determined by the Bureau of the Census.

TITLE IV—NATIONAL PROGRAMS

SEC. 401. RESEARCH, DEMONSTRATION, AND OTHER PROJECTS.

(a) IN GENERAL.—The Secretaries shall conduct research and development projects and establish a program of experimental and demonstration projects, to further the purposes of this Act.

(b) ADDITIONAL USE OF FUNDS.—The Secretaries may provide assistance for programs or services authorized under any other provision of this Act that are most appropriately administered at the national level and that will operate in, or benefit, more than 1 State.

SEC. 402. PERFORMANCE OUTCOMES AND EVALUATION.

(a) IN GENERAL.—The Secretaries, in collaboration with the States, shall by grant, contract, or otherwise, establish a system of performance measures for assessing State and local programs regarding—

(1) progress in the development and implementation of State plans described in section 213(d) that include the basic program components described in sections 102, 103, and 104 and otherwise meet the requirements of title I;

(2) participation in School-to-Work Opportunities programs by employers, schools, students, and school dropouts, including information on the gender, race, ethnicity, socioeconomic background, limited-English proficiency, and disability of all participants and whether the participants are academically talented students;

(3) progress in developing and implementing strategies for addressing the needs of students and school dropouts;

(4) progress in meeting the goals of the State to ensure opportunities for young women to participate in School-to-Work Opportunities programs, including participation in nontraditional employment through such programs;

(5) outcomes for participating students and school dropouts, by gender, race, ethnicity, socioeconomic background, limited-English proficiency, and disability of the participants, and whether the participants are academically talented students, including information on—

(A) academic learning gains;

(B) staying in school and attaining—

(i) a high school diploma, or a general equivalency diploma, or an alternative diploma or certificate for those students with disabilities for whom such alternative diploma or certificate is appropriate;

(ii) a skill certificate; and

(iii) a postsecondary degree;

(C) attainment of strong experience in and understanding of all aspects of the industry the students are preparing to enter;

(D) placement and retention in further education or training, particularly in the career major of the student; and

(E) job placement, retention, and earnings, particularly in the career major of the student; and

(6) the extent to which the program has met the needs of employers.

(b) EVALUATION.—Not later than September 30, 1998, the Secretaries shall complete a national evaluation of School-to-Work Opportunities programs funded under this Act by grants, contracts, or otherwise, that will track and assess the progress of implementation of State and local programs and their effectiveness based on measures such as those measures described in subsection (a).

(c) REPORTS TO THE SECRETARIES.—

(1) IN GENERAL.—Each State shall prepare and submit to the Secretaries periodic reports, at such intervals as the Secretaries may determine, containing information regarding the matters described in paragraphs (1) through (6) of subsection (a).

(2) FEDERAL PROGRAMS.—Each State shall prepare and submit reports to the Secretaries, at such intervals as the Secretaries may determine, containing information on the extent to which Federal programs that are in existence on the date of submission of the report and that are implemented at the State or local level may be duplicative, outdated, overly restrictive, or otherwise counterproductive to the development of comprehensive statewide School-to-Work Opportunities systems.

SEC. 403. TRAINING AND TECHNICAL ASSISTANCE.

(a) PURPOSE.—The Secretaries shall work in cooperation with the States, the individuals assigned under section 111(b)(1) of the Carl D. Perkins Vocational and Applied Technology Education Act (20 U.S.C. 2321(b)(1)), employers and their associations, secondary schools and postsecondary educational institutions, student and teacher organizations, labor organizations, and community-based organizations, to increase their capacity to develop and implement effective School-to-Work Opportunities programs.

(b) AUTHORIZED ACTIVITIES.—The Secretaries shall provide, through grants, contracts, or otherwise—

(1) training, technical assistance, and other activities that will—

(A) enhance the skills, knowledge, and expertise of the personnel involved in planning and implementing State and local School-to-Work Opportunities programs, such as training of the personnel to assist students; and

(B) improve the quality of services provided to individuals served under this Act;

(2) assistance to States and local partnerships involved in carrying out School-to-Work Opportunities programs in order to integrate resources available under this Act with resources available under other Federal, State, and local authorities;

(3) assistance to States and such local partnerships, including local partnerships in rural communities with low population densities or in urban areas, to recruit employers to provide the work-based learning component, described in section 103, of School-to-Work Opportunities programs; and

(4) assistance to States and local partnerships involved in carrying out School-to-Work Opportunities programs to design and implement school-sponsored enterprises.

SEC. 404. CAPACITY BUILDING AND INFORMATION AND DISSEMINATION NETWORK.

The Secretaries, acting through such mechanisms as the Capacity Building and Information and Dissemination Network established under section 453(b) of the Job Training Partnership Act (29 U.S.C. 1733(b)), the Educational Resources Information Center Clearinghouses referred to in the Educational Research, Development, Dissemination, and Improvement Act of 1994, and the National Network for Curriculum Coordination in Vocational and Technical Education under section 402(c) of the Carl D. Perkins Vocational and Applied Technology Education Act (20 U.S.C. 2402(c)), shall—

(1) collect and disseminate information—

(A) on successful School-to-Work Opportunities programs and innovative school- and work-based curricula;

(B) on research and evaluation conducted concerning school-to-work activities;

(C) that will assist States and local partnerships in undertaking labor market analysis, surveys, or other activities related to economic development;

(D) on skill certificates, skill standards, and related assessment technologies; and

(E) on methods for recruiting and building the capacity of employers to provide work-based learning opportunities; and

(2) facilitate communication and the exchange of information and ideas among States and local partnerships carrying out School-to-Work Opportunities programs.

SEC. 405. REPORTS TO CONGRESS.

(a) IN GENERAL.—Not later than 24 months after the date of the enactment of this Act, and every 12 months thereafter, the Secretaries shall prepare and submit a report to the Congress on all activities carried out pursuant to this Act.

(b) CONTENTS.—The Secretaries shall, at a minimum, include in each such report—

(1) information concerning the programs that receive assistance under this Act;

(2) a summary of the information contained in the State and local partnership reports submitted under titles II and III and section 402(c); and

(3) information regarding the findings and actions taken as a result of any evaluation conducted by the Secretaries.

SEC. 406. FUNDING.

The Secretaries shall use funds reserved under section 605(b)(4) to carry out activities under this title.

TITLE V—WAIVER OF STATUTORY AND REGULATORY REQUIREMENTS

SEC. 501. STATE AND LOCAL PARTNERSHIP REQUESTS AND RESPONSIBILITIES FOR WAIVERS.

(a) STATE REQUEST FOR WAIVER.—A State may submit to the Secretaries a request for a waiver of 1 or more requirements of the provisions of law referred to in sections 502 and 503, or of the regulations issued under such provisions, in order to carry out the statewide School-to-Work Opportunities system established by such State under subtitle B of title II. The State may submit the request as a part of the application described in section 213 (or as an amendment to the application) at any time after submission of the application). Such request may include a request for different waivers with respect to different areas within the State.

(b) LOCAL PARTNERSHIP REQUEST FOR WAIVER.—

(1) IN GENERAL.—A local partnership that seeks a waiver of such a requirement shall submit an application for such waiver to the State, and the State shall determine whether to submit a request for a waiver to the Secretaries, as provided in subsection (a).

(2) TIME LIMIT.—

(A) IN GENERAL.—The State shall make a determination to submit or not submit the

request for a waiver under paragraph (1) not later than 30 days after the date on which the State receives the application from the local partnership.

(B) DIRECT SUBMISSION.—

(i) IN GENERAL.—If the State does not make a determination to submit or not submit the request within the 30-day time period specified in subparagraph (A), the local partnership may submit the application to the Secretaries.

(ii) REQUIREMENTS.—In submitting such an application, the local partnership shall obtain the agreement of the State involved to comply with the requirements of section 502(a)(1)(C) or 503(a)(1)(C), as appropriate, and comply with the other requirements of section 502 or 503, as appropriate, and of subsections (c) and (d), that would otherwise apply to a State submitting a request for a waiver. In reviewing such an application, the Secretaries shall comply with the requirements of such section and such subsections that would otherwise apply to the Secretaries with respect to review of such a request.

(c) WAIVER CRITERIA.—Any such request by the State shall meet the criteria contained in section 502 or 503 and shall specify the provisions or regulations referred to in such sections with respect to which the State seeks a waiver.

(d) SUPPORT BY APPROPRIATE STATE AGENCIES.—In requesting such a waiver, the State shall provide evidence of support for the waiver request by the State agencies or officials with jurisdiction over the provisions or regulations that would be waived.

SEC. 502. WAIVER AUTHORITY OF SECRETARY OF EDUCATION.

(a) WAIVER AUTHORITY.—

(1) IN GENERAL.—Except as provided in subsection (c), the Secretary of Education may waive any requirement under any provision of law referred to in subsection (b), or of any regulation issued under such provision, for a State that requests such a waiver and has an approved State plan—

(A) if, and only to the extent that, the Secretary of Education determines that such requirement impedes the ability of the State or a local partnership to carry out the purposes of this Act;

(B) if the State provides the Secretary of Education with documentation of the necessity for the waiver, including information concerning—

(i) the specific requirement that will be waived;

(ii) the specific positive outcomes expected from the waiver and why those outcomes cannot be achieved while complying with the requirement;

(iii) the process that will be used to monitor the progress of the State or local partnership in implementing the waiver; and

(iv) such other information as the Secretary of Education may require;

(C) if the State waives, or agrees to waive, similar requirements of State law; and

(D) if the State—

(i) has provided all local partnerships that carry out programs under this Act, and local educational agencies participating in such a local partnership, in the State with notice and an opportunity to comment on the proposal of the State to seek a waiver;

(ii) provides, to the extent feasible, to students, parents, advocacy and civil rights groups, and labor and business organizations an opportunity to comment on the proposal of the State to seek a waiver; and

(iii) has submitted the comments of the local partnerships and local educational agencies to the Secretary of Education.

(2) APPROVAL OR DISAPPROVAL.—The Secretary of Education shall promptly approve or disapprove any request submitted pursuant to paragraph (1) and shall issue a decision that shall—

(A) include the reasons for approving or disapproving the request, including a response to comments on the proposal; and

(B) in the case of a decision to approve the request, be disseminated by the State seeking the waiver to interested parties, including educators, parents, students, advocacy and civil rights organizations, labor and business organizations, and the public.

(3) APPROVAL CRITERIA.—In approving a request under paragraph (2), the Secretary of Education shall consider the amount of State resources that will be used to implement the approved State plan.

(4) TERM.—Each waiver approved pursuant to this subsection shall be for a period not to exceed 5 years, except that the Secretary of Education may extend such period if the Secretary of Education determines that the waiver has been effective in enabling the State or local partnership to carry out the purposes of this Act.

(b) INCLUDED PROGRAMS.—The provisions subject to the waiver authority of this section are—

(1) chapter 1 of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 2701 et seq.), including the Even Start programs carried out under part B of such chapter (20 U.S.C. 2741 et seq.);

(2) part A of chapter 2 of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 2921 et seq.);

(3) part A of title II of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 2981 et seq.);

(4) part D of title IV of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 3121 et seq.);

(5) title V of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 3171 et seq.); and

(6) the Carl D. Perkins Vocational and Applied Technology Education Act (20 U.S.C. 2301 et seq.).

(c) WAIVERS NOT AUTHORIZED.—The Secretary of Education may not waive any requirement of any provision referred to in subsection (b), or of any regulation issued under such provision, relating to—

(1) the basic purposes or goals of such provision;

(2) maintenance of effort;

(3) comparability of services;

(4) the equitable participation of students attending private schools;

(5) student and parental participation and involvement;

(6) the distribution of funds to State or local educational agencies;

(7) the eligibility of an individual for participation in a program under such provision;

(8) public health or safety, labor standards, civil rights, occupational safety and health, or environmental protection; or

(9) prohibitions or restrictions relating to the construction of buildings or facilities.

(d) TERMINATION OF WAIVERS.—The Secretary of Education shall periodically review the performance of any State, local partnership, or local educational agency, for which the Secretary of Education has granted a waiver under this section and shall terminate the waiver under this section if the Secretary of Education determines that the performance of the State, local partnership, or local educational agency that is affected by the waiver has been inadequate to justify a continuation of the waiver, or the State fails to waive similar requirements of State law as required or agreed to in accordance with subsection (a)(1)(C).

SEC. 503. WAIVER AUTHORITY OF SECRETARY OF LABOR.

(a) WAIVER AUTHORITY.—

(1) IN GENERAL.—Except as provided in subsection (b), the Secretary of Labor may

waive any requirement under any provision of the Job Training Partnership Act (29 U.S.C. 1501 et seq.), or of any regulation issued under such provision, for a State that requests such a waiver and has an approved State plan—

(A) if, and only to the extent that, the Secretary of Labor determines that such requirement impedes the ability of the State or a local partnership to carry out the purposes of this Act;

(B) if the State provides the Secretary of Labor with documentation of the necessity for the waiver, including information concerning—

(i) the specific requirement that will be waived;

(ii) the specific positive outcomes expected from the waiver and why those outcomes cannot be achieved while complying with the requirement;

(iii) the process that will be used to monitor the progress of the State or local partnership in implementing the waiver; and

(iv) such other information as the Secretary of Labor may require;

(C) if the State waives, or agrees to waive, similar requirements of State law; and

(D) if the State—

(i) has provided all local partnerships that carry out programs under this Act in the State with notice and an opportunity to comment on the proposal of the State to seek a waiver;

(ii) provides, to the extent feasible, to students, parents, advocacy and civil rights groups, and labor and business organizations an opportunity to comment on the proposal of the State to seek a waiver; and

(iii) has submitted the comments of the local partnerships to the Secretary of Labor.

(2) APPROVAL OR DISAPPROVAL.—The Secretary of Labor shall promptly approve or disapprove any request submitted pursuant to paragraph (1) and shall issue a decision that shall—

(A) include the reasons for approving or disapproving the request, including a response to comments on the proposal; and

(B) in the case of a decision to approve the request, be disseminated by the State seeking the waiver to interested parties, including educators, parents, students, advocacy and civil rights organizations, labor and business organizations, and the public.

(3) APPROVAL CRITERIA.—In approving a request under paragraph (2), the Secretary of Labor shall consider the amount of State resources that will be used to implement the approved State plan.

(4) TERM.—Each waiver approved pursuant to this subsection shall be for a period not to exceed 5 years, except that the Secretary of Labor may extend such period if the Secretary of Labor determines that the waiver has been effective in enabling the State or local partnership to carry out the purposes of this Act.

(b) WAIVERS NOT AUTHORIZED.—The Secretary of Labor may not waive any requirement under any provision of the Job Training Partnership Act (29 U.S.C. 1501 et seq.), or of any regulation issued under such provision, relating to—

(1) the basic purposes or goals of such provision;

(2) maintenance of effort;

(3) the distribution of funds;

(4) the eligibility of an individual for participation in a program under such provision;

(5) public health or safety, labor standards, civil rights, occupational safety and health, or environmental protection; or

(6) prohibitions or restrictions relating to the construction of buildings or facilities.

(c) TERMINATION OF WAIVERS.—The Secretary of Labor shall periodically review the performance of any State or local partner-

ship for which the Secretary of Labor has granted a waiver under this section and shall terminate the waiver under this section if the Secretary of Labor determines that the performance of the State or local partnership affected by the waiver has been inadequate to justify a continuation of the waiver, or the State fails to waive similar requirements of State law as required or agreed to in accordance with subsection (a)(1)(C).

SEC. 504. COMBINATION OF FEDERAL FUNDS FOR HIGH POVERTY SCHOOLS.

(a) IN GENERAL.—

(1) PURPOSES.—The purposes of this section are—

(A) to integrate activities under this Act with school-to-work activities carried out under other Acts; and

(B) to maximize the effective use of resources.

(2) COMBINATION OF FUNDS.—To carry out such purposes, a local partnership that receives assistance under title II or III may carry out schoolwide school-to-work activities in schools that meet the requirements of subparagraphs (A) and (B) of section 263(g)(1) of the Job Training Partnership Act (29 U.S.C. 1643(g)(1) (A) and (B)) with funds obtained by combining—

(A) Federal funds under this Act; and

(B) other Federal funds made available from among programs under—

(i) the provisions of law listed in paragraphs (2) through (6) of section 502(b); and

(ii) the Job Training Partnership Act (29 U.S.C. 1501 et seq.).

(b) USE OF FUNDS.—A local partnership may use the Federal funds combined under subsection (a) under the requirements of this Act, except that the provisions relating to the matters specified in paragraphs (1) through (6) and paragraphs (8) and (9) of section 502(c), and paragraphs (1) through (3) and paragraphs (5) and (6) of section 503(b), that relate to the program through which the funds described in subsection (a)(2)(B) were made available, shall remain in effect with respect to the use of such funds.

(c) ADDITIONAL INFORMATION IN APPLICATION.—A local partnership seeking to combine funds under subsection (a) shall include in the application of the local partnership under title II or III—

(1) a description of the funds the local partnership proposes to combine under the requirements of this Act;

(2) the activities to be carried out with such funds;

(3) the specific outcomes expected of participants in schoolwide school-to-work activities; and

(4) such other information as the State, or Secretaries, as the case may be, may require.

(d) PROVISION OF INFORMATION.—The local partnership shall, to the extent feasible, provide information on the proposed combination of Federal funds under subsection (a) to educators, parents, students, advocacy and civil rights organizations, labor and business organizations, and the public.

SEC. 505. COMBINATION OF FEDERAL FUNDS BY STATES FOR SCHOOL-TO-WORK ACTIVITIES.

(a) IN GENERAL.—

(1) PURPOSES.—The purposes of this section are—

(A) to integrate activities under this Act with State school-to-work activities carried out under other Acts; and

(B) to maximize the effective use of resources.

(2) COMBINATION OF FUNDS.—To carry out such purposes, a State that has an approved State plan may carry out activities necessary to develop and implement a statewide School-to-Work Opportunities system with funds obtained by combining—

(A) Federal funds under this Act; and

(B) other Federal funds that are made available under—

(i) section 102(a)(3) of the Carl D. Perkins Vocational Education and Applied Technology Education Act (20 U.S.C. 2312(a)(3));

(ii) section 202(c)(1)(C) or section 262(c)(1)(C) of the Job Training Partnership Act (29 U.S.C. 1602(c)(1)(C) or 1642(c)(1)(C));

(iii) section 202(c)(1)(B) of the Job Training Partnership Act that would otherwise be available for the purposes described in section 202(c)(3) of such Act; or

(iv) section 262(c)(1)(B) of the Job Training Partnership Act that would otherwise be available for the purposes described in section 262(c)(3) of such Act.

(b) USE OF FUNDS.—A State may use, under the requirements of this Act, Federal funds that are made available to the State and combined under subsection (a) to carry out school-to-work activities, except that the provisions relating to the matters specified in section 502(c), and section 503(b), that relate to the program through which the funds described in subsection (a)(2)(B) were made available, shall remain in effect with respect to the use of such funds.

(c) ADDITIONAL INFORMATION IN APPLICATION.—A State seeking to combine funds under subsection (a) shall include in the application described in section 213—

(1) a description of the funds the State proposes to combine under the requirements of this Act;

(2) the activities to be carried out with such funds;

(3) the specific outcomes expected of participants in school-to-work activities;

(4) formal evidence of support for the request by the State agencies or officials with jurisdiction over the funds that would be combined; and

(5) such other information as the Secretaries may require.

(d) EXTENSION.—The authority of a State to combine funds under this section shall not exceed 5 years, except that the Secretaries may extend such period if the Secretaries determine that an extension of such authority would further the purposes of this Act.

(e) LIMITATION.—Nothing in this section shall be construed to relieve a State of an obligation to conduct the activities required under section 201(b) of the Carl D. Perkins Vocational Education and Applied Technology Education Act.

TITLE VI—GENERAL PROVISIONS

SEC. 601. REQUIREMENTS.

The following requirements shall apply to programs under this Act:

(1) PROHIBITION ON DISPLACEMENT.—No student participating in such a program shall displace any currently employed worker (including a partial displacement, such as a reduction in the hours of nonovertime work, wages, or employment benefits).

(2) PROHIBITION ON IMPAIRMENT OF CONTRACTS.—No such program shall impair existing contracts for services or collective bargaining agreements, and no such program that would be inconsistent with the terms of a collective bargaining agreement shall be undertaken without the written concurrence of the labor organization and employer concerned.

(3) PROHIBITION ON REPLACEMENT.—No student participating in such a program shall be employed or fill a job—

(A) when any other individual is on temporary layoff, with the clear possibility of recall, from the same or any substantially equivalent job with the participating employer; or

(B) when the employer has terminated the employment of any regular employee or otherwise reduced the workforce of the employer with the intention of filling the vacancy so created with the student.

(4) WORKPLACES.—Students participating in such programs shall be provided with adequate and safe equipment and safe and healthful workplaces in conformity with all health and safety requirements of Federal, State, and local law.

(5) EFFECT ON OTHER LAWS.—Nothing in this Act shall be construed to modify or affect any Federal or State law prohibiting discrimination on the basis of race, religion, color, ethnicity, national origin, gender, age, or disability, or to modify or affect any right to enforcement of this Act that may exist under other Federal laws, except as expressly provided by this Act.

(6) PROHIBITION CONCERNING WAGES.—Funds appropriated under authority of this Act shall not be expended for wages of students or workplace mentors participating in such programs.

(7) OTHER REQUIREMENTS.—The Secretaries shall establish such other requirements as the Secretaries may determine to be appropriate, in order to ensure that participants in programs under this Act are afforded adequate supervision by skilled adult workers, or to otherwise further the purposes of this Act.

SEC. 602. SANCTIONS.

(a) TERMINATION OR SUSPENSION OF ASSISTANCE.—

(1) IN GENERAL.—The Secretaries may terminate or suspend any financial assistance under this Act, in whole or in part, or not make payments under a grant awarded under this Act, if the Secretaries determine that a recipient has failed to meet any requirements of this Act, including—

(A) reporting requirements under section 402(c);

(B) regulations under this Act; or

(C) requirements of an approved State plan.

(2) NOTICE AND OPPORTUNITY FOR HEARING.—If the Secretaries terminate or suspend such financial assistance, or do not make such payments under paragraph (1), with respect to a recipient, then the Secretaries shall provide—

(A) prompt notice to such recipient; and

(B) the opportunity for a hearing to such recipient not later than 30 days after the date on which such notice is provided.

(b) NONDELEGATION.—The Secretaries shall not delegate any of the functions or authority specified in this section, other than to an officer whose appointment is required to be made by and with the advice and consent of the Senate.

SEC. 603. STATE AUTHORITY.

Nothing in this Act shall be construed to negate or supersede the legal authority, under State law or other applicable law, of any State agency, State entity, or State public official over programs that are under the jurisdiction of the agency, entity, or official. Nothing in this Act shall be construed to interfere with the authority of such agency, entity, or official to enter into a contract under any provision of law.

SEC. 604. PROHIBITION ON FEDERAL MANDATES, DIRECTION, AND CONTROL.

Nothing in this Act shall be construed to authorize an officer or employee of the Federal Government to mandate, direct, or control a State's, local educational agency's, or school's curriculum, program of instruction, or allocation of State or local resources or mandate a State or any subdivision thereof to spend any funds or incur any costs not paid for under this Act.

SEC. 605. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—There are authorized to be appropriated to the Secretaries to carry out this Act \$300,000,000 for fiscal year 1995 and such sums as may be necessary for each of the fiscal years 1996 through 1999.

(b) RESERVATIONS.—From amounts appropriated under subsection (a) for any fiscal year, the Secretaries—

(1) shall reserve not more than 1/2 of 1 percent of such amounts for such fiscal year to provide grants under sections 202 and 212 to the jurisdictions described in section 202(b);

(2) shall reserve not more than 1/2 of 1 percent of such amounts for such fiscal year to provide grants under subtitle C of title II to establish and carry out School-to-Work Opportunities programs for Indian youths that involve Bureau funded schools (as defined in section 1139(3) of the Education Amendments of 1978 (25 U.S.C. 2019(3)));

(3) shall reserve 10 percent of such amounts for such fiscal year to provide grants under section 302(b) to local partnerships located in high poverty areas, which reserved funds may be used in conjunction with funds available under the Youth Fair Chance Program set forth in part H of title IV of the Job Training Partnership Act (29 U.S.C. 1782 et seq.); and

(4)(A) shall reserve 2.5 percent of such amounts for such fiscal year to carry out section 404; and

(B) shall reserve not more than an additional 5 percent of such amounts for such fiscal year to carry out other activities under title IV, and activities under sections 214(d) and 303(d).

