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Bishop
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Boehner
Bonilla
Borski
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Brown (FL)
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Callahan
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Collins (GA)
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de la Garza
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Deutsch
Diaz-Balart
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Dingell
Dooley
Doolittle
Dornan
Dreier
Duncan
Dunn
Durbin
Edwards (TX)
Ehlers
Emerson
English
Eshoo
Evans
Everett
Ewing
Faleomavaega
(AS)
Farr
Fawell
Fazio
Fields (LA)
Fields (TX)
Fingerhut
Fowler
Franks (CT)
Franks (NJ)
Frost
Furse
Gallegly
Gekas
Gephardt
Geren
Gibbons
Gilchrist
Gilman
Gingrich
Glickman
Goodlatte
Goodling
Gordon
Goss
Grams
Green
Greenwood
Gunderson
Gutierrez
Hall (OH)
Hall (TX)

Hamilton
Hancock
Hansen
Harman
Hastert
Hayes
Hefley
Hefner
Herger
Hinchev
Hoagland
Hobson
Hochbrueckner
Hoekstra
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Holden
Horn
Houghton
Hoyer
Huffington
Hunter
Hutchinson
Hutto
Hyde
Inglis
Inhofe
Inslee
Istook
Jefferson
Johnson (CT)
Johnson (GA)
Johnson (SD)
Johnson, E. B.
Johnson, Sam
Johnston
Kanjorski
Kaptur
Kasich
Kennedy
Kildee
Kilmer
King
Kingston
Kleczka
Klein
Klink
Klug
Knollenberg
Kolbe
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Lambert
Lancaster
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LaRocco
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Lewis (FL)
Lightfoot
Linder
Lipinski
Livingston
Lloyd
Long
Lowe
Machtley
Maloney
Mann
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Manzullo
Margolies-
Mezvinsky
Markey
Martinez
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McCandless
McCloskey
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McDade
McHale
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McInnis
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Miller (FL)
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Montgomery
Moorhead
Moran
Morella
Murphy
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Myers
Neal (MA)
Neal (NC)
Nussle
Obey
Orton
Oxley
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Pallone
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Paxon
Payne (VA)
Penny
Peterson (FL)
Peterson (MN)
Petri
Pickett
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Pombo
Pomeroy
Porter
Portman
Poshard
Price (NC)
Pryce (OH)
Quillen
Quinn
Rahall
Ramstad
Ravenel
Reed
Regula
Reynolds
Richardson
Ridge
Roberts
Roemer
Rogers
Rohrabacher
Romero-Barcelo
(PR)
Ros-Lehtinen
Rose
Rostenkowski
Roth
Roukema
Rowland
Royce
Sangmeister
Santorum
Sarpalius
Saxton
Schaefer
Schenk
Schiff
Sensenbrenner
Shaw
Shays
Shepherd
Shuster
Sisisky
Skean
Skelton
Slattery
Slaughter
Smith (IA)
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Snowe
Solomon
Spence
Spratt
Stearns
Stenholm
Strickland
Stump
Stupak
Sundquist
Sweet
Talent
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Tejeda
Thomas (CA)
Thomas (WY)
Thompson
Thornton
Thurman

Torkildsen
Torrice
Traficant
Unsoeld
Upton
Valentine
Vento
Volkmer

Vucanovich
Walker
Walsh
Weldon
Wheat
Williams
Wilson
Wise

Wolf
Wyden
Wynn
Young (AK)
Young (FL)
Zeliff
Zimmer

NOES—82

Becerra
Berman
Blackwell
Bonior
Brown (CA)
Cardin
Castle
Clay
Clyburn
Coleman
Collins (IL)
Collins (MI)
Conyers
Coppersmith
Coyne
de Lugo (VI)
DeFazio
Dellums
Dixon
Edwards (CA)
Engel
Filner
Flake
Foglietta
Ford (MI)
Ford (TN)
Frank (MA)
Gejdenson

Gillmor
Gonzalez
Hamburg
Hastings
Hilliard
Hughes
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Kennelly
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Kreidler
LaFalce
Lewis (GA)
Matsui
McDermott
Meeke
Mfume
Miller (CA)
Mollohan
Nadler
Norton (DC)
Oberstar
Olver
Ortiz
Owens
Pastor
Payne (NJ)
Pelosi
Rangel

Roybal-Allard
Rush
Sabo
Sanders
Sawyer
Schroeder
Schumer
Scott
Serrano
Skaggs
Stark
Stokes
Studds
Swift
Synar
Torres
Towns
Tucker
Underwood (GU)
Velazquez
Visclosky
Waters
Watt
Waxman
Woolsey
Yates

NOT VOTING—8

Andrews (NJ)
Fish
Gallo

Grandy
Lewis (CA)
Sharp

Washington
Whitten

So