(c) AVAILABILITY OF FUNDS.—Funds appropriated for any fiscal year for programs authorized under this Act shall remain available until expended.

TITLE VII—OTHER PROGRAMS

Subtitle A—Reauthorization of Job Training for the Homeless Demonstration Program Under the Stewart B. McKinney Homeless Assistance Act

SEC. 701. REAUTHORIZATION.

(a) IN GENERAL.—Section 739(a) of the Stewart B. McKinney Homeless Assistance Act (42 U.S.C. 11449(a)) is amended by striking “the following amounts:” and all that follows and inserting “such sums as may be necessary for each of the fiscal years 1994 and 1995.”

(b) CONFORMING AMENDMENT.—Section 741 of the Stewart B. McKinney Homeless Assistance Act (42 U.S.C. 11450) is amended by striking “1993” and inserting “1995”.

Subtitle B—Tech-Prep Programs

SEC. 711. TECH-PREP EDUCATION.

(a) CONTENTS OF PROGRAM.—Section 344(b)(2) of the Tech-Prep Education Act (20 U.S.C. 2394b(b)(2)) is amended by inserting “or 4 years” before “of secondary school”.

(b) SPECIAL CONSIDERATION; PRIORITY.—Section 345(d)(2) of the Tech-Prep Education Act (20 U.S.C. 2394c(d)(2)) is amended to read as follows:

“(2) are developed in consultation with business, industry, labor unions, and institutions of higher education that award baccalaureate degrees; and”.

Subtitle C—Alaska Native Art and Culture

SEC. 721. SHORT TITLE.

This title may be cited as “Alaska Native Culture and Arts Development Act”.

SEC. 722. ALASKA NATIVE ART AND CULTURE.

Part B of title XV of the Higher Education Amendments of 1986 (20 U.S.C. 4441 et seq.) is amended—

(1) in the part heading, to read as follows: “PART B—NATIVE HAWAIIANS AND ALASKA NATIVES”;

and

(2) in section 1521, to read as follows:

“SEC. 1521. PROGRAM FOR NATIVE HAWAIIAN AND ALASKA NATIVE CULTURE AND ARTS DEVELOPMENT.

“(a) IN GENERAL.—The Secretary of the Interior is authorized to make grants for the purpose of supporting programs for Native

Hawaiian or Alaska Native culture and arts development to any private, nonprofit organization or institution which—

“(1) primarily serves and represents Native Hawaiians or Alaska Natives, and

“(2) has been recognized by the Governor of the State of Hawaii or the Governor of the State of Alaska, as appropriate, for the purpose of making such organization or institution eligible to receive such grants.

“(b) PURPOSE OF GRANTS.—Grants made under subsection (a) shall, to the extent deemed possible by the Secretary and the recipient of the grant, be used—

“(1) to provide scholarly study of, and instruction in, Native Hawaiian or Alaska Native art and culture,

“(2) to establish programs which culminate in the awarding of degrees in the various fields of Native Hawaiian or Alaska Native art and culture, or

“(3) to establish centers and programs with respect to Native Hawaiian or Alaska Native art and culture that are similar in purpose to the centers and programs described in subsections (b) and (c) of section 1510.

“(c) MANAGEMENT OF GRANTS.—

“(1) Any organization or institution which is the recipient of a grant made under subsection (a) shall establish a governing board to manage and control the program with respect to which such grant is made.

“(2) For any grants made with respect to Native Hawaiian art and culture, the members of the governing board which is required to be established under paragraph (1) shall—

“(A) be Native Hawaiians or individuals widely recognized in the field of Native Hawaiian art and culture,

“(B) include a representative of the Office of Hawaiian Affairs of the State of Hawaii,

“(C) include the president of the University of Hawaii,

“(D) include the president of the Bishop Museum, and

“(E) serve for a fixed term of office.

“(3) For any grants made with respect to Alaska Native art and culture, the members of the governing board which is required to be established under paragraph (1) shall—

“(A) include Alaska Natives and individuals widely recognized in the field of Alaska Native art and culture,

“(B) represent the Eskimo, Indian and Aleut cultures of Alaska, and

“(C) serve for a fixed term.”.

Subtitle D—Job Training

SEC. 731. AMENDMENT TO JOB TRAINING PARTNERSHIP ACT TO PROVIDE ALLOWANCES FOR CHILD CARE COSTS TO CERTAIN INDIVIDUALS PARTICIPATING IN THE JOB CORPS.

Section 429 of the Job Training Partnership Act (29 U.S.C. 1699) is amended by adding at the end the following new subsection:

“(e) In addition to child care assistance provided under section 428(e), the Secretary shall provide enrollees who otherwise could not participate in the Job Corps with allowances to pay for child care costs, such as food, clothing, and health care for the child. Allowances under this subsection may only be provided during the first 2 months of an enrollee’s participation in the program and shall be in an amount that does not exceed the maximum amount that may be provided by the State pursuant to section 402(g)(1)(C) of the Social Security Act (42 U.S.C. 602(g)(1)(C)).”.

TITLE VIII—TECHNICAL PROVISIONS

SEC. 801. EFFECTIVE DATE.

This Act shall take effect on the date of enactment of this Act.

SEC. 802. SUNSET.

The authority provided by this Act shall terminate on October 1, 2001.

And the Senate agree to the same.

EDWARD M. KENNEDY,

CLAIBORNE PELL, HOWARD M. METZENBAUM, PAUL SIMON, TOM HARKIN, BARBARA A. MIKULSKI, JEFF BINGAMAN, PAUL WELLSTONE, HARRIS WOFFORD, DAVE DURENBERGER,

Managers on the Part of the Senate.

WILLIAM D. FORD, DALE E. KILDEE, PAT WILLIAMS, BILL GOODLING, STEVE GUNDERSON,

Managers on the Part of the House.

When said conference report was considered.

After debate,

By unanimous consent, the previous question was ordered on the conference report to its adoption or rejection.

The question being put, viva voce,

Will the House agree to said conference report?

The SPEAKER pro tempore, Mr. POMEROY, announced that the yeas had it.

Mr. FORD of Michigan 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 339 Nays 79

36.5

[Roll No. 128]

YEAS—339

Table listing names of members of the House and Senate, including Abercrombie, Ackerman, Andrews (ME), Andrews (NJ), Andrews (TX), Applegate, Baesler, Baker (LA), Barca, Barcia, Barlow, Barrett (WI), Barton, Bateman, Becerra, Beilenson, Bentley, Bereuter, Berman, Bevil, Bilbray, Bilirakis, Bishop, Blackwell, Biley, Blute, Boehlert, Bonilla, Bonior, Borski, Boucher, Brewster, Brooks, Browder, Brown (CA), Brown (FL), Brown (OH), Bryant, Buyer, Byrne, Calvert, Camp, Canady, Cantwell, Cardin, Carr, Castle, Chapman, Clayton, Clement, Clinger, Clyburn, Coleman, Collins (IL), Collins (MI), Condit, Conyers, Cooper, Coppersmith, Costello, Coyne, Cramer, Cunningham, Danner, Darden, de la Garza, Deal, DeFazio, DeLauro, Dellums, Derrick, Deutsch, Diaz-Balart, Dicks, Dingell, Dixon, Dooley, Durbin, Edwards (CA), Edwards (TX), Ehlers, Emerson, English, Eshoo, Evans, Farr, Fawell, Fazio, Fields (LA), Filner, Fingerhut, Flake, Foglietta, Ford (MI), Ford (TN), Frank (MA), Franks (CT), Frost, Furse, Gallegly, Gejdenson, Gephardt, Geren, Gibbons, Gilchrist, Gillmor, Gilman, Glickman, Gonzalez, Goodling, Gordon, Goss, Green, Greenwood, Gunderson, Gutierrez, Hall (OH), Hall (TX), Hamburg, Hamilton, Harman, Hastings, Hayes, Hefner, Hilliard, Hinchey, Hoagland, Hobson, Hochbrueckner, Hoekstra, Holden, Horn, Houghton, Hoyer, Huffington, Hughes, Hutto, Hyde, Insole, Jacobs, Jefferson, Johnson (CT), Johnson (GA), Johnson (SD), Johnson, E. B., Johnston, Kanjorski, Kasich, Kennedy, Kennelly.

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Levy
Lewis (CA)
Lewis (GA)
Lipinski
Lloyd
Long
Lowe
Machtley
Maloney
Mann
Manton
Margolies-
Mezvinsky
Markey
Martinez
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Mazzoli
McCloskey
McCrery
McCurdy
McDermott
McHale
McHugh
McKeon
McKinney
McMillan
Meehan
Meek
Menendez
Meyers
Mfume
Michel
Miller (CA)
Miller (FL)
Mineta
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Mink
Moakley
Molinari
Mollohan
Montgomery
Moran
Morella
Murphy
Murtha
Myers

Nadler
Neal (MA)
Neal (NC)
Nussle
Oberstar
Obey
Olver
Ortiz
Orton
Owens
Pallone
Parker
Payne (NJ)
Payne (VA)
Pelosi
Penny
Peterson (FL)
Peterson (MN)
Petri
Pickett
Pickle
Pombo
Pomeroy
Portman
Poshard
Price (NC)
Pryce (OH)
Quillen
Quinn
Rahall
Ramstad
Rangel
Ravenel
Reed
Regula
Reynolds
Richardson
Roemer
Rogers
Ros-Lehtinen
Rose
Rostenkowski
Roth
Roukema
Roybal-Allard
Rush
Sabo
Sanders
Sangmeister
Santorum
Sarpalius
Sawyer
Saxton
Schenk
Schiff
Schroeder
Schumer
Scott
Serrano
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Shays
Shepherd
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Skaggs
Skeen
Skelton
Slattery
Slaughter
Smith (IA)
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Snowe
Spence
Spratt
Stark
Stenholm
Stokes
Strickland
Studds
Stupak
Sundquist
Swett
Synar
Talent
Tanner
Tauzin
Tejeda
Thomas (CA)
Thomas (WY)
Thompson
Thornton
Thurman
Torkildsen
Torres
Torricelli
Towns
Traficant
Tucker
Unsoeld
Upton
Valentine
Velazquez
Vento
Visclosky
Volkmer
Vucanovich
Walsh
Waters
Watt
Waxman
Weldon
Wheat
Williams
Wilson
Wise
Wolf
Woolsey
Wyden
Wynn
Yates
Young (AK)
Young (FL)
Zeliff

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Allard
Archer
Armey
Bachus (AL)
Baker (CA)
Ballenger
Barrett (NE)
Bartlett
Boehner
Bunning
Burton
Callahan
Coble
Collins (GA)
Combest
Cox
Crane
Crapo
DeLay
Dickey
Doolittle
Dornan
Dreier
Duncan
Dunn
Everett
Ewing

Fields (TX)
Fowler
Franks (NJ)
Gekas
Gingrich
Goodlatte
Grams
Hancock
Hansen
Hastert
Hefley
Herger
Hoke
Hunter
Hutchinson
Inglis
Inhofe
Istook
Johnson, Sam
King
Kingston
Klug
Knollenberg
Kyl
Lewis (FL)
Lightfoot
Linder

Livingston
Manzullo
McCandless
McCollum
McInnis
Mica
Moorhead
Oxley
Packard
Paxon
Porter
Roberts
Rohrabacher
Royce
Schaefer
Sensenbrenner
Shaw
Shuster
Solomon
Stearns
Stump
Taylor (MS)
Taylor (NC)
Walker
Zimmer

NOT VOTING—14

Bacchus (FL)
Clay
Engel
Fish
Gallo

Grandy
Kaptur
McDade
McNulty
Ridge

Rowland
Swift
Washington
Whitten

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.

136.6 H. RES. 329—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mrs. MEEK, pursuant to clause 5, rule I, announced the unfinished business to be the motion to suspend the rules and agree to the resolution (H. Res. 329) designating 1994 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; as amended.

The question being put,
Will the House suspend the rules and agree to said resolution, as amended?

The vote was taken by electronic device.

It was decided in the affirmative { Yeas 416
Nays 2

136.7 [Roll No. 129] YEAS—416

Abercrombie
Ackerman
Allard
Andrews (ME)
Andrews (NJ)
Andrews (TX)
Applegate
Archer
Armey
Bachus (AL)
Baesler
Baker (CA)
Baker (LA)
Ballenger
Barca
Barcia
Barlow
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bateman
Becerra
Beilenson
Bentley
Bereuter
Berman
Bevill
Billbray
Bilirakis
Bishop
Blackwell
Biley
Mica
Blute
Boehlert
Dixon
Boehner
Bonilla
Bonior
Borski
Boucher
Brewster
Dunn
Durbin
Brooks
Browder
Brown (CA)
Brown (FL)
Brown (OH)
Bryant
Bunning
Burton
Buyer
Byrne
Callahan
Calvert
Camp
Canady
Cantwell
Cardin
Carr
Castle
Chapman
Clay
Clayton

Clement
Clinger
Clyburn
Coble
Coleman
Collins (GA)
Collins (IL)
Collins (MI)
Combest
Condit
Conyers
Cooper
Coppersmith
Costello
Cox
Coyne
Cramer
Crane
Crapo
Cunningham
Danner
Darden
de la Garza
Deal
DeFazio
DeLauro
DeLay
Dellums
Derrick
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Dooley
Doolittle
Dornan
Dreier
Duncan
Dunn
Edwards (CA)
Edwards (TX)
Ehlers
Emerson
English
Eshoo
Everett
Ewing
Farr
Fawell
Fazio
Fields (LA)
Fields (TX)
Filner
Fingerhut
Flake
Foglietta
Ford (MI)
Ford (TN)
Fowler

Frank (MA)
Franks (CT)
Franks (NJ)
Frost
Furse
Gallegly
Gejdenson
Gekas
Gephardt
Geren
Gibbons
Gilchrist
Gillmor
Gilman
Gingrich
Glickman
Gonzalez
Goodlatte
Goodling
Gordon
Goss
Grams
Green
Greenwood
Gunderson
Gutierrez
Hall (OH)
Hall (TX)
Hamburg
Hamilton
Hancock
Hansen
Harman
Hastert
Hastings
Hayes
Hefner
Herger
Hilliard
Hinchev
Hoagland
Hobson
Hochbrueckner
Hoekstra
Hoke
Holden
Horn
Hoyer
Huffington
Hughes
Hunter
Hutchinson
Hutto
Hyde
Inglis
Inhofe
Inslee
Jacobs
Jefferson
Johnson (CT)
Johnson (GA)
Johnson (SD)

Johnson, E. B.
Johnson, Sam
Johnston
Kanjorski
Kasich
Kennedy
Kennelly
Kildee
Kim
King
Kingston
Kleczka
Klein
Klink
Klug
Knollenberg
Kolbe
Kopetski
Kreidler
Kyl
LaFalce
Lambert
Lancaster
Lantos
LaRocco
Laughlin
Lazio
Leach
Lehman
Levin
Levy
Lewis (CA)
Lewis (FL)
Lewis (GA)
Lightfoot
Linder
Lipinski
Livingston
Lloyd
Long
Lowe
Machtley
Maloney
Mann
Manton
Manzullo
Margolies-
Mezvinsky
Markey
Martinez
Matsui
Mazzoli
McCloskey
McCollum
McCrery
McCurdy
McDermott
McHale
McHugh
McInnis
McKinney
McMillan
Meehan
Meek
Menendez
Meyers
Mfume
Miller (CA)
Miller (FL)
Minge
Mink
Moakley

Molinari
Mollohan
Montgomery
Moorhead
Moran
Morella
Murphy
Murtha
Myers
Nadler
Neal (MA)
Neal (NC)
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
Portman
Poshard
Price (NC)
Pryce (OH)
Quillen
Quinn
Rahall
Ramstad
Rangel
Ravenel
Reed
Regula
Reynolds
Richardson
Roberts
Roemer
Rogers
Rohrabacher
Ros-Lehtinen
Rose
Rostenkowski
Roth
Roukema
Rowland
Roybal-Allard
Royce
Rush
Sabo
Sanders
Sangmeister
Santorum
Sarpalius
Sawyer
Saxton
Schaefer
Schenk
Mineta
Minge
Schroeder
Schumer
Scott

Sensenbrenner
Serrano
Sharp
Shaw
Shays
Shepherd
Shuster
Sisisky
Skaggs
Skeen
Skelton
Slattery
Slaughter
Smith (IA)
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Snowe
Solomon
Spence
Spratt
Stark
Stenholm
Stokes
Strickland
Studds
Stupak
Sundquist
Swett
Synar
Talent
Tanner
Taufel
Taylour (MS)
Tejeda
Thomas (CA)
Thomas (WY)
Thompson
Thornton
Thurman
Torkildsen
Torres
Torricelli
Towns
Traficant
Tucker
Unsoeld
Upton
Valentine
Vento
Visclosky
Volkmer
Vucanovich
Walker
Walsh
Waters
Watt
Waxman
Weldon
Wheat
Whitten
Williams
Wilson
Wise
Wolf
Woolsey
Wyden
Wynn
Yates
Young (AK)
Young (FL)
Zimmer

NAYS—2

Hefley Taylor (NC)

NOT VOTING—14

Bacchus (FL)
Engel
Evans
Fish
Gallo

Grandy
Houghton
Istook
Kaptur
McDade

McNulty
Ridge
Stump
Washington

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said resolution, as amended, was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said resolution, as amended, was agreed to was, by unanimous consent, laid on the table.

36.8 CRIME CONTROL

The SPEAKER pro tempore, Mrs. MEEK, pursuant to House Resolution 401 and rule XXIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 4092) to control and prevent crime.

The Acting Chairman, Mr. SPRATT assumed the Chair; and after some time spent therein,

36.9 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendments en bloc submitted by Mr. BROOKS:

At the end insert the following new title:

TITLE XXIV—CRIMINAL ALIENS

SEC. 2401. INCARCERATION OF UNDOCUMENTED CRIMINAL ALIENS.

(a) INCARCERATION.—Section 242 of the Immigration and Nationality Act (8 U.S.C. 1252) is amended by adding at the end the following:

(j) INCARCERATION.—

(1) If the chief official of the State (or, if appropriate, a political subdivision of the State) exercising authority with respect to the incarceration of an undocumented criminal alien (sentenced to a determinate term of imprisonment) submits a written request to the Attorney General, the Attorney General shall, as determined by the Attorney General—

(A) enter into a contractual arrangement which provides for compensation to the State of a political subdivision of the State, as may be appropriate, with respect to the incarceration of such undocumented criminal alien for such determinate sentence of imprisonment, or

(B) take the undocumented criminal alien into the custody of the Federal Government and incarcerate such alien for such determinate sentence of imprisonment.

(2) Compensation under paragraph (1)(A) shall be determined by the Attorney General and may not exceed the median cost of incarceration of a prisoner in all maximum security facilities in the United States as determined by the Bureau of Justice Statistics.

(3) For purposes of this subsection, the term 'undocumented criminal alien' means an alien who—

(A) has been convicted of a felony and sentenced to a term of imprisonment, and

(B)(i) entered the United States without inspection or at any time or place other than as designated by the Attorney General,

(ii) was the subject of exclusion or deportation proceedings at the time he or she was taken into custody by the State or a political subdivision of the State, or

(iii) was admitted as a nonimmigrant and at the time he or she was taken into custody by the State or a political subdivision of the State has failed to maintain the non-immigrant status in which the alien was admitted or to which it was changed under section 248, or to comply with the conditions of any such status.

(4)(A) In carrying out paragraph (1), the Attorney General shall give priority to the Federal incarceration of undocumented criminal aliens who have committed aggravated felonies.

(B) The Attorney General shall ensure that undocumented criminal aliens incarcerated in Federal facilities pursuant to this subsection are held in facilities which provide a level of security appropriate to the crimes for which they were convicted."

(b) EFFECTIVE DATE.—The amendments made by this section shall take effect October 1, 1994.

(c) LIMITATION.—The authority created in section 242(j) of the Immigration and Nationality Act (as added by subsection (a)) shall be subject to appropriation until October 1, 1998.

At the end of the bill add the following new title:

TITLE —NATIONAL STALKER AND DOMESTIC VIOLENCE REDUCTION

SEC. . AUTHORIZING ACCESS TO FEDERAL CRIMINAL INFORMATION DATA BASES.

(a) ACCESS.—The Attorney General shall amend existing regulations (published at 28 C.F.R. 20.33(a)) to authorize the dissemination of information from existing national crime information databases, including the National Crime Information Center and III ("Triple I"), to courts and court personnel, civil or criminal, for use in domestic violence or stalking cases. Nothing in this subsection shall be construed to permit any person or court access to criminal history record information for any other purpose or for any other civil case other than for use in a stalking or domestic violence case.

(b) ENTRY.—The Attorney General shall amend existing regulations to permit Federal and State criminal justice agencies, assigned to input information into national crime information databases, to include arrests, warrants, and orders for the protection of parties from stalking or domestic violence, whether issued by a criminal, civil, or family court. Such amendment shall include a definition of criminal history information that covers warrants, arrests, and orders for the protection of parties from stalking or domestic violence. Nothing in this subsection shall be construed to permit access to such information for any purpose which is different than the purposes described in subsection (a).

(c) PROCEDURES.—The regulations required by subsection (a) shall be proposed no later than 90 days after the date of the enactment of this Act, after appropriate consultation with the Director of the Federal Bureau of Investigation, the officials charged with managing the National Crime Information Center, and the National Crime Information Center Advisory Policy Board. Final regulations shall be issued no later than 180 days after the date of the enactment of this Act.

SEC. . NONSERIOUS OFFENSE BAR.

The Attorney General shall amend existing regulations to specify that the term "non-serious offenses", as used in 28 C.F.R. 20.32, does not include stalking or domestic violence offenses. Nothing in this section is intended to change current regulations requiring that juvenile offenses shall be excluded from national crime information databases unless the juvenile has been tried as an adult.

SEC. . PERFORMANCE GRANT PROGRAM.

(a) IN GENERAL.—The Attorney General, through the Director of the Bureau of Justice Assistance, is authorized to provide performance grants to the States to improve processes for entering data about stalking and domestic violence into national crime information databases.

(b) ELIGIBILITY.—Eligible grantees under subsection (a) are States that provide, in their application, that all criminal justice agencies within their jurisdiction shall enter into the National Crime Information Center all records of (1) warrants for the arrest of persons violating civil protection orders intended to protect victims from stalking or domestic violence; (2) arrests of persons violating civil protection orders intended to protect victims from stalking or domestic violence; and (3) orders for the protection of persons from violence, including stalking and domestic violence.

(c) PERFORMANCE-BASED DISTRIBUTION.—Eligible grantees under subsection (a) shall be

awarded 25 percent of their grant moneys upon application approval as "seed money" to cover start-up costs for the project funded by the grant. Upon successful completion of the performance audit provided in subsection (d), the grantees shall be awarded the remaining sums in the grant.

(d) PERFORMANCE AUDIT.—Within 6 months after the initial 25 percent of a grant is provided, the State shall report to the Federal Bureau of Investigation and the Bureau of Justice Assistance, the number of records included in national crime information databases as a result of the grant funding, including separate data for warrants, arrests, and protective orders. If the State can show a substantial increase in the number of records entered, then it shall be eligible for the entire grant amount. However, the Director shall suspend funding for an approved application if an applicant fails to submit a 6 month performance report or if funds are expended for purposes other than those set forth under this title. Federal funds may be used to supplement, not supplant, State funds.

(e) GRANT AMOUNT.—From amounts appropriated, the amount of grants under subsection (a) shall be—

(1) \$75,000 to each State; and

(2) That portion of the then remaining available money to each State that results from a distribution among the States on the basis of each State's population in relation to the population of all States.

SEC. . APPLICATION REQUIREMENTS.

The application requirements provided in section 513 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3711 et seq.) shall apply to grants made under this title. In addition, applications shall include documentation showing—

(1) the need for grant funds and that State funding does not already cover these operations;

(2) intended use of the grant funds, including a plan of action to increase record input; and

(3) an estimate of expected results from the use of the grant funds.

SEC. . DISBURSEMENT.

(a) GENERAL RULE.—No later than 30 days after the receipt of an application under this title, the Director shall either disburse the appropriate sums provided for under this title or shall inform the applicant why the application does not conform to the terms of section 513 of the Omnibus Crime Control and Safe Streets Act of 1968 or to the requirements of section of this title.

(b) REGULATIONS.—In disbursing moneys under this title, the Director of the Bureau of Justice Assistance shall issue regulations to ensure that grantees give priority to the areas with the greatest showing of need.

SEC. . FEDERAL NONMONETARY ASSISTANCE.

In addition to the assistance provided under the performance grant program, the Attorney General may direct any Federal agency, with or without reimbursement, to use its authorities and the resources granted to it under Federal law (including personnel, equipment, supplies, facilities, and managerial, technical, and advisory services) in support of State and local law enforcement efforts to combat stalking and domestic violence.

SEC. . AUTHORIZATION.

There are authorized to be appropriated for each of the fiscal years 1994, 1995, and 1996, \$2,000,000 to carry out the purposes of the Performance Grant Program under this title.

SEC. . TRAINING PROGRAMS FOR JUDGES.

The National Institute of Justice, in conjunction with a nationally recognized nonprofit organization expert in stalking and domestic violence cases, shall conduct train-

ing programs for judges to ensure that any judge issuing an order in stalking or domestic violence cases has all available criminal history and other information, whether from State or Federal sources.

SEC. . RECOMMENDATIONS ON INTRASTATE COMMUNICATION.

The National Institute of Justice, after consulting a nationally recognized nonprofit associations expert in data sharing among criminal justice agencies and familiar with the issues raised in stalking and domestic violence cases, shall recommend proposals about how State courts may increase intrastate communication between family courts, juvenile courts, and criminal courts.

SEC. . INCLUSION IN NATIONAL INCIDENT-BASED REPORTING SYSTEM.

Not later than 2 years after the date of enactment of this Act, the Attorney General, in coordination with the Federal Bureau of Investigation and the States, shall compile data regarding stalking civil protective orders and other forms of domestic violence as part of the National Incident-Based Reporting System (NIBRS).

SEC. . REPORT TO CONGRESS.

The Attorney General shall submit to the Congress an annual report, beginning one year after the date of the enactment of this Act, that reports information on the incidence of stalking and other forms of domestic violence, and evaluates the effectiveness of State anti-stalking efforts and legislation.

SEC. . DEFINITIONS.

As used in this title—

(1) the term “national crime information databases” refers to the National Crime Information Center and its incorporated criminal history databases, including III (“Triple I”);

(2) the term “stalking” includes any conduct that would, if proven, justify the issuance of an order of protection under the stalking, or other, laws of the State in which it occurred; and

(3) the term “domestic violence” includes any conduct that would, if proven, justify the issuance of an order of protection under the domestic violence, or other, laws of the State in which it occurred.

At the end, add the following:

TITLE —PROTECTING THE PRIVACY OF INFORMATION IN STATE MOTOR VEHICLE RECORDS

SEC. . SHORT TITLE.

This title may be cited as the “Driver’s Privacy Protection Act of 1994”.

SEC. . PROHIBITION ON RELEASE AND USE OF CERTAIN PERSONAL INFORMATION FROM STATE MOTOR VEHICLE RECORDS.

Title 18, United States Code, is amended by inserting after chapter 121 the following:

“CHAPTER 123—PROHIBITION ON RELEASE AND USE OF CERTAIN PERSONAL INFORMATION FROM STATE MOTOR VEHICLE RECORDS

“§2721. Prohibition on release and use of certain personal information from State motor vehicle records

“(a) IN GENERAL.—Except as provided in subsection (b), a State department of motor vehicles, and any officer, employee, or contractor thereof, shall not knowingly disclose or otherwise make available to any person or entity personal information about any individual obtained by the department in connection with a motor vehicle record.

“(b) PERMISSIBLE USES.—Personal information referred to in subsection (a) of this section shall be disclosed for paragraphs (1) and (2) to carry out the purpose of the Automobile Information Disclosure Act, the Motor Vehicle Information and Cost Saving Act, the National Traffic and Motor Vehicle Safety Act of 1966, the Anti-Car Theft Act of

1992, and the Clean Air Act, and may be disclosed for paragraphs (3) through (14), as follows:

“(1) For use by any Federal, State, or local agency, including any court or law enforcement agency, in carrying out its functions, or any private person or entity acting on behalf of a Federal, State, or local agency in carrying out its functions.

“(2) For use in connection with matters of motor vehicle or driver safety and theft, motor vehicle emissions, motor vehicle product alteration, recall or advisory, and motor vehicle customer satisfaction.

“(3) For use in the normal course of business by a legitimate business or its agents, employees, or contractors, but only—

“(A) to verify the accuracy of personal information submitted by the individual to the business or its agents, employees, or contractors; and

“(B) if such information as so submitted is not correct or is no longer correct, to obtain the correct information, but only for the purposes of preventing fraud by, pursuing legal remedies against, or recovering on a debt or security interest against, the individual.

“(4) For use in connection with any civil, criminal, administrative, or arbitral proceeding in any Federal, State, or local court or agency or before any self-regulatory body, including the service of process, investigation in anticipation of litigation, and the execution or enforcement of judgments and orders, or pursuant to an order of a Federal, State, or local court

“(5) For use in research activities, including survey research, and for use in producing statistical reports, provided that the personal information is not published or redisclosed and provided that the personal information is not used to direct solicitations or marketing offers at the individuals whose personal information is disclosed under this paragraph.

“(6) For use by any insurer or insurance support organization, or by a self-insured entity, or its agents, employees, or contractors, in connection with claims investigation activities, antifraud activities, rating or underwriting.

“(7) For the purpose of providing notice of the owners of towed or impounded vehicles.

“(8) For use by any licensed private investigative agency or licensed security service for any purpose permitted under this subsection.

“(9) For use by an employer or its agent or insurer to obtain or verify information relating to a holder of a commercial driver’s license that is required under the Commercial Motor Vehicle Safety Act of 1986 (49 U.S.C. App. 2710 et seq.).

“(10) For use in connection with the operation of private toll transportation facilities.

“(11) For any other purpose in response to requests for individual motor vehicle records if the motor vehicle department has provided in a clear and conspicuous manner to the individual to whom the information pertains an opportunity to prohibit such disclosures.

“(12) For bulk distribution for marketing or solicitations if the motor vehicle department has implemented methods and procedures to ensure—

“(A) that individuals are provided an opportunity, in a clear and conspicuous manner, to prohibit such disclosure; and

“(B) that the information will be used, rented, or sold solely for bulk distribution for marketing and solicitations, and that such solicitations will not be directed at those individuals who have requested in a timely fashion that they not be directed at them.

‘Methods and procedures’ includes the motor vehicle department’s use of a mail preference

list to remove from its records before bulk distribution the names and personal information of those individuals who have requested that solicitations not be directed at them.

“(13) For use by any requestor, if the requestor demonstrates it has obtained the written consent of the individual to whom the information pertains.

“(14) For any other purpose specifically authorized under the law of the State that holds the record, if such purpose is related to the operation of a motor vehicle or public safety.

“(c) REALE OR REDISCLOSURE.—Any authorized recipient of personal information may resell or redisclose the information for any use permitted under subsection (b). Any authorized recipient (except a recipient under subsections (b)(11) or (12)) that resells or rediscloses personal information covered by this title must keep for a period of 5 years records identifying each person or entity that receives the information and the permitted purpose for which the information will be used.

“(d) WAIVER PROCEDURES.—A State motor vehicle department may establish and carry out procedures under which the department or its agents, upon receiving a request for personal information that does not fall within one of the exceptions in subsection (b), may mail a copy of the request to the individual about whom the information was requested, informing such individual of the request, together with a statement to the effect that the information will not be released unless the individual waives such individual’s right to privacy under this section.

§2722. Additional unlawful acts

“(a) PROCUREMENT FOR UNLAWFUL PURPOSE.—It shall be unlawful for any person knowingly to obtain or disclose personal information, from a motor vehicle record, for any purpose not permitted under section 2721(b) of this title.

“(b) FALSE REPRESENTATIONS.—It shall be unlawful for any person to make false representation to obtain any personal information from an individual’s motor vehicle record.

§2723. Criminal penalty

“Any person that knowingly violates this chapter shall be fined under this title.

§2724. Civil Action

“(a) CAUSE OF ACTION.—A person who knowingly obtains, discloses or uses personal information, derived from a motor vehicle record, for a purpose not permitted under this chapter shall be liable to the individual to whom the information pertains, who may bring a civil action in a United States district court.

“(b) REMEDIES.—The court may award—

“(1) actual damages, but not less than liquidated damages in the amount of \$2,500;

“(2) punitive damages upon proof of willful or reckless disregard of the law;

“(3) reasonable attorneys’ fees and other litigation costs reasonably incurred; and

“(4) such other preliminary and equitable relief as the court determines to be appropriate.

§2725. Definitions

“As used in this chapter—

“(1) “motor vehicle record” means any record that pertains to a motor vehicle operator’s permit, motor vehicle title, motor vehicle registration, or identification card issued by a department of motor vehicles;

“(2) “personal information” means information that identifies an individual, including an individual’s photograph, social security number, driver identification number, name, address (by not the 5-digit zip code), telephone number, and medical or disability information. Such term does not include in-

formation on vehicular accidents, driving violations, and driver's status; and
"(3) "person" means an individual, organization or entity, but does not include a State or agency thereof."

SEC. . EFFECTIVE DATE.

This title shall take effect 3 years after the date of enactment. in the interim, personal information covered by this title may be released consistent with State law or practice.

At the end of the bill insert the following:

TITLE -CIVIL RIGHTS OF INSTITUTIONALIZED PERSONS ACT

SEC. . EXHAUSTION REQUIREMENT.

Section 8 of the Civil Rights of Institutionalized Persons Act (42 U.S.C. 1997e) is amended-

- (1) in subsection (a)-
(A) in paragraph (1)-
(i) by striking "in any action brought" and inserting "no action shall be brought";
(ii) by striking "the court shall" and all that follows through "require exhaustion of" and insert "until"; and
(iii) by inserting "are exhausted" after "available"; and
(B) in paragraph (2), by inserting "or are otherwise fair and effective" before the period at the end.

SEC. . FRIVOLOUS ACTIONS.

Section 8(a) of the Civil Rights of Institutionalized Persons Act (42 U.S.C. 1997e(a)) is amended by adding at the end the following:

"(3) The court shall on its own motion or on motion of a party dismiss any action brought pursuant to section 1979 of the Revised Statutes of the United States by an adult convicted of a crime and confined in any jail, prison, or other correctional facility if the court is satisfied that the action fails to state a claim upon which relief can be granted or is frivolous or malicious.

SEC. . MODIFICATION OF REQUIRED MINIMUM STANDARDS.

Section 8(b)(2) of the Civil Rights of Institutionalized Persons Act (42 U.S.C. 1997e(b)(2)) is amended by striking subparagraph (A) and redesignating subparagraphs (B) through (E) as subparagraphs (A) through (D), respectively.

SEC. . REVIEW AND CERTIFICATION PROCEDURE CHANGES.

Section 8(c) of the Civil Rights of Institutionalized Persons Act (42 U.S.C. 1997e(c)) is amended-

- (1) in paragraph (1), by inserting "or are otherwise fair and effective" before the period at the end; and
(2) in paragraph (2), by inserting "or is no longer fair and effective" before the period at the end.

SEC. . PROCEEDINGS IN FORMA PAUPERIS.

(a) DISMISSAL.-Section 1915(d) of title 28, United States Code, is amended-

- (1) by inserting "at any time" after "counsel and may"; and
(2) by striking "and may" and inserting "and shall";
(3) by inserting "fails to state a claim upon which relief may be granted or" after "that the action"; and
(4) by inserting "even if partial failing fees have been imposed by the court" before the period.

(b) PRISONER'S STATEMENT OF ASSETS.-Section 1915 of title 28, United States Code, is amended by adding at the end the following:

"(f) If a prisoner in a correctional institution files an affidavit in accordance with subsection (a) of this section, such prisoner shall include in that affidavit a statement of all assets such prisoner possesses. The court shall make inquiry of the correctional institution in which the prisoner is incarcerated for information available to that institution relating to the extent of the prisoner's as-

sets. The court shall require full or partial payment of filing fees according to the prisoner's ability to pay."

At the end of the bill insert the following:

TITLE -PRISON OVERCROWDING

SEC. . APPROPRIATE REMEDIES FOR PRISON OVERCROWDING.

(a) AMENDMENT OF TITLE 18, UNITED STATES CODE.-Subchapter C of chapter 229 of part 2 of title 18, United States Code, is amended by adding at the end the following.

"3626. Appropriate remedies with respect to prison crowding

"(a) REQUIREMENT OF SHOWING WITH RESPECT TO THE PLAINTIFF IN PARTICULAR.-

"(1) HOLDING.-A Federal court shall not hold prison or jail crowding unconstitutional under the eighth amendment except to the extent that an individual plaintiff inmate proves that the crowding causes the infliction of cruel and unusual punishment of that inmate.

"(2) RELIEF.-The relief in a case described in paragraph (1) shall extend no further than necessary to remove the conditions that are causing the cruel and unusual punishment of the plaintiff inmate.

"(b) INMATE POPULATION CEILINGS.-

"(1) REQUIREMENT OF SHOWING WITH RESPECT TO PARTICULAR PRISONERS.-A Federal court shall not place a ceiling on the inmate population of any Federal, State, or local detention facility as an equitable remedial measure for conditions that violate the eighth amendment unless crowding is inflicting cruel and usual punishment on particular identified prisoners.

"(2) RULE OF CONSTRUCTION.-Paragraph (1) of this subsection shall not be construed to have any effect on Federal judicial power to issue equitable relief other than that described in paragraph (1) of this subsection, including the requirement of improved medical or health care and the imposition of civil contempt fines or damages, where such relief is appropriate.

"(c) PERIODIC REOPENING.-Each Federal court order or consent decree seeking to remedy an eighth amendment violation shall be reopened at the behest of a defendant for recommended modification at a minimum of 2-year intervals."

(b) APPLICATION OF AMENDMENT.-Section 3626 of title 18, United States Code, as added by paragraph (1), shall apply to all outstanding court orders on the date of enactment of this Act. Any State or municipality shall be entitled to seek modification of any outstanding eighth amendment decree pursuant to that section.

(c) CLERICAL AMENDMENT.-The table of sections at the beginning of subchapter C of chapter 229 of title 18, United States Code, is amended by adding at the end the following new item:

"3626. Appropriate remedies with respect to prison crowding."

(d) SUNSET PROVISION.-This section and the amendments made by this section are repealed effective as of the date that is 5 years after the date of enactment of this Act.

Add at the end the following:

TITLE -PRISON SECURITY ENHANCEMENT

SEC. . PRISON SECURITY.

(a) IN GENERAL.-Chapter 303 of title 18, United States Code, is amended by adding at the end the following new section:

"3407. Strength-training of prisoners prohibited

"The Bureau of Prisons shall take care that-

"(1) prisoners under its jurisdiction do not engage in any activities designed to increase their physical strength or their fighting ability; and

"(2) that all equipment designed for this purpose be removed from Federal correctional facilities."

(b) CLERICAL AMENDMENT.-The table of sections at the beginning of chapter 303 of title 18, United States Code, is amended by adding at the end the following new item:

"407. Strength-training of prisoners prohibited."

It was decided in the affirmative { Yeas 402 Nays 22

Table with 3 columns: Section Number (e.g., 36.10), Roll Number (e.g., [Roll No. 130]), and Name (e.g., AYES-402). Lists names of members of the House of Representatives.

Miller (CA)	Regula	Stearns
Miller (FL)	Reynolds	Stenholm
Mineta	Richardson	Strickland
Minge	Roberts	Studds
Mink	Roemer	Stump
Moakley	Rogers	Stupak
Molinari	Rohrabacher	Sundquist
Mollohan	Romero-Barcelo	Sweet
Montgomery	(PR)	Swift
Moorhead	Ros-Lehtinen	Synar
Moran	Rose	Talent
Morella	Rostenkowski	Tanner
Murphy	Roth	Tauzin
Murtha	Roukema	Taylor (MS)
Myers	Rowland	Taylor (NC)
Nadler	Roybal-Allard	Tejeda
Neal (MA)	Royce	Thomas (CA)
Neal (NC)	Sanders	Thomas (WY)
Norton (DC)	Sangmeister	Thornton
Nussle	Santorum	Thurman
Oberstar	Sarpalius	Torkildsen
Obey	Sawyer	Torres
Olver	Saxton	Torricelli
Ortiz	Schaefer	Towns
Orton	Schenk	Trafficant
Oxley	Schiff	Tucker
Packard	Schroeder	Underwood (GU)
Pallone	Schumer	Unsoeld
Parker	Scott	Upton
Pastor	Sensenbrenner	Valentine
Paxon	Serrano	Velazquez
Pelosi	Sharp	Vento
Penny	Shaw	Visclosky
Peterson (FL)	Shays	Volkmer
Peterson (MN)	Shepherd	Vucanovich
Petri	Shuster	Walker
Pickett	Sisisky	Walsh
Pickle	Skaggs	Waters
Pombo	Skeen	Waxman
Pomeroy	Skelton	Weldon
Porter	Slattery	Wheat
Portman	Slaughter	Whitten
Poshard	Smith (IA)	Williams
Price (NC)	Smith (MI)	Wilson
Pryce (OH)	Smith (NJ)	Wise
Quillen	Smith (OR)	Wolf
Quinn	Smith (TX)	Woolsey
Rahall	Snowe	Wyden
Ramstad	Solomon	Wynn
Rangel	Spence	Young (AK)
Ravenel	Spratt	Young (FL)
Reed	Stark	Zimmer

NOES—22

Blackwell	Frank (MA)	Sabo
Clay	Hastings	Stokes
Clayton	Hilliard	Thompson
Collins (IL)	Kopetski	Watt
Collins (MI)	McKinney	Yates
Conyers	Meek	Zeliff
Dellums	Owens	
Foglietta	Payne (NJ)	

NOT VOTING—13

Bacchus (FL)	Houghton	Ridge
de Lugo (VI)	Laughlin	Rush
Fish	McDade	Washington
Gallo	McNulty	
Grandy	Payne (VA)	

So the amendments en bloc were agreed to.

After some further time,

¶36.11 RECORDED VOTE

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

TITLE IX—EQUAL JUSTICE ACT

SEC. 901. SHORT TITLE.

This Act may be cited as the "Equal Justice Act".

SEC. 902. PROHIBITION OF RACIALLY DISCRIMINATORY POLICIES CONCERNING CAPITAL PUNISHMENT OR OTHER PENALTIES.

(a) GENERAL RULE.—The penalty of death and all other penalties shall be administered by the United States and by every State without regard to the race or color of the defendant or victim. Neither the United States nor any State shall prescribe any racial quota or statistical test for the imposition or execution of the death penalty or any other penalty.

(b) DEFINITIONS.—For purposes of this Act—

(1) the action of the United States or of a State includes the action of any legislative, judicial, executive, administrative, or other agency or instrumentality of the United States or a State, or of any political subdivision of the United States or a State;

(2) the term "State" has the meaning given in section 541 of title 18, United States Code; and

(3) the term "racial quota or statistical test" includes any law, rule, presumption, goal, standard for establishing a prima facie case, or mandatory or permissive inference that—

(A) requires or authorizes the imposition or execution of the death penalty or another penalty so as to achieve a specified racial proportion relating to offenders, convicts, defendants, arrestees, or victims; or

(B) requires or authorizes the invalidation of, or bars the execution of, sentences of death or other penalties based on the failure of a jurisdiction to achieve a specified racial proportion relating to offenders, convicts, defendants, arrestees, or victims in the imposition or execution of such sentences or penalties.

SEC. 903. GENERAL SAFEGUARDS AGAINST RACIAL PREJUDICE OR BIAS IN THE TRIBUNAL.

In a criminal trial in a court of the United States, or of any State—

(1) on motion of the defense attorney or prosecutor, the risk of racial prejudice or bias shall be examined on voir dire if there is a substantial likelihood in the circumstances of the case that such prejudice or bias will affect the jury either against or in favor of the defendant;

(2) on motion of the defense attorney or prosecutor, change of venue shall be granted if an impartial jury cannot be obtained in the original venue because of racial prejudice or bias; and

(3) neither the prosecutor nor the defense attorney shall make any appeal to racial prejudice or bias in statements before the jury.

SEC. 904. FEDERAL CAPITAL CASES.

(a) JURY INSTRUCTIONS AND CERTIFICATION.—In a prosecution for an offense against the United States in which a sentence of death is sought, and in which the capital sentencing determination is to be made by a jury, the judge shall instruct the jury that it is not to be influenced by prejudice or bias relating to the race or color of the defendant or victim in considering whether a sentence of death is justified, and that the jury is not to recommend the imposition of a sentence of death unless it has concluded that it would recommend the same sentence for such a crime regardless of the race or color of the defendant or victim. Upon the return of a recommendation of a sentence of death, the jury shall also return a certificate, signed by each juror, that the juror's individual decision was not affected by prejudice or bias relating to the race or color of the defendant or victim, and that the individual juror would have made the same recommendation regardless of the race or color of the defendant or victim.

(b) RACIALLY MOTIVATED KILLINGS.—In a prosecution for an offense against the United States for which a sentence of death is authorized, the fact that the killing of the victim was motivated by racial prejudice or bias shall be deemed an aggravating factor whose existence permits consideration of the death penalty, in addition to any other aggravating factors that may be specified by law as permitting consideration of the death penalty.

(c) KILLINGS IN VIOLATION OF CIVIL RIGHTS STATUTES.—Sections 241, 242, and 245(b) of

title 18, United States Code, are each amended by striking "shall be subject to imprisonment for any term of years or for life" and inserting "shall be punished by death or imprisonment for any term of years or for life".

SEC. 905. EXTENSION OF PROTECTION OF CIVIL RIGHTS STATUTES.

(a) SECTION 241 AMENDMENTS.—Section 241 of title 18, United States Code, is amended by striking "inhabitant of" and inserting "person in".

(b) SECTION 242 AMENDMENT.—Section 242 of title 18, United States Code, is amended by striking "inhabitant of" and inserting in lieu thereof "person in", and by striking "such inhabitant" and inserting "such person".

It was decided in the { Yeas 212
negative Nays 217

¶36.12

[Roll No. 131]

AYES—212

Allard	Gingrich	Miller (FL)
Archer	Goodlatte	Molinari
Armey	Goodling	Montgomery
Bacchus (AL)	Goss	Moorhead
Baessler	Grams	Moran
Baker (CA)	Greenwood	Murphy
Baker (LA)	Gunderson	Myers
Ballenger	Hall (TX)	Nussle
Barrett (NE)	Hancock	Orton
Bartlett	Hansen	Oxley
Barton	Hastert	Packard
Bateman	Hayes	Paxon
Bentley	Hefley	Payne (VA)
Bereuter	Herger	Peterson (FL)
Bevill	Hobson	Peterson (MN)
Billbray	Hoekstra	Petri
Billrakis	Hoke	Pickett
Billey	Holden	Pombo
Blute	Horn	Porter
Boehner	Huffington	Portman
Bonilla	Hunter	Pryce (OH)
Borski	Hutchinson	Quillen
Brewster	Hutto	Ramstad
Browder	Hyde	Ravenel
Bunning	Inglis	Regula
Burton	Inhofe	Roberts
Buyer	Istook	Rogers
Callahan	Johnson (CT)	Rohrabacher
Calvert	Johnson (GA)	Ros-Lehtinen
Camp	Johnson (SD)	Roth
Canady	Johnson, Sam	Roukema
Castle	Kanjorski	Rowland
Clement	Kasich	Royce
Clinger	Kim	Santorum
Coble	King	Sarpalius
Collins (GA)	Kingston	Saxton
Combest	Klink	Schaefer
Condit	Klug	Schiff
Cox	Knollenberg	Sensenbrenner
Cramer	Kolbe	Shaw
Crane	Kyl	Shuster
Crapo	Lancaster	Sisisky
Cunningham	Laughlin	Skeen
Darden	Lazio	Skelton
Deal	Leach	Smith (MI)
DeLay	Lehman	Smith (NJ)
Deutsch	Levy	Smith (OR)
Diaz-Balart	Lewis (CA)	Smith (TX)
Dickey	Lewis (FL)	Snowe
Dooley	Lightfoot	Solomon
Doolittle	Linder	Spence
Dornan	Lipinski	Stearns
Dreier	Livingston	Stenholm
Duncan	Lloyd	Stump
Dunn	Machtley	Sundquist
Edwards (TX)	Manzullo	Talent
Ehlers	Margolies-	Tanner
Emerson	Mezvinsky	Tauzin
Everett	Mazzoli	Taylor (MS)
Ewing	McCandless	Taylor (NC)
Fawell	McCollum	Thomas (CA)
Fields (TX)	McCrery	Thomas (WY)
Fowler	McCurdy	Torkildsen
Franks (CT)	McHale	Upton
Franks (NJ)	McHugh	Vucanovich
Gallegly	McInnis	Walker
Gekas	McKeon	Weldon
Geren	McMillan	Wolf
Gilchrist	Meyers	Young (FL)
Gillmor	Mica	Zeliff
Gilman	Michel	Zimmer

NOES—217

Abercrombie	Glickman	Penny
Ackerman	Gonzalez	Pickle
Andrews (ME)	Gordon	Pomeroy
Andrews (NJ)	Green	Poshard
Andrews (TX)	Gutierrez	Price (NC)
Applegate	Hall (OH)	Quinn
Barca	Hamburg	Rahall
Barcia	Hamilton	Rangel
Barlow	Harman	Reed
Barrett (WI)	Hastings	Reynolds
Becerra	Hefner	Richardson
Beilenson	Hilliard	Roemer
Berman	Hinchey	Romero-Barcelo (PR)
Bishop	Hoagland	Rose
Blackwell	Hochbrueckner	Rostenkowski
Boehlert	Hoyer	Roybal-Allard
Bonior	Hughes	Rush
Boucher	Inslee	Sabo
Brooks	Jacobs	Sanders
Brown (CA)	Jefferson	Sangmeister
Brown (FL)	Johnson, E. B.	Sawyer
Brown (OH)	Johnston	Schenk
Bryant	Kaptur	Schroeder
Byrne	Kennedy	Schumer
Cantwell	Kennelly	Scott
Cardin	Kildee	Serrano
Carr	Klecza	Sharp
Chapman	Klein	Shays
Clay	Kopetski	Shepherd
Clayton	Kreidler	Skaggs
Clyburn	LaFalce	Slattery
Coleman	Lambert	Slaughter
Collins (IL)	Lantos	Smith (IA)
Collins (MI)	LaRocco	Spratt
Conyers	Levin	Stark
Cooper	Lewis (GA)	Stokes
Coppersmith	Long	Strickland
Costello	Lowe	Studds
Coyne	Maloney	Stupak
Danner	Mann	Swett
de la Garza	Manton	Swift
de Lugo (VI)	Markey	Synar
DeFazio	Martinez	Tejeda
DeLauro	Matsui	Thompson
Dellums	McCloskey	Thornton
Derrick	McDermott	Thurman
Dicks	McKinney	Torres
Dingell	Meehan	Torricelli
Dixon	Meek	Towns
Durbin	Menendez	Trafficant
Edwards (CA)	Mfume	Tucker
Engel	Miller (CA)	Underwood (GU)
English	Mineta	Unsoeld
Eshoo	Minge	Valentine
Evans	Mink	Velazquez
Faleomavaega (AS)	Moakley	Vento
Farr	Mollohan	Visclosky
Fazio	Morella	Volkmer
Fields (LA)	Murtha	Walsh
Filner	Nadler	Washington
Fingerhut	Neal (MA)	Waters
Flake	Neal (NC)	Watt
Foglietta	Norton (DC)	Waxman
Foley	Oberstar	Whitten
Ford (MI)	Obey	Williams
Ford (TN)	Olver	Wilson
Frank (MA)	Ortiz	Wise
Frost	Owens	Woolsey
Furse	Pallone	Wyden
Gejdenson	Parker	Wynn
Gephardt	Pastor	Yates
Gibbons	Payne (NJ)	
	Pelosi	

NOT VOTING—9

Bacchus (FL)	Grandy	McNulty
Fish	Houghton	Ridge
Gallo	McDade	Young (AK)

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

36.13 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the preferential motion submitted by Mr. MCCOLLUM that the Committee do now rise and report the bill back to the House with the recommendation that the enacting clause be stricken out.

It was decided in the negative { Yeas 179
Nays 250

36.14 [Roll No. 132] AYES—179

Allard	Goss	Nussle
Archer	Grams	Oxley
Armey	Greenwood	Packard
Bachus (AL)	Gunderson	Paxon
Baker (CA)	Hall (TX)	Petri
Baker (LA)	Hancock	Pombo
Ballenger	Hansen	Porter
Barrett (NE)	Haspert	Portman
Bartlett	Hayes	Pryce (OH)
Barton	Hefley	Quillen
Bateman	Herger	Quinn
Bentley	Hobson	Ramstad
Bereuter	Hoekstra	Ravenel
Bilirakis	Hoke	Regula
Bliley	Horn	Ridge
Blute	Houghton	Roberts
Boehlert	Huffington	Rogers
Boehner	Hunter	Rohrabacher
Bonilla	Hutchinson	Ros-Lehtinen
Bunning	Hyde	Roth
Burton	Inglis	Roukema
Buyer	Inhofe	Royce
Callahan	Istook	Santorum
Calvert	Johnson (CT)	Saxton
Camp	Johnson, Sam	Schaefer
Canady	Kasich	Schiff
Castle	Kim	Sensenbrenner
Clinger	King	Shaw
Coble	Kingston	Shays
Collins (GA)	Klug	Shuster
Combest	Knollenberg	Skeen
Cox	Kolbe	Smith (MI)
Crane	Kyl	Smith (NJ)
Crapo	Lazio	Smith (OR)
Cunningham	Leach	Smith (TX)
DeLay	Levy	Snowe
Diaz-Balart	Lewis (CA)	Solomon
Dickey	Lewis (FL)	Spence
Doolittle	Lightfoot	Stearns
Dornan	Linder	Stump
Dreier	Livingston	Stupak
Duncan	Machtley	Sundquist
Dunn	Manzullo	Talent
Ehlers	McCandless	Taylor (MS)
Emerson	McCollum	Taylor (NC)
Everett	McCrery	Thomas (CA)
Ewing	McHugh	Thomas (WY)
Fawell	McInnis	Torkildsen
Fields (TX)	McKeon	Trafficant
Fowler	McMillan	Upton
Franks (CT)	Meyers	Vucanovich
Franks (NJ)	Mica	Walker
Galleghy	Michel	Walsh
Gekas	Miller (FL)	Weldon
Gilchrest	Minge	Wolf
Gillmor	Molinari	Young (AK)
Gilman	Moorhead	Young (FL)
Gingrich	Morella	Zeliff
Goodlatte	Murphy	Zimmer
Goodling	Myers	

NOES—250

Abercrombie	Clay	English
Ackerman	Clayton	Eshoo
Andrews (ME)	Clement	Evans
Andrews (NJ)	Clyburn	Faleomavaega (AS)
Andrews (TX)	Coleman	Farr
Applegate	Collins (IL)	Fazio
Baessler	Collins (MI)	Fields (LA)
Barca	Condit	Filner
Barcia	Conyers	Fingerhut
Barrett (WI)	Cooper	Flake
Becerra	Coppersmith	Flake
Beilenson	Costello	Foglietta
Berman	Coyne	Ford (MI)
Bevill	Cramer	Ford (TN)
Bilbray	Danner	Frank (MA)
Bishop	Darden	Frost
Blackwell	de la Garza	Furse
Bonior	de Lugo (VI)	Gejdenson
Borski	Deal	Gephardt
Boucher	DeFazio	Geren
Brewster	DeLauro	Gibbons
Brooks	Dellums	Glickman
Browder	Derrick	Gonzalez
Brown (CA)	Deutsch	Gordon
Brown (FL)	Dicks	Green
Brown (OH)	Dingell	Gutierrez
Bryant	Dixon	Hall (OH)
Byrne	Dooley	Hamburg
Cantwell	Durbin	Hamilton
Cardin	Edwards (CA)	Harman
Carr	Edwards (TX)	Hastings
Chapman	Engel	Hefner

Hilliard	Meek	Schroeder
Hinchey	Menendez	Schumer
Hoagland	Mfume	Scott
Hochbrueckner	Miller (CA)	Serrano
Holden	Mineta	Sharp
Hoyer	Mink	Shepherd
Hughes	Moakley	Sisisky
Hutto	Mollohan	Skaggs
Inslee	Montgomery	Skelton
Jacobs	Moran	Slattery
Jefferson	Murtha	Slaughter
Johnson (GA)	Nadler	Smith (IA)
Johnson (SD)	Neal (MA)	Spratt
Johnson, E. B.	Neal (NC)	Stark
Johnston	Norton (DC)	Stenholm
Kanjorski	Oberstar	Stokes
Kaptur	Obey	Strickland
Kennedy	Olver	Studds
Kennelly	Ortiz	Swett
Kildee	Orton	Swift
Klecza	Owens	Synar
Klein	Pallone	Tanner
Klink	Parker	Tauzin
Kopetski	Pastor	Tejeda
Kreidler	Payne (NJ)	Thompson
LaFalce	Payne (VA)	Thornton
Lambert	Pelosi	Thurman
Lancaster	Penny	Torres
Lantos	Peterson (FL)	Torricelli
LaRocco	Peterson (MN)	Towns
Laughlin	Pickett	Tucker
Lehman	Pickle	Underwood (GU)
Levin	Pomeroy	Unsoeld
Lewis (GA)	Poshard	Valentine
Lipinski	Price (NC)	Velazquez
Lloyd	Rahall	Vento
Long	Reed	Visclosky
Lowe	Reynolds	Volkmer
Maloney	Richardson	Washington
Mann	Roemer	Waters
Manton	Romero-Barcelo (PR)	Watt
Margolies-Mezvinsky	Rose	Waxman
Markey	Rostenkowski	Wheat
Martinez	Rowland	Whitten
Matsui	Roybal-Allard	Williams
Mazzoli	Rush	Wilson
McCloskey	Sabo	Wise
McCurdy	Sanders	Woolsey
McDermott	Sangmeister	Wyden
McHale	Sarpalius	Wynn
McKinney	Sawyer	Yates
Meehan	Schenk	

NOT VOTING—8

Bacchus (FL)	Gallo	McNulty
Barlow	Grandy	Rangel
Fish	McDade	

So the preferential motion was not agreed to.

After some further time,

36.15 RECORDED VOTE

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

At the end of the bill, insert the following:

TITLE —SENSE OF CONGRESS

SEC. . CHILD PORNOGRAPHY.

(a) FINDINGS.—Congress finds that—

- (1) child pornography is the permanent record of the sexual abuse or exploitation of children;
- (2) children who are victims of child pornography often suffer severe physical and emotional harm;
- (3) child pornography is a serious national problem;
- (4) the Congress of the United States has a compelling interest in the protection of children from sexual abuse and exploitation by pornography (see New York v. Ferber, 458 U.S. 747 (1982));
- (5) the Congress of the United States, in pursuit of this compelling interest, has taken every opportunity to strengthen child pornography laws and has, in clear and unambiguous language, criminalized the production, interstate distribution, receipt and possession of child pornography;
- (6) the United States Department of Justice in its brief to the United States Su-

preme Court in the case of *Knox v. United States*, 92-1183, has failed to support the conviction of a child pornographer won by the Department in the United States District Court for the Middle District of Pennsylvania and affirmed on appeal in the United States Court of Appeals for the Third Circuit;

(7) the Department of Justice has used its brief in the *Knox* case as a vehicle for reinterpretation of the Federal child pornography laws in contravention to legislative history and past prosecution practices of the Department of Justice;

(8) the Department of Justice by declaring in its brief in the *Knox* case that a pornographer who lasciviously exhibits the genitals of children is prosecutable within the Federal child pornography laws only if the depictions show a minor engaged in the conduct of lasciviously exhibiting his or her genitals or pubic area, creates a federally protected class of child pornography, e.g. child pornography involving children who are not knowingly engaged in lasciviously exhibiting their genitals or pubic areas but whose genitals or pubic areas are nonetheless lasciviously depicted by others;

(9) the Department of Justice by declaring in its brief in the *Knox* case in contravention to legislative history, that a pornographer who lasciviously exhibits the genital or pubic area of children is prosecutable within the Federal child pornography laws only if the genitals are nude or visible creates a federally protected class of child pornography, e.g. depictions which focus on a minor child's clothed genital or pubic area with the obvious intent of eliciting a sexual response in pedophiles;

(10) the plain meaning and congressional intent of the language in section 2256 of title 18, United States Code, is that the term "lascivious exhibition" refers to whether the depiction is intended to elicit a sexual response from the viewer, and not to the actions of the child;

(11) the Department of Justice has employed this meaning of the term "lascivious exhibition" since it was included in the laws in 1984, and Congress has not changed the meaning of the term;

(12) Congress specifically repudiated a "nudity" requirement for child pornography statutes (see *United States v. Knox*, 977 F. 2d 815, at 820-823, (3rd Cir., 1992));

(13) the "harm Congress attempted to eradicate by enacting child pornography laws is present when a photographer unnaturally focuses on a minor child's clothed genital area with the obvious intent to produce an image sexually arousing to pedophiles." (see *Knox* at 822); and

(14) the Congress of the United States believes that the reinterpretation of the Federal child pornography laws by Department of Justice, unless reversed, will bring back commercial child pornography and lead to a substantial increase of sexual exploitation of children.

(b) SENSE OF CONGRESS.—It is the sense of the House of Representatives that the Department of Justice repudiate its reinterpretation of Federal child pornography laws, defend the conviction won in lower courts in the *Knox* case, and vigorously prosecute sexual exploitation of children.

It was decided in the affirmative { Yeas 425
Nays 3

¶36.16 [Roll No. 133] AYES—425

Abercrombie	Applegate	Baker (LA)
Ackerman	Archer	Ballenger
Allard	Army	Barca
Andrews (ME)	Bachus (AL)	Barcia
Andrews (NJ)	Baesler	Barlow
Andrews (TX)	Baker (CA)	Barrett (NE)

Barrett (WI)	Fields (TX)	Lazio
Bartlett	Filner	Leach
Barton	Fingerhut	Lehman
Bateman	Flake	Levin
Becerra	Foglietta	Levy
Beilenson	Ford (MI)	Lewis (CA)
Bentley	Ford (TN)	Lewis (FL)
Bereuter	Fowler	Lewis (GA)
Berman	Frank (MA)	Lightfoot
Bevill	Franks (CT)	Linder
Bilbray	Franks (NJ)	Lipinski
Bilirakis	Frost	Livingston
Bishop	Furse	Lloyd
Blackwell	Gallegly	Long
Bliley	Gejdenson	Lowey
Blute	Gekas	Machtley
Boehrlert	Gephardt	Maloney
Boehner	Geren	Mann
Bonilla	Gibbons	Manton
Bonior	Gilchrest	Manzullo
Borski	Gillmor	Margolis-
Boucher	Gilman	Mezvinsky
Brewster	Gingrich	Markey
Brooks	Glickman	Martinez
Browder	Gonzalez	Matsui
Brown (CA)	Goodlatte	Mazzoli
Brown (FL)	Goodling	McCandless
Brown (OH)	Gordon	McCloskey
Bryant	Goss	McCollum
Bunning	Grams	McCrery
Burton	Green	McCurdy
Buyer	Greenwood	McDermott
Byrne	Gunderson	McHale
Callahan	Gutierrez	McHugh
Calvert	Hall (OH)	McInnis
Camp	Hall (TX)	McKeon
Canady	Hamburg	McKinney
Cantwell	Hamilton	McMillan
Cardin	Hancock	Meehan
Castle	Hansen	Meek
Chapman	Harman	Menendez
Clay	Hastert	Meyers
Clayton	Hastings	Mfume
Clement	Hayes	Mica
Clinger	Hefley	Michel
Clyburn	Hefner	Miller (CA)
Coble	Herger	Miller (FL)
Coleman	Hilliard	Mineta
Collins (GA)	Hinchey	Minge
Collins (MI)	Hoagland	Mink
Combest	Hobson	Moakley
Condit	Hochbrueckner	Molinari
Conyers	Hoekstra	Mollohan
Cooper	Hoke	Montgomery
Coppersmith	Holden	Moorhead
Costello	Horn	Moran
Cox	Houghton	Morella
Coyne	Hoyer	Murphy
Cramer	Huffington	Murtha
Crane	Hughes	Myers
Crapo	Hunter	Neal (MA)
Cunningham	Hutchinson	Neal (NC)
Danner	Hutto	Norton (DC)
Darden	Hyde	Nussle
de la Garza	Inglis	Oberstar
de Lugo (VI)	Inhofe	Obey
Deal	Inslee	Olver
DeFazio	Istook	Ortiz
DeLauro	Jacobs	Orton
DeLay	Jefferson	Owens
Dellums	Johnson (CT)	Oxley
Derrick	Johnson (GA)	Packard
Deutsch	Johnson (SD)	Pallone
Diaz-Balart	Johnson, E. B.	Parker
Dickey	Johnson, Sam	Pastor
Dicks	Johnston	Paxon
Dingell	Kanjorski	Payne (NJ)
Dixon	Kaptur	Payne (VA)
Dooley	Kasich	Pelosi
Doolittle	Kennedy	Penny
Dornan	Kennelly	Peterson (FL)
Dreier	Kildee	Peterson (MN)
Duncan	Kim	Petri
Dunn	King	Pickett
Durbin	Kingston	Pickle
Edwards (TX)	Klecza	Pombo
Ehlers	Klein	Pomeroy
Emerson	Klink	Porter
Engel	Klug	Portman
English	Knollenberg	Poshard
Eshoo	Kolbe	Price (NC)
Evans	Kopetski	Pryce (OH)
Everett	Kreidler	Quillen
Ewing	Kyl	Quinn
Faleomavaega	LaFalce	Rahall
(AS)	Lambert	Ramstad
Farr	Lancaster	Rangel
Fawell	Lantos	Ravenel
Fazio	LaRocco	Reed
Fields (LA)	Laughlin	Regula

Reynolds	Shuster	Thornton
Richardson	Sisisky	Thurman
Ridge	Skaggs	Torkildsen
Roberts	Steen	Torres
Roemer	Skelton	Torricelli
Rogers	Slattery	Towns
Rohrabacher	Slaughter	Trafigant
Romero-Barcelo	Smith (IA)	Tucker
(PR)	Smith (MI)	Unsoeld
Ros-Lehtinen	Smith (NJ)	Upton
Rose	Smith (OR)	Valentine
Rostenkowski	Smith (TX)	Velazquez
Roth	Snowe	Vento
Roukema	Solomon	Visclosky
Rowland	Spence	Volkmer
Roybal-Allard	Spratt	Vucanovich
Royce	Stark	Walker
Rush	Stearns	Walsh
Sabo	Stenholm	Waters
Sanders	Stokes	Watt
Sangmeister	Strickland	Waxman
Santorum	Studds	Weldon
Sarpalius	Stump	Wheat
Sawyer	Stupak	Whitten
Saxton	Sundquist	Williams
Schaefer	Sweet	Wilson
Schenck	Swift	Wise
Schiff	Synar	Wolf
Schroeder	Talent	Woolsey
Schumer	Tanner	Wyden
Scott	Tauzin	Wynn
Sensenbrenner	Taylor (MS)	Yates
Serrano	Taylor (NC)	Young (AK)
Sharp	Tejeda	Young (FL)
Shaw	Thomas (CA)	Zeliff
Shays	Thomas (WY)	Zimmer
Shepherd	Thompson	

NOES—3
Edwards (CA) Nadler Washington
NOT VOTING—9
Bacchus (FL) Fish McDade
Carr Gallo McNulty
Collins (IL) Grandy Underwood (GU)

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

¶36.17 RECORDED VOTE

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

At the end thereof insert the following new section:

SEC. BORDER PATROL AGENTS.

In addition to such amounts as are otherwise authorized to be appropriated, there is authorized to be appropriated for each of the fiscal years 1995, 1996, 1997, 1998, and 1999 for salaries and expenses of the Border Patrol such amounts as may be necessary to provide for an increase in the number of agents of the Border Patrol by 6,000 full-time equivalent agent positions (and necessary support personnel positions) beyond the number of such positions authorized for the Border Patrol as of October 1, 1993.

It was decided in the affirmative { Yeas 417
Nays 12

¶36.18 [Roll No. 134] AYES—417

Abercrombie	Bartlett	Boucher
Ackerman	Barton	Brewster
Allard	Bateman	Brooks
Andrews (ME)	Becerra	Browder
Andrews (NJ)	Beilenson	Brown (CA)
Andrews (TX)	Bentley	Brown (FL)
Applegate	Bereuter	Brown (OH)
Archer	Berman	Bryant
Armey	Bevill	Bunning
Bacchus (FL)	Bilbray	Burton
Bachus (AL)	Bilirakis	Buyer
Baesler	Bishop	Byrne
Baker (CA)	Blackwell	Callahan
Baker (LA)	Bliley	Calvert
Ballenger	Blute	Camp
Barca	Boehrlert	Canady
Barcia	Boehner	Cantwell
Barlow	Bonilla	Cardin
Barrett (NE)	Bonior	Carr
Barrett (WI)	Borski	Castle

Chapman Hastings Michel
Clay Hastings Miller (CA)
Clayton Hayes Miller (FL)
Clement Hefley Mineta
Clinger Hefner Minge
Clyburn Herger Mink
Coble Hinchey Moakley
Coleman Hoagland Molinari
Collins (GA) Hobson Mollohan
Collins (IL) Hochbrueckner Montgomery
Combest Hoekstra Moorhead
Condit Hoke Moran
Conyers Holden Morella
Cooper Horn Murphy
Coppersmith Houghton Murtha
Costello Hoyer Myers
Cox Huffington Nadler
Coyne Hughes Neal (MA)
Cramer Hunter Neal (NC)
Crane Hutchinson Norton (DC)
Crapo Hutto Nussle
Cunningham Hyde Oberstar
Danner Inglis Olver
Darden Inhofe Ortiz
de la Garza Inslee Orton
de Lugo (VI) Istook Owens
Deal Jacobs Oxley
DeFazio Jefferson Packard
DeLauro Johnson (CT) Pallone
DeLay Johnson (GA) Parker
Dellums Johnson (SD) Pastor
Derrick Johnson, E. B. Paxon
Deutsch Johnson, Sam Payne (NJ)
Diaz-Balart Johnston Payne (VA)
Dickey Kanjorski Pelosi
Dicks Kaptur Peterson (FL)
Dingell Kasich Petri
Dixon Kennedy Pickett
Dooley Kildee Pickle
Doolittle Kim Pombo
Dornan King Pomeroy
Dreier Kingston Porter
Duncan Kleczka Portman
Dunn Klein Poshard
Durbin Klug Price (NC)
Edwards (CA) Knollenberg Pryce (OH)
Edwards (TX) Kolbe Quillen
Ehlers Kopetski Quinn
Emerson Kreidler Rahall
Engel Kyl Ramstad
English LaFalce Rangel
Eshoo Lambert Ravenel
Evans Lancaster Reed
Everett Lantos Regula
Ewing LaRocco Reynolds
Faleomavaega Laughlin Richardson
(Farr) Lazio Ridge
Farr Leach Roberts
Fawell Lehman Roemer
Fazio Levin Rogers
Fields (LA) Levy Rohrabacher
Fields (TX) Lewis (CA) Romero-Barcelo
Fingerhut Lewis (FL) (PR)
Flake Lewis (GA) Ros-Lehtinen
Foglietta Lightfoot Rose
Ford (MI) Linder Rostenkowski
Ford (TN) Livingston Roth
Fowler Lloyd Roukema
Franks (CT) Long Rowland
Franks (NJ) Lowey Roybal-Allard
Frost Machtley Royce
Furse Maloney Rush
Gallegly Mann Sanders
Gejdenson Manton Sangmeister
Gekas Manzullo Santorum
Gephardt Margolies-Sarpaluis
Geren Mezvinsky Sawyer
Gibbons Markey Schaefer
Gilchrist Martinez Schiff
Gillmor Matsui Schroeder
Gilman Mazzoli Schumer
Gingrich McCandless Scott
Glickman McCloskey Sensenbrenner
Goodlatte McCollum Serrano
Goodling McCrery Sharp
Gordon McCurdy Shaw
Goss McDermott Shays
Grams McHale Shepherd
Green McInnis Shuster
Greenwood McKeeon Sisisky
Gunderson McKinney Skaggs
Gutierrez Hall (OH) Skeeve
Hall (TX) Meehan Skelton
Hamburg Meek Slattery
Hamilton Menendez Slaughter
Hancock Meyers Smith (IA)
Hansen Mfume Smith (MI)
Harman Mica Smith (NJ)

Smith (OR) Taylor (NC) Volkmer
Smith (TX) Tejeda Vucanovich
Snowe Thomas (CA) Walker
Solomon Thomas (WY) Walsh
Spence Thompson Waters
Spratt Thornton Waxman
Stark Thurman Weldon
Stearns Torkildsen Wheat
Stenholm Torres Williams
Stokes Torricelli Wilson
Strickland Towns Wise
Studds Traficant Wolf
Stump Tucker Woolsey
Stupak Underwood (GU) Wyden
Sundquist Unsoeld Wynn
Sweet Upton Yates
Talent Valentine Young (AK)
Tanner Velazquez Young (FL)
Tauzin Vento Zeliff
Taylor (MS) Visclosky Zimmer

NOES—12

Collins (MI) Klink Sabo
Frank (MA) Obey Swift
Gonzalez Penny Synar
Hilliard Peterson (MN) Watt

NOT VOTING—8

Fish Kennelly Washington
Gallo McDade Whitten
Grandy McNulty

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

36.19 RECORDED VOTE

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

Add at the end the following new title:

TITLE —LABELS ON PRODUCTS

SEC. . PLACEMENT OF MADE IN AMERICA LA-
BELS ON PRODUCTS.

(a) REQUIREMENTS FOR USE OF LABELS.—No
product may bear a label which states or
suggests that the product was made in Amer-
ica unless—

(1) the product has been registered with
the Department of Commerce under sub-
section (b); and

(2) the Secretary of Commerce has deter-
mined that—

(A) 60 percent of the product was manufac-
tured in the United States; and

(B) final assembly of the product took
place in the United States.

(b) REGISTRY OF AMERICAN-MADE PROD-
UCTS.—Not later than 12 months after the
Secretary has promulgated regulations re-
garding the registration of products with the
Department of Commerce under this section,
a person shall register with the Department
of Commerce any product on which there is
or will be affixed a label which states or sug-
gests that the product was made in America.

(c) PENALTIES FOR FRAUDULENT USE OF LA-
BELS.—

(1) CIVIL FINE.—Any person who, with an
intent to defraud or mislead, places on a
product a label which states or suggests that
the product was "made in America" in viola-
tion of this section may be assessed a civil
penalty by the Secretary of not more than
\$100,000. The Secretary may issue an order
assessing such civil penalty only after notice
and an opportunity for an agency hearing on
the record. The validity of such order may
not be reviewed in an action to collect such
civil penalty.

(2) INJUNCTIVE RELIEF.—The Secretary may
bring an action to enjoin the violation of, or
to compel compliance with, this section,
whenever the Secretary believes that such a
violation has occurred or is about to occur.

(d) REGULATIONS.—Not later than 12
months after the date of the enactment of
this Act, the Secretary shall promulgate reg-
ulations establishing procedures under which
a person shall register a product under this
section.

(e) DEFINITIONS.—For purposes of this sec-
tion:

(1) LABEL.—The term "label" means any
written, printed, or graphic matter on, or at-
tached to, a product or any of its containers
or wrappers.

(2) SECRETARY.—The term "Secretary"
means the Secretary of Commerce.

It was decided in the } Yeas 310
affirmative } Nays 116

36.20 [Roll No. 135]
AYES—310

Ackerman Everett Lewis (GA)
Allard Ewing Lightfoot
Andrews (ME) Faleomavaega Linder
Andrews (NJ) (AS) Lipinski
Andrews (TX) Farr Livingston
Applegate Fawell Lloyd
Bacchus (FL) Fazio Long
Bachus (AL) Fields (LA) Machtley
Baker (CA) Fields (TX) Maloney
Ballenger Filner Mann
Barca Fingerhut Manton
Barcia Flake Margolies-
Barlow Foglietta Mezvinsky
Barrett (NE) Ford (MI) Markey
Barrett (WI) Ford (TN) Mazzoli
Bartlett Fowler McCloskey
Bateman Franks (CT) McCollum
Bentley Franks (NJ) McHale
Bevill Frost McHugh
Billbray Furse McInnis
Bilirakis Gallegly McKinney
Bishop Gekas McMillan
Blackwell Gephardt Meehan
Bliley Geren Menendez
Blute Gillmor Meyers
Boehlert Gilman Mfume
Boehner Gingrich Mica
Bonilla Goodlatte Moakley
Bonior Goodling Molinari
Borski Gordon Mollohan
Boucher Grams Montgomery
Brewster Green Moorhead
Browder Greenwood Moran
Brown (OH) Gutierrez Morella
Bunning Hall (OH) Murphy
Burton Hall (TX) Murtha
Buyer Hamilton Myers
Byrne Hancock Neal (MA)
Callahan Hansen Norton (DC)
Calvert Hastert Nussle
Camp Hayes Oberstar
Canady Hefley Obey
Carr Hefner Olver
Clay Herger Ortiz
Clayton Hilliard Orton
Clement Hinchey Owens
Clinger Hoagland Packard
Clyburn Hobson Pallone
Coble Hochbrueckner Parker
Collins (GA) Hoke Payne (NJ)
Collins (IL) Holden Payne (VA)
Collins (MI) Horn Pelosi
Condit Houghton Peterson (FL)
Conyers Hoyer Peterson (MN)
Cooper Huffington Petri
Costello Hunter Pickett
Coyne Hutchinson Pombo
Cramer Hutto Pomeroy
Crane Hyde Portman
Crapo Inglis Price (NC)
Cunningham Inhofe Pryce (OH)
Danner Inslee Quillen
Darden Istook Quinn
Darden de la Garza Jacobs Rahall
de la Garza Johnson (CT) Ramstad
de Lugo (VI) Johnson (SD) Rangel
Deal Johnson (SD) Ravenel
DeFazio Johnson, E. B. Regula
DeLauro Kaptur Richardson
Derrick Kasich Richardon
Deutsch Kennedy Ridge
Diaz-Balart Kennelly Roemer
Dickey Kildee Rogers
Dingell Kim Romero-Barcelo
Dixon Klein (PR)
Dooley Klink Ros-Lehtinen
Doolittle Klug Rose
Dornan Kreidler Roth
Duncan Lambert Roukema
Dunn Lancaster Rowland
Edwards (TX) Lantos Sanders
Ehlers Laughlin Sangmeister
Emerson Lazio Santorum
Engel Leach Sarpaluis
Eshoo Levin Sawyer
Evans Levy Saxton

Schaefer
Schenk
Schiff
Scott
Stokes
Serrano
Sharp
Shaw
Shays
Shepherd
Shuster
Sisisky
Skeen
Skelton
Slattery
Smith (NJ)
Smith (OR)
Smith (TX)
Snowe
Solomon
Spence

NOES—116

Abercrombie
Archer
Arney
Baesler
Baker (LA)
Barton
Becerra
Beilenson
Bereuter
Berman
Brooks
Brown (CA)
Brown (FL)
Cantwell
Cardin
Castle
Chapman
Coleman
Combest
Coppersmith
Cox
DeLay
Dellums
Dicks
Dreier
Durbin
Edwards (CA)
English
Frank (MA)
Gejdenson
Gibbons
Gilchrest
Glickman
Gonzalez
Goss
Gunderson
Hamburg
Harman
Hastings

NOT VOTING—11

Bryant
Fish
Gallo
Grandy

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

36.21 RECORDED VOTE

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

At the appropriate place in the bill add the following:

SECTION . AWARDS OF PELL GRANTS TO PRISONERS PROHIBITED.

Section 401(b)(8) the Higher Education Act of 1965 (20 U.S.C. 1070a(b)(8)) is amended to read as follows:

“(8) No basic grant shall be awarded under this subpart to any individual who is incarcerated in any Federal or State penal institution.”

SEC. . EFFECTIVE DATE.

The amendment made by this Act shall apply with respect to periods of enrollment beginning on or after the date of enactment of this Act.

It was decided in the affirmative { Yeas 312 Nays 116

36.22 [Roll No. 136] AYES—312

Ackerman
Allard
Andrews (NJ)
Andrews (TX)
Applegate
Archer
Arney
Bacchus (FL)
Bachus (AL)
Baesler
Baker (CA)
Baker (LA)
Ballenger
Barca
Barcia
Barlow
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bateman
Bentley
Bereuter
Bevill
Bilbray
Bilirakis
Bishop
Bibley
Blute
Boehlert
Boehner
Bonilla
Borski
Boucher
Brewster
Browder
Brown (OH)
Bryant
Bunning
Burton
Buyer
Byrne
Callahan
Calvert
Camp
Canady
Cantwell
Carr
Castle
Chapman
Clement
Clinger
Coble
Coleman
Collins (GA)
Combest
Condit
Cooper
Coppersmith
Costello
Cox
Cramer
Crapo
Cunningham
Danner
Darden
de la Garza
Deal
DeFazio
DeLauro
DeLay
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dooley
Doolittle
Dornan
Dreier
Duncan
Dunn
Durbin
Edwards (TX)
Ehlers
Emerson
English
Eshoo
Everett
Ewing
Faleomavaega (AS)
Fawell
Fazio

Stump
Stupak
Sundquist
Swett
Talent
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Tejeda
Thomas (CA)
Thomas (WY)
Thornton
Thurman
Torkildsen
Torricelli
Traficant
Upton
Valentine
Visclosky
Volkmer
Vucanovich

NOES—116

Abercrombie
Andrews (ME)
Becerra
Beilenson
Berman
Blackwell
Bonior
Brooks
Brown (CA)
Brown (FL)
Cardin
Clay
Clayton
Clyburn
Collins (IL)
Collins (MI)
Conyers
Coyne
de Lugo (VI)
Dellums
Derrick
Dixon
Edwards (CA)
Engel
Evans
Farr
Fields (LA)
Filner
Flake
Foglietta
Ford (MI)
Ford (TN)
Frank (MA)
Furse
Gejdenson
Gephardt
Gonzalez
Goodling
Green
Greenwood
Hall (OH)
Hamburg
Hastings
Hilliard
Hinchey
Hobson
Houghton
Hughes
Jacobs
Jefferson
Johnson, E. B.
Johnston
Kennedy
Kildee
Kopetski
Levin
Lewis (GA)
Mann
Markey
Martinez
Matsui
McCluskey
McDermott
McKinney
Meek
Mfume
Miller (CA)
Mineta
Mink
Moran
Nadler
Norton (DC)
Oliver
Owens
Payne (NJ)
Pickles
Price (NC)
Quillen
Rangel
Reed
Reynolds
Romero-Barcelo (PR)
Roybal-Allard
Rush
Sabo
Sanders
Sawyer
Scott
Serrano
Sharp
Skaggs
Slaughter
Stark
Stokes
Strickland
Studds
Swift
Synar
Thompson
Torres
Towns
Tucker
Underwood (GU)
Unsoeld
Velazquez
Vento
Walsh
Washington
Watt
Waxman
Wheat
Wilson
Woolsey
Wynn
Yates

NOT VOTING—9

Crane
Fish
Gallo
Grandy
Gutierrez
McDade
McNulty
Waters
Whitten

So the amendment was agreed to.

36.23 RECORDED VOTE

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

At the appropriate place in the bill add the following:

SEC. . PELL GRANTS AND PRISONERS.

(A) GENERAL RULE.—After January 1, 1996, Federal and State prison inmates shall not be eligible for grants under subpart 1 of part A of title IV of the Higher Education Act of 1965 (referred to in this section as “Pell grants”) unless—

(1) in the case of inmates of Federal prisons, including prisons for the District of Columbia and territories of the United States, the Secretary of Education makes the certification prescribed by subsection (b), and

(2) in the case of inmates of State prisons, the Governor of the State in which the prison is located makes the certification prescribed by subsection (b).

(b) CERTIFICATION.—The certification required by subsection (a) to receive a Pell grant is a certification that the provision of Pell grants to prisoners—

(1) shows satisfactory evidence of reducing recidivism,

(2) is cost effective, and

(3) requires that the inmates make satisfactory academic progress toward completion of the education program for which the grant was made.

It was decided in the negative { Yeas 162 Nays 263

36.24 [Roll No. 137] AYES—162

- Abercrombie, Gutierrez, Price (NC), Hall (OH), Quillen, Becerra, Hamburg, Rahall, Beilenson, Hastings, Rangel, Berman, Hilliard, Reed, Bishop, Hinchey, Regula, Blackwell, Hobson, Reynolds, Boehlert, Horn, Romero-Barcelo (PR), Bonior, Houghton, Rose, Brooks, Hoyer, Roybal-Allard, Browder, Hughes, Rush, Brown (FL), Jacobs, Sabo, Brown (OH), Jefferson, Sanders, Bryant, Johnson (GA), Johnson (SD), Cardin, Johnson (SD), Castle, Johnson, E.B., Schroyer, Clay, Johnston, Schumer, Clayton, Kennedy, Scott, Clyburn, Kennelly, Serrano, Coleman, Kildee, Sharp, Collins (IL), Shegston, Collins (MI), Kopetski, Condit, Kreidler, Conyers, LaFalce, Slaughter, Coyne, Leach, Spratt, de la Garza, Levin, Stark, de Lugo (VI), Lewis (GA), Stenholm, Deal, Lowey, Stokes, Dellums, Maloney, Strickland, Derrick, Mann, Studds, Dixon, Markey, Swett, Edwards (CA), Martinez, Swift, Edwards (TX), Matsui, Synar, Engel, McDermott, Tanner, English, McKinney, Thompson, Evans, Meeke, Towns, Faleomavaega (AS), Menendez, Tucker, Mfume, Underwood (GU), Fazio, Miller (CA), Unsoeld, Fields (LA), Mineta, Velazquez, Filner, Mink, Vento, Flake, Mollohan, Vucanovich, Foglietta, Montgomery, Walsh, Ford (MI), Moran, Washington, Ford (TN), Nadler, Watt, Frank (MA), Norton (DC), Waxman, Frost, Oberstar, Wheat, Furse, Olver, Williams, Gejdenson, Owens, Wilson, Gephardt, Pastor, Wise, Gilman, Payne (NJ), Wolf, Gonzalez, Payne (VA), Woolsey, Goodling, Pelosi, Wynn, Green, Pickle, Yates, Greenwood, Pomeroy

NOES—263

- Ackerman, Callahan, Emerson, Allard, Calvert, Eshoo, Andrews (NJ), Camp, Everett, Andrews (TX), Canady, Ewing, Applegate, Cantwell, Farr, Archer, Carr, Fawell, Arney, Chapman, Fields (TX), Bacchus (FL), Clement, Fingerhut, Bachus (AL), Clinger, Fowler, Baesler, Coble, Franks (CT), Baker (CA), Collins (GA), Franks (NJ), Baker (LA), Combust, Gallegly, Ballenger, Cooper, Gekas, Barca, Coppersmith, Geren, Barcia, Costello, Gibbons, Barlow, Cox, Gilchrist, Barrett (NE), Cramer, Gillmor, Barrett (WI), Crapo, Gingrich, Bartlett, Cunningham, Glickman, Barton, Danner, Goodlatte, Bateman, Darden, Gordon, Bentley, DeFazio, Goss, Bereuter, DeLauro, Grams, Bevill, DeLay, Gunderson, Bilbray, Deutsch, Hall (TX), Bilirakis, Diaz-Balart, Hamilton, Bliley, Dickey, Hancock, Blute, Dicks, Hansen, Boehner, Dingell, Harman, Bonilla, Dooley, Hastert, Borski, Doolittle, Hayes, Boucher, Dornan, Hefley, Brewster, Dreier, Hefner, Bunning, Duncan, Hergert, Burton, Dunn, Hoagland, Buyer, Durbin, Hochbruckner, Byrne, Ehlers, Hoekstra

- Hoke, McCurdy, Rowland, Holden, McHale, Royce, Huffington, McInnis, Sangmeister, Hunter, McKeon, Santorum, Hutchinson, McMillan, Sarpaluis, Hutto, Meehan, Saxton, Hyde, Meyers, Schaefer, Inglis, Mica, Schenk, Inhofe, Michel, Schiff, Inslee, Miller (FL), Sensenbrenner, Istook, Minge, Shaw, Johnson (CT), Moakley, Shays, Johnson, Sam, Molinari, Shuster, Kanjorski, Moorhead, Sisisky, Kaptur, Morella, Skeen, Kasich, Murphy, Skelton, Kim, Murtha, Smith (IA), King, Myers, Smith (MI), Kleczka, Neal (MA), Smith (NJ), Klein, Neal (NC), Smith (OR), Klink, Nussle, Smith (TX), Klug, Obey, Snowe, Knollenberg, Ortiz, Solomon, Kolbe, Orton, Spence, Kyl, Oxley, Stearns, Lambert, Packard, Stump, Lancaster, Pallone, Stupak, Lantos, Parker, Sundquist, LaRocco, Paxon, Talent, Laughlin, Penny, Tauzin, Lazio, Peterson (FL), Taylor (MS), Lehman, Peterson (MN), Taylor (NC), Levy, Pickett, Tejeda, Lewis (CA), Pombo, Thomas (CA), Lewis (FL), Porter, Thomas (WY), Lightfoot, Portman, Thornton, Linder, Poshard, Thurman, Lipinski, Pryce (OH), Torkildsen, Livingston, Quinn, Torricelli, Lloyd, Ramstad, Traficant, Long, Ravenel, Upton, Macthley, Richardson, Valentine, Manton, Ridge, Visclosky, Manzullo, Roberts, Volkmer, Margolies-Rogers, Roemer, Walker, Mezvinsky, Rogers, Weldon, Mazzoli, Rohrabacher, Wyden, McCandless, Ros-Lehtinen, Young (AK), McCloskey, Rostenkowski, Young (FL), McCollum, Roth, Zeliff, McCreary, Roukema, Zimmer

NOT VOTING—12

- Brown (CA), Grandy, Petri, Crane, McDade, Torres, Fish, McHugh, Waters, Gallo, McNulty, Whitten

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

36.25 RECORDED VOTE

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

At the end of the bill, add the following new title:

TITLE ___ POLICE CORPS AND LAW ENFORCEMENT SCHOLARSHIP ACT

SEC. ___. PURPOSES.

The purposes of this title are to—

(1) address violent crime by increasing the number of police with advanced education and training on community patrol; and

(2) provide educational assistance to law enforcement personnel and to students who possess a sincere interest in public service in the form of law enforcement.

SEC. ___. DEFINITIONS.

For purposes of this title—

(1) the term "academic year" means a traditional academic year beginning in August or September and ending in the following May or June;

(2) the term "dependent child" means a natural or adopted child or stepchild of a law enforcement officer who at the time of the officer's death—

(A) was no more than 21 years old; or (B) if older than 21 years, was in fact dependent on the child's parents for at least one-half of the child's support (excluding educational expenses), as determined by the Director;

(3) the term "Director" means the Director of the Office of the Police Corps and Law Enforcement Education appointed under section ___.

(4) the term "educational expenses" means expenses that are directly attributable to—

(A) a course of education leading to the award of the baccalaureate degree in legal- or criminal justice-related studies; or

(B) a course of graduate study legal or criminal justice studies following award of a baccalaureate degree,

including the cost of tuition, fees, books, supplies, transportation, room and board and miscellaneous expenses.

(5) the term "institution of higher education" has the meaning stated in the first sentence of section 1201(a) of the Higher Education Act of 1965 (20 U.S.C. 1141(a));

(6) the term "participant" means a participant in the Police Corps program selected pursuant to section ___;

(7) the term "State" means a State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, American Samoa, Guam, and the Commonwealth of the Northern Mariana Islands; and

(8) the term "State Police Corps program" means a State police corps program that meets the requirements of section ___.

Subtitle A—Police Corps

SEC. ___. ESTABLISHMENT OF OFFICE OF THE POLICE CORPS AND LAW ENFORCEMENT EDUCATION.

(a) ESTABLISHMENT.—There is established in the Department of Justice, under the general authority of the Attorney General, an Office of the Police Corps and Law Enforcement Education.

(b) APPOINTMENT OF DIRECTOR.—The Office of the Police Corps and Law Enforcement Education shall be headed by a Director who shall be appointed by the President, by and with the advice and consent of the Senate.

(c) RESPONSIBILITIES OF DIRECTOR.—The Director shall be responsible for the administration of the Police Corps program established by this subtitle and shall have authority to promulgate regulations to implement this subtitle.

SEC. ___. DESIGNATION OF LEAD AGENCY AND SUBMISSION OF STATE PLAN.

(a) LEAD AGENCY.—A State that desires to participate in the Police Corps program under this subtitle shall designate a lead agency that will be responsible for—

(1) submitting to the Director a State plan described in subsection (b); and

(2) administering the program in the State.

(b) STATE PLANS.—A State plan shall—

(1) contain assurances that the lead agency shall work in cooperation with the local law enforcement liaisons, representatives of police labor organizations and police management organizations, and other appropriate State and local agencies to develop and implement interagency agreements designed to carry out the program;

(2) contain assurances that the State shall advertise the assistance available under this subtitle;

(3) contain assurances that the State shall screen and select law enforcement personnel for participation in the program; and

(4) meet the requirements of section ___.

SEC. ___. SCHOLARSHIP ASSISTANCE.

(a) SCHOLARSHIPS AUTHORIZED.—(1) The Director may award scholarships to participants who agree to work in a State or local police force in accordance with agreements entered into pursuant to subsection (d).

(2)(A) Except as provided in subparagraph (B), each scholarship payment made under this section for each academic year shall not exceed—

(i) \$7,500; or

(ii) the cost of the educational expenses related to attending an institution of higher education.

(B) In the case of a participant who is pursuing a course of educational study during substantially an entire calendar year, the amount of scholarship payments made during such year shall not exceed \$10,000.

(C) The total amount of scholarship assistance received by any one participant under this section shall not exceed \$30,000.

(3) Participants who receive scholarship assistance under this section shall continue to receive such scholarship payments only during such periods as the Director finds that the recipient is maintaining satisfactory progress as determined by the institution of higher education the recipient is attending.

(4)(A) The Director shall make scholarship payments under this section directly to the institution of higher education that the student is attending.

(B) Each institution of higher education receiving a payment on behalf of a participant pursuant to subparagraph (A) shall remit to such student any funds in excess of the costs of tuition, fees, and room and board payable to the institution.

(b) REIMBURSEMENT AUTHORIZED.—(1) The Director may make payments to a participant to reimburse such participant for the costs of educational expenses if the student agrees to work in a State or local police force in accordance with the agreement entered into pursuant to subsection (d).

(2)(A) Each payment made pursuant to paragraph (1) for each academic year of study shall not exceed—

(i) \$7,500; or

(ii) the cost of educational expenses related to attending an institution of higher education.

(B) In the case of a participant who is pursuing a course of educational study during substantially an entire calendar year, the amount of scholarship payments made during such year shall not exceed \$10,000.

(C) The total amount of payments made pursuant to subparagraph (A) to any 1 student shall not exceed \$30,000.

(c) USE OF SCHOLARSHIP.—Scholarships awarded under this subsection shall only be used to attend a 4-year institution of higher education, except that—

(1) scholarships may be used for graduate and professional study; and

(2) if a participant has enrolled in the program upon or after transfer to a 4-year institution of higher education, the Director may reimburse the participant for the participant's prior educational expenses.

(d) AGREEMENT.—(1)(A) Each participant receiving a scholarship or a payment under this section shall enter into an agreement with the Director.

(B) An agreement under subparagraph (A) shall contain assurances that the participant shall—

(i) after successful completion of a baccalaureate program and training as prescribed in section ____, work for 4 years in a State or local police force without there having arisen sufficient cause for the participant's dismissal under the rules applicable to members of the police force of which the participant is a member;

(ii) complete satisfactorily—

(I) an educational course of study and receipt of a baccalaureate degree (in the case of undergraduate study) or the reward of credit to the participant for having completed one or more graduate courses (in the case of graduate study); and

(II) Police Corps training and certification by the Director that the participant has met such performance standards as may be established pursuant to section ____; and

(iii) repay all of the scholarship or payment received plus interest at the rate of 10

percent if the conditions of clauses (i) and (ii) are not complied with.

(2)(A) A participant who receives a scholarship or payment under this section shall not be considered to be in violation of the agreement entered into pursuant to paragraph (1) if the recipient—

(i) dies; or

(ii) becomes permanently and totally disabled as established by the sworn affidavit of a qualified physician.

(B) If the participant who has received a scholarship is unable to comply with the repayment provision set forth in paragraph (1)(B)(ii) because of a physical or emotional disability or for good cause as determined by the Director, the Director may substitute community service in a form prescribed by the Director for the required repayment.

(C) The Director shall expeditiously seek repayment from a participant who violates an agreement described in paragraph (1).

(e) DEPENDENT CHILD.—(1) A dependent child of an individual referred to in paragraph (2) shall be entitled to the scholarship assistance authorized in this section for any course of study in any accredited institution of higher education. Such dependent child shall not incur any repayment obligation in exchange for the scholarship assistance provided in this section.

(2) For purposes of paragraph (1), an individual is a law enforcement officer—

(A) who is a member of a State or local police force or is a Federal criminal investigator or uniformed police officer;

(B) who is not a participant in the Police Corps program, but who serves in a State for which the Director has approved a State Police Corps plan; and

(C) who is killed in the course of performing police duties.

(f) APPLICATION.—Each participant desiring a scholarship or payment under this section shall submit an application as prescribed by the Director in such manner and accompanied by such information as the Director may reasonably require.

SEC. ____. SELECTION OF PARTICIPANTS.

(a) IN GENERAL.—Participants in State Police Corps programs shall be selected on a competitive basis by each State under regulations prescribed by the Director.

(b) SELECTION CRITERIA AND QUALIFICATIONS.—(1) In order to participate in a State Police Corps program, a participant shall—

(A) be a citizen of the United States or an alien lawfully admitted for permanent residence in the United States;

(B) meet the requirements for admission as a trainee of the State or local police force to which the participant will be assigned pursuant to section ____ (c) (5), including achievement of satisfactory scores on any applicable examination, except that failure to meet the age requirement for a trainee of the State or local police shall not disqualify the applicant if the applicant will be of sufficient age upon completing an undergraduate course of study;

(C) possess the necessary mental and physical capabilities and emotional characteristics to discharge effectively the duties of a law enforcement officer;

(D) be of good character and demonstrate sincere motivation and dedication to law enforcement and public service;

(E) in the case of an undergraduate, agree in writing that the participant will complete an educational course of study leading to the award of a baccalaureate degree and will then accept an appointment and complete 4 years of service as an officer in the State police or in a local police department within the State;

(F) in the case of a participant desiring to undertake or continue graduate study, agree in writing that the participant will accept an

appointment and complete 4 years of service as an officer in the State police or in a local police department within the State before undertaking or continuing graduate study;

(G) contract, with the consent of the participant's parent or guardian if the participant is a minor, to serve for 4 years as an officer in the State police or in a local police department, if an appointment is offered; and

(H) except as provided in paragraph (2), be without previous law enforcement experience.

(2)(A) Until the date that is 5 years after the date of enactment of this title, up to 10 percent of the applicants accepted into a State Police Corps program may be persons who—

(i) have had some law enforcement experience; and

(ii) have demonstrated special leadership potential and dedication to law enforcement.

(B)(i) The prior period of law enforcement of a participant selected pursuant to subparagraph (A) shall not be counted toward satisfaction of the participant's 4-year service obligation under section ____, and such a participant shall be subject to the same benefits and obligations under this subtitle as other participants, including those stated in subsection (b) (1) (E) and (F).

(ii) Clause (i) shall not be construed to preclude counting a participant's previous period of law enforcement experience for purposes other than satisfaction of the requirements of section ____, such as for purposes of determining such a participant's pay and other benefits, rank, and tenure.

(3) It is the intent of this subtitle that there shall be no more than 20,000 participants in each graduating class. The Director shall approve State plans providing in the aggregate for such enrollment of applicants as shall assure, as nearly as possible, annual graduating classes of 20,000. In a year in which applications are received in a number greater than that which will produce, in the judgment of the Director, a graduating class of more than 20,000, the Director shall, in deciding which applications to grant, give preference to those who will be participating in State plans that provide law enforcement personnel to areas of greatest need.

(c) RECRUITMENT OF MINORITIES.—Each State participating in the Police Corps program shall make special efforts to seek and recruit applicants from among members of all racial, ethnic or gender groups. This subsection does not authorize an exception from the competitive standards for admission established pursuant to subsections (a) and (b).

(d) ENROLLMENT OF APPLICANT.—(1) An applicant shall be accepted into a State Police Corps program on the condition that the applicant will be matriculated in, or accepted for admission at, a 4-year institution of higher education—

(A) as a full-time student in an undergraduate program; or

(B) for purposes of taking a graduate course.

(2) If the applicant is not matriculated or accepted as set forth in paragraph (1), the applicant's acceptance in the program shall be revoked.

(e) LEAVE OF ABSENCE.—(1) A participant in a State Police Corps program who requests a leave of absence from educational study, training or service for a period not to exceed 1 year (or 18 months in the aggregate in the event of multiple requests) due to temporary physical or emotional disability shall be granted such leave of absence by the State.

(2) A participant who requests a leave of absence from educational study, training or service for a period not to exceed 1 year (or 18 months in the aggregate in the event of multiple requests) for any reason other than those listed in paragraph (1) may be granted such leave of absence by the State.

(3) A participant who requests a leave of absence from educational study or training for a period not to exceed 30 months to serve on an official church mission may be granted such leave of absence.

(f) ADMISSION OF APPLICANTS.—An applicant may be admitted into a State Police Corps program either before commencement of or during the applicant's course of educational study.

SEC. ____ POLICE CORPS TRAINING.

(a) IN GENERAL.—(1) The Director shall establish programs of training for State Police Corps participants. Such programs may be carried out at up to 3 training centers established for this purpose and administered by the Director, or by contracting with existing State training facilities. The Director shall contract with a State training facility upon request of such facility if the Director determines that such facility offers a course of training substantially equivalent to the Police Corps training program described in this subtitle.

(2) The Director may enter into contracts with individuals, institutions of learning, and government agencies (including State and local police forces) to obtain the services of persons qualified to participate in and contribute to the training process.

(3) The Director may enter into agreements with agencies of the Federal Government to utilize on a reimbursable basis space in Federal buildings and other resources.

(4) The Director may authorize such expenditures as are necessary for the effective maintenance of the training centers, including purchases of supplies, uniforms, and educational materials, and the provision of subsistence, quarters, and medical care to participants.

(b) TRAINING SESSIONS.—A participant in a State Police Corps program shall attend two 8-week training sessions at a training center, one during the summer following completion of sophomore year and one during the summer following completion of junior year. If a participant enters the program after sophomore year, the participant shall complete 16 weeks of training at times determined by the Director.

(c) FURTHER TRAINING.—The 16 weeks of State Police Corps training authorized in this section is intended to serve as basic law enforcement training but not to exclude further training of participants by the State and local authorities to which they will be assigned. Each State plan approved by the Director under section ____ shall include assurances that following completion of a participant's course of education each participant shall receive appropriate additional training by the State or local authority to which the participant is assigned. The time spent by a participant in such additional training, but not the time spent in State Police Corps training, shall be counted toward fulfillment of the participant's 4-year service obligation.

(d) COURSE OF TRAINING.—The training sessions at training centers established under this section shall be designed to provide basic law enforcement training, including vigorous physical and mental training to teach participants self-discipline and organizational loyalty and to impart knowledge and understanding of legal processes and law enforcement.

(e) EVALUATION OF PARTICIPANTS.—A participant shall be evaluated during training for mental, physical, and emotional fitness, and shall be required to meet performance standards prescribed by the Director at the conclusion of each training session in order to remain in the Police Corps program.

(f) STIPEND.—The Director shall pay participants in training sessions a stipend of \$250 a week during training.

SEC. ____ SERVICE OBLIGATION.

(a) SWEARING IN.—Upon satisfactory completion of the participant's course of education and training program established in section ____ and meeting the requirements of the police force to which the participant is assigned, a participant shall be sworn in as a member of the police force to which the participant is assigned pursuant to the State Police Corps plan, and shall serve for 4 years as a member of that police force.

(b) RIGHTS AND RESPONSIBILITIES.—A participant shall have all of the rights and responsibilities of and shall be subject to all rules and regulations applicable to other members of the police force of which the participant is a member, including those contained in applicable agreements with labor organizations and those provided by State and local law.

(c) DISCIPLINE.—If the police force of which the participant is a member subjects the participant to discipline such as would preclude the participant's completing 4 years of service, and result in denial of educational assistance under section ____, the Director may, upon a showing of good cause, permit the participant to complete the service obligation in an equivalent alternative law enforcement service and, if such service is satisfactorily completed, section ____ (d)(1)(B)(iii) shall not apply.

(d) LAYOFFS.—If the police force of which the participant is a member lays off the participant such as would preclude the participant's completing 4 years of service, and result in denial of educational assistance under section ____, the Director may permit the participant to complete the service obligation in an equivalent alternative law enforcement service and, if such service is satisfactorily completed, section ____ (d)(1)(B)(iii) shall not apply.

SEC. ____ STATE PLAN REQUIREMENTS.

A State Police Corps plan shall—

(1) provide for the screening and selection of participants in accordance with the criteria set out in section ____;

(2) State procedures governing the assignment of participants in the Police Corps program to State and local police forces (no more than 10 percent of all the participants assigned in each year by each State to be assigned to a statewide police force or forces);

(3) provide that participants shall be assigned to those geographic areas in which—

(A) there is the greatest need for additional law enforcement personnel; and

(B) the participants will be used most effectively;

(4) provide that to the extent consistent with paragraph (3), a participant shall be assigned to an area near the participant's home or such other place as the participant may request;

(5) provide that to the extent feasible, a participant's assignment shall be made at the time the participant is accepted into the program, subject to change—

(A) prior to commencement of a participant's fourth year of undergraduate study, under such circumstances as the plan may specify; and

(B) from commencement of a participant's fourth year of undergraduate study until completion of 4 years of police service by participant, only for compelling reasons or to meet the needs of the State Police Corps program and only with the consent of the participant;

(6) provide that no participant shall be assigned to serve with a local police force—

(A) whose size has declined by more than 5 percent since June 21, 1989; or

(B) which has members who have been laid off but not retired;

(7) provide that participants shall be placed and to the extent feasible kept on community and preventive patrol;

(8) ensure that participants will receive effective training and leadership;

(9) provide that the State may decline to offer a participant an appointment following completion of Federal training, or may remove a participant from the State Police Corps program at any time, only for good cause (including failure to make satisfactory progress in a course of educational study) and after following reasonable review procedures stated in the plan; and

(10) provide that a participant shall, while serving as a member of a police force, be compensated at the same rate of pay and benefits and enjoy the same rights under applicable agreements with labor organizations and under State and local law as other police officers of the same rank and tenure in the police force of which the participant is a member.

SEC. ____ ASSISTANCE TO STATES AND LOCALITIES EMPLOYING POLICE CORPS OFFICERS.

Each jurisdiction directly employing State Police Corps participants during the 4-year term of service prescribed by section ____ shall receive \$10,000 on account of each such participant at the completion of each such year of service, but—

(1) no such payment shall be made on account of service in any State or local police force—

(A) whose average size, in the year for which payment is to be made, not counting State Police Corps participants assigned under section ____, has declined more than 2 percent since January 1, 1993; or

(B) which has members who have been laid off but not retired; and

(2) no such payment shall be made on account of any State Police Corps participant for years of service after the completion of the term of service prescribed in section ____.

SEC. ____ AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to carry out this subtitle—

(1) \$100,000,000 for fiscal year 1995 and \$250,000,000 for fiscal year 1996; and

(2) such sums as are necessary for each of the fiscal years 1997, 1998, and 1999.

SEC. ____ REPORTS TO CONGRESS.

(a) IN GENERAL.—Not later than April 1 of each year, the Director shall submit a report to the Attorney General, the President, the Speaker of the House of Representatives, and the President of the Senate.

(b) CONTENTS.—A report under subsection (a) shall—

(1) state the number of current and past participants in the State Police Corps program, broken down according to the levels of educational study in which they are engaged and years of service they have served on police forces (including service following completion of the 4-year service obligation);

(2) describe the geographic, racial, and gender dispersion of participants in the State Police Corps program; and

(3) describe the progress of the State Police Corps program and make recommendations for changes in the program.

Subtitle B—Law Enforcement Scholarship Program

SEC. ____ ALLOTMENT.

From amounts appropriated under section ____, the Director shall allot—

(1) 80 percent of such amounts to States on the basis of the number of law enforcement officers in each State compared to the number of law enforcement officers in all States; and

(2) 20 percent of such amounts to States on the basis of the shortage of law enforcement personnel and the need for assistance under this subtitle in the State compared to the shortage of law enforcement personnel and the need for assistance under this subtitle in all States.

SEC. 202. ESTABLISHMENT OF PROGRAM.**(a) USE OF ALLOTMENT.—**

(1) IN GENERAL.—A State that receives an allotment pursuant to section ___ shall use the allotment to pay the Federal share of the costs of—

(A) awarding scholarships to in-service law enforcement personnel to enable such personnel to seek further education; and

(B) providing—

(i) full-time employment in summer; or
(ii) part-time (not to exceed 20 hours per week) employment for a period not to exceed 1 year.

(2) EMPLOYMENT.—The employment described in paragraph (1)(B)—

(A) shall be provided by State and local law enforcement agencies for students who are juniors or seniors in high school or are enrolled in an institution of higher education and who demonstrate an interest in undertaking a career in law enforcement;

(B) shall not be in a law enforcement position; and

(C) shall consist of performing meaningful tasks that inform students of the nature of the tasks performed by law enforcement agencies.

(b) PAYMENTS; FEDERAL SHARE; NON-FEDERAL SHARE.—

(1) PAYMENTS.—The Secretary shall pay to each State that receives an allotment under section ___ the Federal share of the cost of the activities described in the application submitted pursuant to section ___.

(2) FEDERAL SHARE.—The Federal share shall not exceed 60 percent.

(3) NON-FEDERAL SHARE.—The non-Federal share of the cost of scholarships and student employment provided under this subtitle shall be supplied from sources other than the Federal Government.

(c) RESPONSIBILITIES OF DIRECTOR.—The Director shall be responsible for the administration of the programs conducted pursuant to this subtitle and shall, in consultation with the Assistant Secretary for Postsecondary Education, issue rules to implement this subtitle.

(d) ADMINISTRATIVE EXPENSES.—A State that receives an allotment under section ___ may reserve not more than 8 percent of the allotment for administrative expenses.

(e) SPECIAL RULE.—A State that receives an allotment under section ___ shall ensure that each scholarship recipient under this subtitle be compensated at the same rate of pay and benefits and enjoy the same rights under applicable agreements with labor organizations and under State and local law as other law enforcement personnel of the same rank and tenure in the office of which the scholarship recipient is a member.

(f) SUPPLEMENTATION OF FUNDING.—Funds received under this subtitle shall only be used to supplement, and not to supplant, Federal, State, or local efforts for recruitment and education of law enforcement personnel.

SEC. ___. SCHOLARSHIPS.

(a) PERIOD OF AWARD.—Scholarships awarded under this subtitle shall be for a period of 1 academic year.

(b) USE OF SCHOLARSHIPS.—Each individual awarded a scholarship under this subtitle may use the scholarship for educational expenses at an institution of higher education.

SEC. ___. ELIGIBILITY.

(a) SCHOLARSHIPS.—A person shall be eligible to receive a scholarship under this subtitle if the person has been employed in law enforcement for the 2-year period immediately preceding the date on which assistance is sought.

(b) INELIGIBILITY FOR STUDENT EMPLOYMENT.—A person who has been employed as a law enforcement officer is ineligible to participate in a student employment program carried out under this subtitle.

SEC. ___. STATE APPLICATION.

(a) IN GENERAL.—Each State desiring an allotment under section ___ shall submit an application to the Director at such time, in such manner, and accompanied by such information as the Director may reasonably require.

(b) CONTENTS.—An application under subsection (a) shall—

(1) describe the scholarship program and the student employment program for which assistance under this subtitle is sought;

(2) contain assurances that the lead agency will work in cooperation with the local law enforcement liaisons, representatives of police labor organizations and police management organizations, and other appropriate State and local agencies to develop and implement interagency agreements designed to carry out this subtitle;

(3) contain assurances that the State will advertise the scholarship assistance and student employment it will provide under this subtitle and that the State will use such programs to enhance recruitment efforts;

(4) contain assurances that the State will screen and select law enforcement personnel for participation in the scholarship program under this subtitle;

(5) contain assurances that under such student employment program the State will screen and select, for participation in such program, students who have an interest in undertaking a career in law enforcement;

(6) contain assurances that under such scholarship program the State will make scholarship payments to institutions of higher education on behalf of persons who receive scholarships under this subtitle;

(7) with respect to such student employment program, identify—

(A) the employment tasks that students will be assigned to perform;

(B) the compensation that students will be paid to perform such tasks; and

(C) the training that students will receive as part of their participation in the program;

(8) identify model curriculum and existing programs designed to meet the educational and professional needs of law enforcement personnel; and

(9) contain assurances that the State will promote cooperative agreements with educational and law enforcement agencies to enhance law enforcement personnel recruitment efforts in institutions of higher education.

SEC. ___. LOCAL APPLICATION.

(a) IN GENERAL.—A person who desires a scholarship or employment under this subtitle shall submit an application to the State at such time, in such manner, and accompanied by such information as the State may reasonably require.

(b) CONTENTS.—An application under subsection (a) shall describe—

(1) the academic courses for which a scholarship is sought; or

(2) the location and duration of employment that is sought.

(c) PRIORITY.—In awarding scholarships and providing student employment under this subtitle, each State shall give priority to applications from persons who are—

(1) members of racial, ethnic, or gender groups whose representation in the law enforcement agencies within the State is substantially less than in the population eligible for employment in law enforcement in the State;

(2) pursuing an undergraduate degree; and

(3) not receiving financial assistance under the Higher Education Act of 1965.

SEC. ___. SCHOLARSHIP AGREEMENT.

(a) IN GENERAL.—A person who receives a scholarship under this subtitle shall enter into an agreement with the Director.

(b) CONTENTS.—An agreement described in subsection (a) shall—

(1) provide assurances that the scholarship recipient will work in a law enforcement position in the State that awarded the scholarship in accordance with the service obligation described in subsection (c) after completion of the scholarship recipient's academic courses leading to an associate, bachelor, or graduate degree;

(2) provide assurances that the scholarship recipient will repay the entire scholarship in accordance with such terms and conditions as the Director shall prescribe if the requirements of the agreement are not complied with, unless the scholarship recipient—

(A) dies;

(B) becomes physically or emotionally disabled, as established by the sworn affidavit of a qualified physician; or

(C) has been discharged in bankruptcy; and

(3) set forth the terms and conditions under which the scholarship recipient may seek employment in the field of law enforcement in a State other than the State that awarded the scholarship.

(c) SERVICE OBLIGATION.—

(1) IN GENERAL.—Except as provided in paragraph (2), a person who receives a scholarship under this subtitle shall work in a law enforcement position in the State that awarded the scholarship for a period of 1 month for each credit hour for which funds are received under the scholarship.

(2) SPECIAL RULE.—For purposes of satisfying the requirement of paragraph (1), a scholarship recipient shall work in a law enforcement position in the State that awarded the scholarship for not less than 6 months but shall not be required to work in such a position for more than 2 years.

SEC. ___. DEFINITIONS.

For purposes of this subtitle—

(1) the term "Director" means the Director of the Bureau of Justice Assistance;

(2) the term "educational expenses" means expenses that are directly attributable to—

(A) a course of education leading to the award of an associate degree;

(B) a course of education leading to the award of a baccalaureate degree; or

(C) a course of graduate study following award of a baccalaureate degree,

including the cost of tuition, fees, books, supplies, and related expenses;

(3) the term "institution of higher education" has the meaning stated in the first sentence of section 1201(a) of the Higher Education Act of 1965 (20 U.S.C. 1141(a));

(4) the term "law enforcement position" means employment as an officer in a State or local police force, or correctional institution; and

(5) the term "State" means a State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands of the United States, American Samoa, Guam, and the Commonwealth of the Northern Mariana Islands.

SEC. ___. AUTHORIZATION OF APPROPRIATIONS.

(a) GENERAL AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this subtitle \$30,000,000 for each of fiscal years 1995, 1996, 1997, 1998, and 1999.

(b) USES OF FUNDS.—Of the funds appropriated under subsection (a) for a fiscal year—

(1) 80 percent shall be available to provide scholarships described in section ___(a)(1)(A); and

(2) 20 percent shall be available to provide employment described in sections ___(a)(1)(B) and ___(a)(2).

It was decided in the affirmative { Yeas 250
 Nays 174

36.26 [Roll No. 138]
 AYES—250

Abercrombie	Hall (OH)	Owens
Ackerman	Hamilton	Oxley
Andrews (ME)	Hastert	Pallone
Andrews (NJ)	Hastings	Parker
Andrews (TX)	Hayes	Pastor
Applegate	Hefner	Payne (NJ)
Bacchus (FL)	Hinchey	Payne (VA)
Barca	Hobson	Pelosi
Barcia	Hochbrueckner	Penny
Barlow	Holden	Peterson (FL)
Barrett (WI)	Houghton	Peterson (MN)
Bateman	Hoyer	Petri
Beilenson	Huffington	Pickett
Bentley	Hunter	Pickle
Berman	Hutto	Pombo
Bevill	Hyde	Pomeroy
Bilbray	Inhofe	Poshard
Bishop	Inslee	Price (NC)
Blackwell	Jefferson	Rahall
Bonior	Johnson (GA)	Rangel
Borski	Johnson (SD)	Regula
Boucher	Johnston	Reynolds
Brewster	Kanjorski	Richardson
Browder	Kaptur	Roemer
Brown (CA)	Kennedy	Romero-Barcelo
Brown (FL)	Kennelly	(PR)
Brown (OH)	Kildee	Ros-Lehtinen
Bryant	Kleczka	Rose
Byrne	Klein	Roukema
Calvert	Klink	Rowland
Camp	Kreidler	Roybal-Allard
Cantwell	LaFalce	Rush
Cardin	Lambert	Sanders
Carr	Lancaster	Sangmeister
Chapman	Lantos	Santorum
Clayton	LaRocco	Sarpalius
Clement	Laughlin	Sawyer
Clinger	Lazio	Schenk
Clyburn	Leach	Schiff
Coleman	Lehman	Schroeder
Condit	Levin	Schumer
Cooper	Lewis (GA)	Scott
Coppersmith	Lightfoot	Sharp
Costello	Lipinski	Shepherd
Cramer	Lloyd	Shuster
Danner	Long	Sisisky
Darden	Lowe	Skeen
de la Garza	Machtley	Skelton
de Lugo (VI)	Maloney	Slaughter
Deal	Manton	Smith (NJ)
DeFazio	Margolies-	Smith (OR)
DeLauro	Mezvinsky	Spratt
Derrick	Markey	Stenholm
Deutsch	Martinez	Strickland
Diaz-Balart	Mazzoli	Studds
Dixon	McCloskey	Stupak
Dornan	McCurdy	Swett
Durbin	McHale	Swift
Edwards (TX)	McKinney	Tanner
Emerson	McMillan	Taylor (MS)
Engel	Meehan	Tejeda
Eshoo	Meek	Thompson
Evans	Menendez	Thornton
Faleomavaega	Meyers	Thurman
(AS)	Mfume	Torres
Farr	Michel	Torricelli
Fazio	Miller (CA)	Towns
Fields (LA)	Mineta	Tucker
Filner	Mink	Unsoeld
Fingerhut	Moakley	Upton
Flake	Molinari	Valentine
Foglietta	Mollohan	Velazquez
Frank (MA)	Montgomery	Vento
Frost	Moran	Volkmer
Furse	Morella	Vucanovich
Galleghy	Murphy	Watt
Gejdenson	Myers	Waxman
Gephardt	Nadler	Weldon
Geren	Neal (MA)	Wheat
Gillmor	Neal (NC)	Wise
Gilman	Norton (DC)	Woolsey
Gingrich	Obey	Wyden
Gonzalez	Olver	Wynn
Gordon	Ortiz	
Gutierrez	Orton	

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Allard	Ballenger	Bliley
Archer	Barrett (NE)	Blute
Army	Bartlett	Boehert
Bacchus (AL)	Barton	Boehner
Baesler	Becerra	Bonilla
Baker (CA)	Bereuter	Brooks
Baker (LA)	Bilirakis	Bunning

Burton	Harman	Quillen
Buyer	Hefley	Quinn
Callahan	Herger	Ramstad
Canady	Hilliard	Ravenel
Castle	Hoagland	Reed
Clay	Hoekstra	Ridge
Coble	Hoke	Roberts
Collins (GA)	Horn	Rogers
Collins (IL)	Hughes	Rohrabacher
Collins (MI)	Hutchinson	Roth
Combest	Inglis	Royce
Conyers	Istook	Sabo
Cox	Jacobs	Saxton
Coyne	Johnson (CT)	Schaefer
Crapo	Johnson, E. B.	Sensenbrenner
Cunningham	Johnson, Sam	Serrano
DeLay	Kasich	Shaw
Dellums	Kim	Shays
Dickey	King	Skaggs
Dicks	Kingston	Slattery
Dingell	Klug	Smith (IA)
Dooley	Knollenberg	Smith (MI)
Doolittle	Kolbe	Smith (TX)
Dreier	Kopetski	Snowe
Duncan	Kyl	Solomon
Dunn	Levy	Spence
Edwards (CA)	Lewis (CA)	Stark
Ehlers	Lewis (FL)	Stearns
English	Linder	Stokes
Everett	Livingston	Stump
Ewing	Mann	Sundquist
Fawell	Manzullo	Synar
Fields (TX)	McCandless	Talent
Ford (MI)	McCollum	Tauzin
Fowler	McCrery	Taylor (NC)
Franks (CT)	McDermott	Thomas (CA)
Franks (NJ)	McHugh	Thomas (WY)
Gekas	McInnis	Torkildsen
Gilchrest	McKeon	Trafficant
Glickman	Mica	Underwood (GU)
Goodlatte	Miller (FL)	Visclosky
Goodling	Minge	Walker
Goss	Moorhead	Walsh
Grams	Murtha	Williams
Green	Nussle	Wilson
Greenwood	Oberstar	Wolf
Gunderson	Packard	Yates
Hall (TX)	Paxon	Young (AK)
Hamburg	Porter	Young (FL)
Hancock	Portman	Zeliff
Hansen	Pryce (OH)	Zimmer

NOT VOTING—13

Crane	Grandy	Washington
Fish	Matsui	Waters
Ford (TN)	McDade	Whitten
Gallo	McNulty	
Gibbons	Rostenkowski	

So the amendment was agreed to.

36.27 RECORDED VOTE

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

At the end of title X, add the following:

Subtitle —Private Security Officers

SEC. 1. SHORT TITLE.

This subtitle may be cited as the "Private Security Officers Quality Assurance Act of 1994".

SEC. 2. FINDINGS.

Congress finds the following:

- (1) Employment of private security officers in the United States is growing rapidly.
- (2) The private security industry provides numerous opportunities for entry-level job applicants, including individuals suffering from unemployment due to economic conditions or dislocations.
- (3) The American public is more likely to have contact with private security officers in the course of a day than with law enforcement officers.
- (4) Juveniles in the United States, including those at risk of delinquency, are most likely to have their earliest contact with private security officers because of the significant presence of such officers in schools, shopping malls, and retail establishments.
- (5) The American public demands the employment of qualified, well-trained private security officers.

(6) The States and employers should be required to determine the qualifications of applicants for employment as private security officers.

(7) Employers should be required to ensure at least minimum training for newly hired private security officers and refresher training for experienced private security officers, based on State-imposed standards.

(8) State requirements, if any, for screening and training private security officers vary widely.

(9) Public safety would be improved if all States required appropriate screening and training of private security officers.

(10) States should enact laws imposing minimum standards that are uniform nationwide for the screening and training of private security officers.

(11) State law applicable to private security officers should apply to all private security personnel.

SEC. 3. DEFINITIONS.

As used in this subtitle:

(1) The term "employee" includes an applicant for employment.

(2) The term "employer" means any person that—

(A) employs one or more private security officers, or

(B) provides, as an independent contractor for consideration, the services of one or more private security officers (including oneself).

(3) The term "felony" means an offense for which a term of imprisonment exceeding 1 year may be imposed.

(4) The term "misdemeanor" means an offense for which a maximum term of imprisonment of 1 year or less may be imposed.

(5) The term "person" shall have the meaning given it in section 1 of title 1 of the United States Code.

(6) The term "private security officer" means—

(A) an individual (other than an individual while on active duty as a member of the military service or while performing official duties as a law enforcement officer) who performs security services, full time or part time, for consideration as an independent contractor or an employee, whether armed or unarmed and in uniform or plain clothes,

(B) an individual who is the immediate supervisor of an individual described in subparagraph (A), or

(C) an individual who—

(i) is employed by an electronic alarm company and whose duties include servicing or installing alarm systems, or

(ii) monitors electronic alarm systems from a location in the State in which such systems are situated.

(7) The term "registration permit" means a license, permit, certificate, registration card, or other formal written permission, to provide security services.

(8) The term "security services" means the performance of one or more of the following:

(A) The observation and reporting of intrusion, larceny, vandalism, fire, or trespass.

(B) The prevention of theft or misappropriation of any goods, money, or other item of value.

(C) The observation or reporting of any unlawful activity.

(D) The protection of individuals or property, including proprietary information, from harm or misappropriation.

(E) The control of access to premises being protected.

(F) The secure movement of prisoners.

(G) The maintenance of order and safety at athletic, entertainment, or other public activities.

(H) Providing canine services for guarding premises or for the detection of any unlawful device or substance.

(I) The transportation of money or other valuables by armored vehicle.

(9) The term "State" means any of the several States, the District of Columbia, the Commonwealth of Puerto Rico, the United States Virgin Islands, American Samoa, Guam, or the Commonwealth of the Northern Mariana Islands.

(10) The term "State regulatory agency" means an appropriate State regulatory entity.

SEC. 4. STUDY, REPORT, AND RECOMMENDATIONS REQUIRED.

The Attorney General of each State shall report the provisions of the State's program to the Attorney General of the United States on or before December 31, 1996. If a State fails to report that it has established a program in accordance with the provisions of this Act, the Attorney General shall: (1) notify the Judiciary Committee of the Senate and the Judiciary Committee of the House of Representatives of such failure, and (2) notify the Chief Executive Officer of the State of such failure and propose appropriate action to encourage or compel the State to comply with this Act. If no further action is taken by the State within 1 year of the issuance of such notice by the Attorney General may reduce the State's share of funding appropriated for the fiscal year in which such determination of failure to comply is made under the provisions of title I of the Omnibus Crime Control and Safe Streets Act of 1968. In no event shall such reduction exceed 10 percent of such appropriated funding.

SEC. 5. ISSUANCE OF STATE LICENSES TO EMPLOYERS; REGULATION OF PRIVATE SECURITY SERVICES.

(a) REQUIREMENTS.—A State shall have in effect requirements and procedures for issuing licenses to, and reviewing security services of, employers. A State may require that an employer name an individual to serve as the designated holder of the license issued under this subsection.

(b) LIMITATION ON FEES FOR ISSUANCE OF LICENSES.—A State may not impose on an employer a license issuance fee in excess of the prorated direct costs of administering the requirements and procedures described in subsection (a).

(c) ASSIGNMENT OF PRIVATE SECURITY OFFICERS.—(1) Except as provided in paragraphs (2) and (3), and subject to section 9, the requirements and procedures described in subsection (a) shall provide, at a minimum, that an employer may not permanently assign an employee to duty as a private security officer until such employee obtains a security officer's registration permit as provided in section 8(a).

(2) An employer may assign an employee to duty as an unarmed private security officer pending the results of the preassignment check of records described in section 6 and the issuance of such permit if, before the assignment—

(A) such employer—

(i) submitted an application as required by section 6(a)(1), and

(ii) verified the employee's personal references and the 5-year employment history as required by section 6(a)(2), and

(B) such employee completed the classroom training required by section 7(a)(1).

(3) An employer may assign an employee to duty as an armed private security officer pending the results of the preassignment check of records described in section 6 and the issuance of a security officer's registration permit if, before the assignment—

(A) such employer—

(i) submits an application as required by section 6(a)(1), and

(ii) verifies the employee's personal references and the 5-year employment history as required by section 7(a), and

(B) such employee—

(i) completes the training required by section 7(a), and

(ii) has been issued a valid firearm permit or license to a criminal justice agency in the State in which such individual is assigned, following a national criminal history record check.

(3) If an individual is employed by an employer in a State with respect to which such individual holds a valid private security officer's registration permit, then such employer may assign such individual to duty as a private security officer (including an armed private security officer) for a period not to exceed 90 days in a State with respect to which such individual does not hold a valid private security officer's registration permit if such individual satisfies the training requirements, and complies with the restrictions on the type of weapon such individual uses, in effect in the State to which such individual is so assigned.

SEC. 6. PREASSIGNMENT SCREENING.

Each State shall have in effect a program for issuing registration permits to private security officers that requires at a minimum, and except as provided in section 5(c) and subject to section 9, that an employer not permanently assign an employee to duty as a private security officer until—

(1) such employer submits to the State regulatory agency—

(A) the employee's application for employment, including a history of employment and military service, personal references, and a description of such employee's criminal history,

(B) a certification that such employer verified—

(i) such employee's employment history for the 5-year period ending on the date of application for employment, and

(ii) such personal references, and

(2) the State regulatory agency obtains the results of a fingerprint check of criminal history records conducted through the Federal Bureau of Investigation pursuant to a State law conforming to Public Law 92-544. An association of employers of security officers, designated for the purpose of this section by the Attorney General of the United States, may submit fingerprints to the Attorney General on behalf of any applicant for a state private security officer registration permit. In response to such a submission, the Attorney General may, to the extent provided by law, exchange for permit and employment purposes, identification and criminal history records with the state regulatory agency to which such applicant has applied. Such review shall be conducted, and the results of the search shall be handled in accordance with the procedures in Public Law 103-209.

SEC. 7. PRIVATE SECURITY OFFICER TRAINING.

(a) TRAINING.—Each State shall have in effect training requirements for private security officers that consist of the following, at a minimum:

(1) For unarmed private security officers, the following:

(A) Eight hours of basic classroom instruction, successful completion of a written examination, and 4 hours of on-the-job training.

(B) Such classroom instruction shall include the following:

(i) The legal powers and limitations of a private security officer, including instruction in the law of arrest, search, and seizure, and the use of force as related to security services.

(ii) Safety and fire detection and reporting.

(iii) When and how to notify public authorities.

(iv) The techniques of observation and reporting of incidents and how to prepare an incident report.

(v) The fundamentals of patrolling.

(vi) Department and ethics.

(2) For armored car personnel and electronic alarm company personnel, the State shall have in effect classroom training and testing that appropriately reflects the nature of their duties rather than the classroom instruction required by paragraph (1).

(2) For armed private security officers, in addition to the training required by paragraph (1) or (2), the following:

(A) Fifteen hours of weapons instruction (including marksmanship described in subparagraph (B)) and successful completion of a written examination on—

(i) the legal limitations on the use of weapons,

(ii) weapons handling, and

(iii) safety and maintenance.

(B) A minimum marksmanship qualification of 70 percent attained on any silhouette target course approved by the State regulatory agency.

(b) ANNUAL TRAINING.—Each State shall have in effect requirements, at a minimum, that—

(1) unarmed private security officers complete annually a 4-hour refresher course in the subjects listed in clauses (i) through (vi) of subsection (a)(1)(B), and

(2) armed private security officers annually, in addition to satisfying the requirement described in paragraph (1)—

(A) complete a refresher course in the subjects listed in clauses (i) through (iii) of subsection (a)(2)(A), and

(B) be requalified in the use of weapons as described in subsection (a)(2)(B).

(c) CERTIFICATION.—Each State shall have in effect requirements that a private security officer, or such officer's employer (if any), certify to the State regulatory agency completion of the training required by subsections (a) and (b).

(d) INSTRUCTIONAL AND RANGE-TRAINING PROGRAM.—Each State shall have in effect a program that requires that all instruction and range training required by this section be administered by an instructor whose qualifications meet standards established by the State regulatory agency.

SEC. 8. STATE ISSUANCE OF REGISTRATION PERMITS TO PRIVATE SECURITY OFFICERS.

(a) REQUIREMENTS FOR ISSUANCE OF REGISTRATION PERMITS.—A State shall have in effect requirements for issuing and renewing, upon application, a private security officer's registration permit for a 2-year period. Such requirements shall include—

(1) methods for a private security officer, or such officer's employer (if any) to comply with sections 6 and 7,

(2) a requirement that the certification required by section 7(c) be included in the application for the issuance or renewal of such permit, and

(3) a requirement that an individual not be issued a private security officer's registration permit, or assigned by an employer to duty, as a private security officer if, within the 10-year period ending on the date of application for such permit or the date of such assignment, as the case may be, such individual was—

(A) convicted of a felony,

(B) incarcerated, placed on probation, or paroled as a result of conviction of a felony, or

(C) convicted of a misdemeanor that, in the discretion of the State regulatory agency, bears such a relationship to the performance of security services as to constitute a disqualification for a private security officer's registration permit.

(b) LIMITATION ON FEES FOR ISSUANCE OF REGISTRATION PERMITS.—A State may not impose on private security officers a registration permit issuance fee in excess of the

prorated direct costs of administering the requirements described in subsection (a).

(c) DENIAL OF REGISTRATION PERMIT.—If a State denies, for any reason, an application for the issuance or renewal of a private security officer's registration permit, then, not later than 10 days after denial of such application, the State regulatory agency shall give written notice to the applicant and the applicant's employer (if any) specifying the reasons for denial.

SEC. 9. WAIVER.

On the request of an employer, a State shall waive the preassignment screening requirements described in section 6(a), and the training requirements described in section 7(a), with respect to a private security officer if—

(1)(A) such officer holds a valid security officer's registration permit issued or renewed by the State in which such officer will perform security services for such employer, and

(B) the immediately preceding employer of such officer satisfied all such requirements with respect to the most recent application for the issuance or renewal of such permit, or

(2) such officer is a law enforcement officer employed by a governmental entity that allows such law enforcement officer to serve off-duty as a private security officer.

SEC. 10. GRACE PERIOD FOR ISSUANCE OF NEW REGISTRATION PERMITS TO PRIVATE SECURITY OFFICERS WHO HOLD CURRENT PERMITS.

Until—

(1) January 1, 1997, or

(2) the expiration of the 2-year period beginning on the date a State initially puts into effect a program that satisfies the requirements of sections 6, 7, and 8, whichever is later, such sections shall not apply with respect to the issuance of a registration permit to a private security officer who holds a private security officer's registration permit that is valid without regard to the operation of this subtitle.

SEC. 11. EMPLOYEE PROTECTION.

A State shall have in effect a law that makes invalid and unenforceable any limitation imposed by an employer on the right of an employee to seek or obtain subsequent employment as a private security officer after voluntary or involuntary termination of employment by such employer.

SEC. 12. NOTICE OF CRIMINAL CHARGE.

A State shall have in effect requirements regarding criminal charges made against a private security officer, including the following, at a minimum:

(1) If a private security officer is charged with a felony or misdemeanor, such officer shall notify such officer's employer (if any) not later than 48 hours after the charge is made.

(2) An employer who has knowledge that its employee has been so charged shall report the fact of such charge to the State regulatory agency not later than 2 business days after acquiring such knowledge.

(3) The registration permit of such officer may be suspended by such agency pending disposition of the charge.

(4) Upon conviction of a felony, the State shall revoke the registration permit of such officer.

(5) Upon conviction of such misdemeanor, such State may revoke such permit.

SEC. 13. PENALTIES.

A State shall have in effect a law that authorizes the imposition of a penalty for each violation of the requirement imposed by the State to satisfy a condition of eligibility specified in section 4(a), including the following, at a minimum:

(1) After notice, and a public hearing if requested by an employer charged with such

violation, a daily monetary penalty for each day on which violation continues.

(2) If such violation continues after imposition of a monetary penalty described in paragraph (1), and after notice and a hearing described in such paragraph, suspension or revocation of a registration permit issued as described in section 5(a).

(3) Prosecution of an individual of a misdemeanor for submitting an application for employment as a private security officer, for the issuance of a private security officer's registration permit, or for renewal of such permit, if such individual knowingly included false information in such application.

(4) After notice, and a public hearing if requested by a private security officer, suspension or revocation of such officer's registration permit issued or renewed as a result of application if such officer knowingly included false information in such application.

(5) Administrative or judicial review of each penalty imposed under paragraphs (1) through (4).

SEC. 14. MORE STRINGENT REQUIREMENTS.

This subtitle shall not preclude or limit the authority of a State to establish or maintain requirements that are more stringent than the requirements described in this subtitle.

It was decided in the { Yeas 80 negative } Nays 340

36.28 [Roll No. 139] AYES—80

Table with 3 columns of names: Abercrombie, Andrews (NJ), Applegate, Bacchus (FL), Berman, Billbray, Blackwell, Borski, Collins (IL), Collins (MI), de la Garza, de Lugo (VI), DeFazio, DeLauro, Dixon, Durbin, Engel, Faleomavaega (AS), Farr, Fazio, Foglietta, Ford (MI), Ford (TN), Furse, Gejdenson, Gephardt, Gonzalez, Gutierrez, Hall (OH), Hinchey, Hochbrueckner, Holden, Johnson (CT), Johnston, Kanjorski, Kennedy, Kennelly, Klink, Kopetski, Kreidler, Lancaster, Lantos, Lewis (GA), Martinez, McCloskey, McHale, McKinney, Menendez, Mfume, Mink, Mollohan, Moran, Murphy, Nadler, Norton (DC), Ortiz, Owens, Pastor, Payne (NJ), Pickle, Rangel, Reynolds, Roukema, Roybal-Allard, Sarpalino, Scott, Serrano, Sundquist, Swift, Tanner, Tejada, Torricelli, Towns, Traficant, Underwood (GU), Velazquez, Vento, Waxman, Wolsey, Young (AK)

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Table with 3 columns of names: Allard, Andrews (ME), Andrews (TX), Archer, Armev, Baesler, Baker (CA), Baker (LA), Ballenger, Barca, Barcia, Barlow, Barrett (NE), Barrett (WI), Bartlett, Barton, Bateman, Becerra, Beilenson, Bentley, Bereuter, Bevill, Bilirakis, Bishop, Biley, Blute, Boehlert, Boehner, Bonilla, Bonior, Boucher, Brewster, Brooks, Browder, Brown (CA), Brown (FL), Brown (OH), Bryant, Bunning, Burton, Buyer, Byrne, Callahan, Calvert, Camp, Canady, Cantwell, Cardin, Carr, Castle, Chapman, Clay, Clayton, Clement, Clinger, Clyburn, Coble, Coleman, Collins (GA), Combust, Condit, Conyers, Cooper, Coppersmith, Costello, Cox, Coyne, Cramer, Crapo, Cunningham, Danner, Darden, Deal, DeLay, Dellums, Derrick, Deutsch, Diaz-Balart, Dickey, Dicks, Dingell, Dooley, Doolittle, Dornan, Dreier, Duncan, Dunn, Edwards (CA), Edwards (TX), Ehlers

Table with 3 columns of names: Emerson, English, Eshoo, Evans, Everett, Ewing, Fawell, Fields (LA), Fields (TX), Filner, Fingerhut, Flake, Long, Fowler, Frank (MA), Franks (CT), Franks (NJ), Frost, Gallegly, Gekas, Gilchrest, Gillmor, Gilman, Gingrich, Glickman, Goodlatte, Goodling, Gordon, Goss, Grams, Green, Greenwood, Gunderson, Hall (TX), Hamburg, Hamilton, Hancock, Hansen, Harman, Hastert, Hastings, Hayes, Hefley, Hefner, Herger, Hilliard, Hoagland, Hobson, Hoekstra, Hoke, Horn, Houghton, Hoyer, Huffington, Hughes, Hunter, Hutchinson, Hutto, Inglis, Inhofe, Inslee, Istook, Jacobs, Jefferson, Johnson (GA), Johnson (SD), Johnson, E.B., Johnson, Sam, Kaptur, Kasich, Kildee, Kim, King, Kingston, Kleczka, Klein, Klug, Knollenberg, Kolbe, Kyl, LaFalce, Lambert, LaRocco, LaRughlin, Lazio, Leach, Lehman, Levin, Levy, Lewis (CA), Lewis (FL), Lightfoot, Linder, Lipinski, Livingston, Lloyd, Lowey, Machtley, Maloney, Mann, Manton, Manullo, Margolis, Mezvinsky, Markey, Mazzoli, McCandless, McCollum, McCrery, McCurdy, McDermott, McHugh, McInnis, McKeon, McMillan, Meehan, Meek, Meyers, Mica, Michel, Miller (CA), Miller (FL), Mineta, Minge, Moakley, Molinari, Montgomery, Moorhead, Morella, Murtha, Myers, Neal (MA), Neal (NC), Nussle, Oberstar, Obey, Olver, Orton, Oxley, Packard, Pallone, Parker, Paxon, Payne (VA), Pelosi, Peterson (FL), Peterson (MN), Petri, Pickett, Pombo, Pomeroy, Porter, Portman, Poshard, Price (NC), Pryce (OH), Quillen, Quinn, Rahall, Ramstad, Ravenel, Reed, Regula, Richardson, Ridge, Roberts, Roemer, Rogers, Rohrabacher, Romero-Barcelo (PR), Ros-Lehtinen, Rose, Roth, Rowland, Royce, Rush, Sabo, Sanders, Sangmeister, Santorum, Sawyer, Saxton, Schaefer, Schenk, Schiff, Schroeder, Schumer, Sensenbrenner, Sharp, Shaw, Shays, Shepherd, Shuster, Siskis, Skaggs, Skeen, Skelton, Slaughter, Smith (IA), Smith (MI), Smith (NJ), Smith (OR), Smith (TX), Snowe, Solomon, Spence, Spratt, Stark, Stearns, Stenholm, Stokes, Strickland, Studds, Stump, Stupak, Sweet, Synar, Talent, Tauzin, Taylor (MS), Taylor (NC), Thomas (CA), Thomas (WY), Thompson, Thornton, Thurman, Torkildsen, Torres, Tucker, Unsoeld, Upton, Valentine, Visclosky, Volkmer, Vucanovich, Walker, Walsh, Watt, Weldon, Wheat, Williams, Wilson, Wise, Wolf, Wyden, Wynn, Yates, Young (FL), Zeff, Zimmer

NOT VOTING—17

Table with 3 columns of names: Ackerman, Bachus (AL), Crane, Fish, Gallo, Geren, Gibbons, Grandy, Hyde, Matsui, McDade, McNulty, Rostenkowski, Slattery, Washington, Waters, Whitten

So the amendment was not agreed to. After some further time, The SPEAKER pro tempore, Mr. DARDEN, assumed the Chair. When Mr. TORRICELLI, Chairman, reported that the Committee, having

had under consideration said bill, had come to no resolution thereon.

¶36.29 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted—

To Mr. FISH, for today and the balance of the week;

To Mr. MCDADE, for today;

To Mr. MCNULTY, for today; and

To Ms. WATERS, for today after 3:30 p.m.

And then,

¶36.30 ADJOURNMENT

On motion of Mr. GINGRICH, at 7 o'clock and 52 minutes p.m., the House adjourned.

¶36.31 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. SKELTON (for himself, Mr. SPENCE, Mr. DICKS, Mr. MONTGOMERY, Mr. HUTTO, Mr. BARTLETT of Maryland, Mr. BATEMAN, Mr. BILBRAY, Mr. BROWDER, Mr. BUYER, Mr. COMBEST, Mr. CUNNINGHAM, Mr. DARDEN, Mr. DORNAN, Mr. EDWARDS of Texas, Mr. EVERETT, Mrs. FOWLER, Mr. PETE GEREN of Texas, Mr. GLICKMAN, Mr. HANSEN, Mr. HEFLEY, Mr. HUNTER, Mr. INHOFE, Mr. JOHNSON of Georgia, Mr. KYL, Mr. LANCASTER, Mr. LAUGHLIN, Mr. LEWIS of California, Mr. LEWIS of Florida, Mr. LIVINGSTON, Mrs. LLOYD, Ms. LONG, Mr. MACHTLEY, Mr. MCCURDY, Mr. MCHUGH, Mr. ORTIZ, Mr. PENNY, Mr. PETERSON of Florida, Mr. PICKETT, Mr. RAVENEL, Mr. ROWLAND, Mr. SAXTON, Mr. SISISKY, Mr. SLATTERY, Mr. SOLOMON, Mr. STENHOLM, Mr. STUMP, Mr. TALENT, Mr. TANNER, Mr. TAYLOR of Mississippi, Mr. TEJEDA, Mr. TORKILDSEN, and Mr. WELDON):

H.R. 4259. A bill to extend caps on defense and nondefense discretionary spending through fiscal year 1998; to the Committee on Government Operations.

By Mr. COYNE (for himself, Mr. RICHARDSON, Mr. UPTON, Mr. COOPER, Mr. FRANK of Massachusetts, Mr. MCDERMOTT, Mr. DURBIN, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. LEACH, Mr. MORAN, Mr. UNDERWOOD, Mr. FORD of Tennessee, Mrs. LOWEY, Mr. HOBSON and Mrs. Morella):

H.R. 4260. A bill to improve and protect the health of all Americans through an increase in the funding available for health research that holds the promise of the prevention, cure, and treatment for disease and disability; jointly, to the Committees on Energy and Commerce, Ways and Means, Government Operations, and Rules.

By Mr. GONZALEZ:

H.R. 4261. A bill to establish the Commission on International Coordination of Financial Regulation, and for other purposes; to the Committee on Banking, Finance and Urban Affairs.

By Mr. DARDEN (for himself, Mr. DEAL, and Mr. JOHNSON of Georgia):

H.R. 4262. A bill to amend the Higher Education Act of 1965 to require that recipients of Pell grants be citizens or nationals of the United States; to the Committee on Education and Labor.

By Mr. LAFALCE:

H.R. 4263. A bill to promote the participation of small business enterprises, including minority small businesses, in Federal pro-

urement and Government contracts, and for other purposes; to the Committee on Small Business.

By Mr. CONYERS:

H.R. 4264. A bill to express United States policy regarding the restoration of democratic constitutional government in Haiti, to grant temporary protected status to Haitians until such a government is restored, and to terminate the migrant interdiction agreement between the United States and Haiti; jointly, to the Committees on Foreign Affairs and the Judiciary.

By Mr. FROST:

H.R. 4265. A bill to enhance fairness in compensating owners of patents used by the United States; to the Committee on the Judiciary.

By Mr. GORDON:

H.R. 4266. A bill to expand the boundaries of the Stones River National Battlefield in Tennessee, and for other purposes; to the Committee on Natural Resources.

By Mr. KANJORSKI (for himself, Mr. RIDGE, Mr. DOOLEY, Mrs. ROUKEMA, Mr. KLINK, Mr. HINCHEY, Mr. FINGERHUT, Mr. LAFALCE, Mr. HOLDEN, Mr. MCHALE, Mr. BORSKI, and Mr. KLEIN):

H.R. 4267. A bill to reauthorize economic development programs under the Public Works and Economic Development Act of 1965 for fiscal years 1994 and 1995, to reenact the Public Works and Economic Development Act of 1965 as the Economic Development and Financing Act of 1994, and for other purposes; to the Committees on Public Works and Transportation; Banking, Finance, and Urban Affairs; the Judiciary; and Science, Space, and Technology.

By Mr. SHAYS (for himself, Mr. BALLENGER, Mr. BOEHNER, and Mr. PENNY):

H.R. 4268. A bill to amend certain provisions of title 5, United States Code, relating to the age and service requirements for entitlement to an immediate annuity under the Civil Service Retirement System or the Federal Employees' Retirement System, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. SMITH of Texas:

H.R. 4269. A bill to amend the Internal Revenue Code of 1986 to reduce the tax on capital gains of individuals, and for other purposes; to the Committee on Ways and Means.

By Mrs. UNSOELD:

H.R. 4270. A bill to amend the Head Start Act to extend authorization of appropriations for programs under that act, to strengthen provisions designed to provide quality assurance and improvement, to provide for orderly and appropriate expansion of such programs, and for other purposes; to the Committee on Education and Labor.

By Mr. VISCLOSKEY (for himself, Mr. BROWN of California, Mr. ABERCROMBIE, Mr. ANDREWS of Maine, Mr. APPLIGATE, Mrs. BENTLEY, Mr. BERMAN, Mr. BONIOR, Mr. BORSKI, Ms. BROWN of Florida, Mr. BROWN of Ohio, Miss COLLINS of Michigan, Mr. CONYERS, Mr. DEFAZIO, Mr. ENGEL, Mr. EVANS, Mr. FARR, Mr. FINGERHUT, Mr. FROST, Mr. HOCHBRUECKNER, Mr. HOLDEN, Mr. JACOBS, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. KAPTUR, Mr. KLECZKA, Mr. KLINK, Mr. LAFALCE, Mr. LAROCOCO, Mr. LIPINSKI, Mrs. LOWEY, Mr. MARTINEZ, Mr. MCCLOSKEY, Mr. MCHUGH, Mr. MILLER of California, Mrs. MINK of Hawaii, Mr. MOLLOHAN, Mr. MURTHA, Mr. NADLER, Mr. OLVER, Mr. OWENS, Mr. PALLONE, Mr. RAHALL, Mr. REGULA, Mr. REYNOLDS, Mr. SABO, Mr. SANDERS, Mr. SAWYER, Ms. SHEPHERD, Mr. STOKES, Mr. TORRES, Ms. VELAZQUEZ, Mr. VENTO, Mr. WILIAMS, and Mr. YATES):

H.R. 4271. A bill to provide for the establishment in the General Agreement on Tariffs and Trade of a working party on trade and worker rights and labor standards, and for other purposes; to the Committee on Ways and Means.

By Mr. FARR (for himself, Mr. HALL of Ohio, and Mr. HOBSON):

H.R. 4272. A bill to amend title 10, United States Code, to expand the authority of the U.S. Naval Postgraduate School to admit civilians as students and to authorize the U.S. Air Force Institute of Technology to admit civilians as students; to the Committee on Armed Services.

By Mr. FARR (for himself, Mr. HALL of Ohio, and Mr. HOBSON):

H.R. 4273. A bill to amend title 10, United States Code, to establish a temporary program to permit professional schools of the Army Training and Doctrine Command to admit civilians as students on a cost-reimbursable, space-available basis; to the Committee on Armed Services.

By Mr. JACOBS:

H.J. Res. 358. A joint resolution designating September 18, 1994, through September 24, 1994, as "Iron Overload Diseases Awareness Week"; to the Committee on Post Office and Civil Service.

By Mr. HOBSON:

H.J. Res. 359. Joint resolution to designate the week beginning June 13, 1994, as "National Parkinson's Disease Awareness Week"; to the Committee on Post Office and Civil Service.

By Mr. PETE GEREN of Texas:

H. Con. Res. 241. Concurrent resolution expressing the sense of the Congress with respect to the railroad retirement system; to the Committee on Energy and Commerce.

By Mr. HOEKSTRA:

H. Res. 409. Resolution providing for the consideration of the bill (H.R. 3835) to establish a national advisory referendum on limiting the terms of Members of Congress at the general election of 1994, and for the consideration of provisions for advisory referenda on a balanced budget amendment and a Presidential line-item veto; to the Committee on Rules.

¶36.32 MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

346. By the SPEAKER: Memorial of the Senate of the State of Arizona, relative to an amendment to the Constitution to prohibit physical desecration of the American flag; to the Committee on the Judiciary.

347. Also, memorial of the Senate of the State of Arizona, relative to an amendment to the Constitution to provide the President with an item veto in appropriations bills; to the Committee on the Judiciary.

348. Also, memorial of the General Assembly of the Commonwealth of Virginia, relative to highway signs; to the Committee on Public Works and Transportation.

349. Also, Memorial of the Senate of the State of Arizona, relative to tax-advantaged individual medical care savings accounts; to the Committee on Ways and Means.

350. Also, memorial of the Legislature of the State of Arizona, relative to individual medical care savings accounts; to the Committee on Ways and Means.

351. Also, memorial of the Senate of the State of Arizona, relative to the construction of the Dilkon Health Center; jointly, to the Committees on Natural Resources and Energy and Commerce.

¶36.33 ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 65: Mr. CALVERT and Mr. BUNNING.
 H.R. 140: Mr. GEKAS, Mr. BALLENGER, Mr. BARRETT of Nebraska, Mrs. BENTLEY, Mr. BE-REUTER, Mr. BLILEY, Mr. COMBEST, Mr. CRANE, Mr. DICKEY, Mrs. FOWLER, Mr. GING-RICH, Mr. GOSS, Mr. HANCOCK, Mr. HOBSON, Mr. HORN, Mr. HOUGHTON, Mr. HYDE, Mrs. JOHNSON of Connecticut, Mr. KOLBE, Mr. KYL, Mr. LAZIO, Mr. LEACH, Mr. LINDER, Mr. McMILLAN, Mrs. MEYERS of Kansas, Mr. MIL-LETER of Florida, Mr. MOORHEAD, Mr. MYERS of Indiana, Mr. PAXON, Mr. REGULA, Mr. SAXTON, Mr. SCHAEFER, Mr. SKEEN, Mr. SMITH of Texas, Mr. SMITH of Michigan, Mr. SPENCE, Mr. UPTON, Mr. WALKER, Mr. YOUNG of Florida, Mr. ZIMMER, Mr. EHLERS, Mr. HUTTO, Mr. TRAFICANT, and Mr. ALLARD.
 H.R. 145: Mr. GILCHREST.
 H.R. 546: Mr. HOLDEN and Mr. BARLOW.
 H.R. 662: Mr. HUTCHINSON.
 H.R. 710: Mr. FINGERHUT.
 H.R. 790: Mr. KOPETSKI.
 H.R. 911: Mr. CLYBURN, Mr. WILLIAMS, and Mr. ACKERMAN.
 H.R. 963: Mr. BARCIA of Michigan.
 H.R. 1110: Mr. MCCREERY and Mr. PACKARD.
 H.R. 1314: Mr. BAKER of Louisiana.
 H.R. 1532: Mr. DICKEY, Mr. BEILSON, Mr. SKEEN, Mr. FIELDS of Texas, and Mr. BAKER of California.
 H.R. 1533: Ms. SLAUGHTER, Mr. HAMBURG, and Mr. FRANK of Massachusetts.
 H.R. 1538: Mr. OWENS, Mr. DEFAZIO, and Mr. ABERCROMBIE.
 H.R. 1595: Mrs. CLAYTON.
 H.R. 1627: Mr. WILLIAMS.
 H.R. 1671: Mr. CLINGER and Mr. PICKLE.
 H.R. 1718: Mr. OWENS.
 H.R. 1767: Mr. VALENTINE, Mr. SMITH of New Jersey, and Mr. ANDREWS of New Jersey.
 H.R. 1795: Mr. CALVERT.
 H.R. 1900: Mr. TUCKER and Mr. HAYES.
 H.R. 1999: Mr. ROYCE and Mr. PACKARD.
 H.R. 2254: Mr. REYNOLDS and Mr. INSLEE.
 H.R. 2346: Ms. ENGLISH of Arizona.
 H.R. 2420: Ms. BROWN of Florida, Mr. WYNN, and Mrs. MINK of Hawaii.
 H.R. 2442: Mr. ROGERS.
 H.R. 2720: Mr. DORNAN, Mr. SCHIFF, Mr. SAXTON, and Mr. PRICE of North Carolina.
 H.R. 2767: Mr. DELLUMS.
 H.R. 3017: Mr. BREWSTER, Mr. GILCHREST, and Mr. OXLEY.
 H.R. 3105: Mr. BLUTE and Mr. EWING.
 H.R. 3182: Mr. SERRANO.
 H.R. 3213: Mr. MCCREERY.
 H.R. 3288: Mr. DEFAZIO.
 H.R. 3293: Mr. ANDREWS of Texas.
 H.R. 3324: Mr. EVANS and Mr. FROST.
 H.R. 3342: Mr. SLATTERY and Mr. STEARNS.
 H.R. 3363: Ms. MOLINARI.
 H.R. 3404: Mr. PAYNE of Virginia, Mr. UPTON, and Mr. EVANS.
 H.R. 3434: Mr. ANDREWS of Texas, Mr. KEN-NEDY, and Mr. LANTOS.
 H.R. 3527: Ms. ENGLISH of Arizona.
 H.R. 3574: Mr. LEWIS of Georgia.
 H.R. 3593: Mr. KASICH, Mr. BOEHNER, Mr. STRICKLAND, and Mr. MANN.
 H.R. 3614: Mr. FINGERHUT, Mr. HOKE, and Mr. SMITH of New Jersey.
 H.R. 3624: Mr. COOPER and Mr. EWING.
 H.R. 3720: Mr. SERRANO.
 H.R. 3811: Mr. DELLUMS.
 H.R. 3821: Ms. FURSE, Ms. SCHENK, Mr. DEL-LUMS, Mr. HOCHBRUECKNER, Mr. KOPETSKI, and Mr. GENE GREEN of Texas.
 H.R. 3822: Ms. FURSE, Ms. SCHENK, Mr. DEL-LUMS, Mr. HOCHBRUECKNER, Mr. KOPETSKI, and Mr. GENE GREEN of Texas.
 H.R. 3830: Mr. EVANS.
 H.R. 3880: Mr. BURTON of Indiana, Mr. HERGER, Mr. CAMP, and Mr. TAUZIN.
 H.R. 3900: Mr. LEWIS of Georgia and Mrs. MEEK of Florida.
 H.R. 3948: Mr. APPLIGATE.
 H.R. 3951: Mr. MCHUGH, Mr. ISTOOK, and Mrs. MEYERS of Kansas.
 H.R. 3955: Mr. CRAMER, Mr. THOMAS of Wyo-ming, Mr. JOHNSON of Georgia, Mr. SUND-

QUIST, Mr. PETERSON of Minnesota, Mr. STEARNS, Mr. DEAL, and Mr. HERGER.
 H.R. 3990: Mr. CANADY, Mr. WASHINGTON, and Mr. PARKER.
 H.R. 4036: Mr. FINGERHUT.
 H.R. 4042: Ms. VELÁZQUEZ.
 H.R. 4050: Mr. MINETA, Mr. BERMAN, Ms. ROYBAL-ALLARD, Mr. FARR, Mr. EDWARDS of California, Mr. HAMBURG, Ms. ESHOO, and Mr. DELLUMS.
 H.R. 4078: Mr. FROST.
 H.R. 4091: Mr. MILLER of California, Mr. YATES, Mrs. SCHROEDER, and Mr. FILNER.
 H.R. 4095: Mr. KNOLLENBERG.
 H.R. 4127: Mr. SOLOMON.
 H.R. 4129: Mr. TAYLOR of North Carolina, Mr. SPRATT, Mr. COBLE, Ms. WOOLSEY, Mr. MCHUGH, Mr. CLYBURN, Mr. STUMP, Mrs. VUCANOVICH, and Mr. WATT.
 H.R. 4142: Mr. DOOLEY.
 H.R. 4213: Mr. UNDERWOOD.
 H.J. Res. 90: Mr. DE LA GARZA, Mr. FLAKE, Mr. EMERSON, and Mr. MEEHAN.
 H.J. Res. 209: Mr. FILNER, Mr. SCHAEFER, Mrs. ROUKEMA, Mr. FIELDS of Texas, Mr. DELLUMS, Mr. CALLAHAN, and Mr. KLECZKA.
 H.J. Res. 253: Mr. RAHALL, Mr. PRICE of North Carolina, Mr. DE LA GARZA, Mr. SABO, Mr. PETE GEREN of Texas, Mr. HAMILTON, Ms. SLAUGHTER, Mr. TORRES, and Mr. TORKIL- DSEN.
 H.J. Res. 302: Ms. BROWN of Florida, Mr. HEFNER, Mr. MCHUGH, Mr. CLEMENT, Mr. RUSH, Mr. DICKS, Mr. HOLDEN, Mr. RAHALL, Mr. UNDERWOOD, Mr. KLEIN, Mr. COBLE, Mr. BERMAN, Mr. SCHAEFER, Ms. ENGLISH of Ari-zona, Mr. HILLIARD, Mr. MCCLOSKEY, Mr. PETRI, Mr. BACCHUS of Florida, Mr. UPTON, Mr. NEAL of North Carolina, Mr. ROHR- ABACHER, Miss COLLINS of Michigan, Mr. SAWYER, Mr. SAXTON, Mr. WHEAT, and Mr. GORDON.
 H.J. Res. 305: Mr. GLICKMAN, Ms. NORTON, Mr. INSLEE, Mr. REYNOLDS, Mr. NADLER, Mr. ANDREWS of New Jersey, Mr. ROHRABACHER, Mrs. MORELLA, Mr. WYNN, Mr. GEJDENSON, Mr. MCDADE, Mr. TORRICELLI, Mrs. KEN- NELLY, Mr. FOGLIETTA, Mr. FISH, Mr. MORAN, and Mr. MAZZOLI.
 H.J. Res. 328: Mr. MARTINEZ and Mr. CLY- BURN.
 H.J. Res. 333: Mr. KING, Mr. RAHALL, Mr. MCDERMOTT, Mr. LANCASTER, Mr. MINETA, Mr. KLECZKA, Mr. TORRICELLI, Mr. BARTLETT of Maryland, Mr. WATT, Mr. TORRES, and Mr. SARPALIUS.
 H.J. Res. 342: Mr. BROWN of Ohio, Mr. MCHUGH, Mr. COBLE, Mr. BILBRAY, Mr. BILL- RAKIS, Mr. WILSON, Mr. SCHAEFER, Mr. RAVENEL, Mr. SANDERS, Mr. GREENWOOD, Mr. TORKILDSEN, Mr. WELDON, Mr. LANTOS, Ms. FURSE, Mr. HUTTO, Mr. LAROCO, Mr. PAXON, Mr. COYNE, Mr. ANDREWS of Maine, Mr. MONTGOMERY, Mr. LIVINGSTON, Mr. JOHNSON of South Dakota, and Mr. SPENCE.
 H.J. Res. 344: Mr. FROST, Mr. WALSH, Mr. FALOMAVAEGA, Mr. STUPAK, Mr. CLYBURN, Mr. LIPINSKI, Mr. SCHAEFER, Mr. CONYERS, Mr. CALLAHAN, Mr. COYNE, Mr. EDWARDS of Texas, and Mr. BROWN of Ohio.
 H. Con. Res. 7: Mr. CAMP.
 H. Con. Res. 17: Mr. BURTON of Indiana, Mr. DORNAN, Mr. MANZULLO, Mr. SAXTON, Mr. PACKARD, Mr. BARTLETT of Maryland, Mr. HUNTER, Mr. DOOLITTLE, Mr. BAKER of Cali- fornia, Mr. SMITH of New Jersey, Mr. MONT- GOMERY, Mrs. VUCANOVICH, Mr. GOSS, Mr. COX, Mr. COSTELLO, Mr. DUNCAN, Mr. CUNNINGHAM, Mr. MCCOLLUM, Mr. HAYES, Mr. POSHARD, Mr. SMITH of Michigan, Mr. COBLE, Mr. SHAW, Mr. MICA, Mr. DREIER, Mr. ARMEY, Mr. LIPINSKI, Mr. ROBERTS, Mr. BUNNING, Mr. HYDE, Mr. DELAY, Mrs. BENTLEY, Mr. SUND- QUIST, Mr. TRAFICANT, Mr. POMBO, Mr. GEKAS, Mr. WALKER, Ms. MOLINARI, Mr. STENHOLM, Mr. ARCHER, Mr. McMILLAN, Mr. HASTERT, Mr. SENSENBRENNER, Mr. CHAPMAN, Mr. BLILEY, Mr. MYERS of Indiana, Mr. SMITH of Oregon, Mr. SANTORUM, Mr. PAXON, and Mr. KASICH.

H. Con. Res. 35: Ms. FURSE and Mr. VENTO.
 H. Con. Res. 84: Mr. GALLO.
 H. Con. Res. 147: Ms. ENGLISH of Arizona.
 H. Con. Res. 166: Mr. STARK, Mr. CLAY, and Mr. BARRETT of Wisconsin.
 H. Con. Res. 176: Mr. ACKERMAN, Mr. TORKILDSEN, Mr. ROHRABACHER, Ms. MCKIN- NEY, Mrs. THURMAN, Mr. FINGERHUT, Mr. ROBERTS, Mr. INHOFE, Mr. POMEROY, Mr. SARPALIUS, Mr. BARRETT of Nebraska, Mr. WAXMAN, Mr. GUTIERREZ, Mr. PETE GEREN of Texas, and Mr. KINGSTON.
 H. Con. Res. 179: Mr. HOLDEN.
 H. Con. Res. 202: Mr. STRICKLAND.
 H. Res. 36: Mrs. MEYERS of Kansas.
 H. Res. 56: Mr. SWETT.
 H. Res. 234: Mr. ANDREWS of New Jersey, Mr. YOUNG of Alaska, Mr. DEFAZIO, Ms. DAN- NER, Mr. DIAZ-BALART, Mr. PICKETT, Mr. BE- REUTER, Mr. MARTINEZ, Mrs. SCHROEDER, Ms. HARMAN, Ms. ENGLISH of Arizona, and Mr. HOLDEN.
 H. Res. 270: Mr. GRANDY.
 H. Res. 277: Mr. DOOLITTLE and Mr. ROGERS.
 H. Res. 383: Mr. BARTLETT of Maryland.

¶36.34 PETITIONS, ETC.

Under clause 1 of rule XXII,

89. The Speaker presented a petition of the Legislature of Rockland County, NY, relative to labeling of dairy products by cows injected with BST; which was referred to the Committee on Energy and Commerce.

¶36.35 DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, sponsors were deleted from public bills and resolu- tions as follows:

H.R. 1490: Ms. LONG.

THURSDAY, APRIL 21, 1994 (37)

The House was called to order by the SPEAKER.

¶37.1 APPROVAL OF THE JOURNAL

The SPEAKER announced he had ex- amined and approved the Journal of the proceedings of Wednesday, April 20, 1994.

Mr. TRAFICANT, pursuant to clause 1, rule I, objected to the Chair's ap- proval 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. TRAFICANT 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 256
 Nays 161

¶37.2 [Roll No. 140]

YEAS—256

Abercrombie	Bateman	Brooks
Ackerman	Becerra	Browder
Andrews (ME)	Beilenson	Brown (FL)
Andrews (TX)	Berman	Brown (OH)
Applegate	Bevill	Bryant
Bacchus (FL)	Bilbray	Byrne
Baessler	Bishop	Cantwell
Barca	Blackwell	Cardin
Barcia	Bonior	Carr
Barlow	Borski	Castle
Barrett (WI)	Brewster	Chapman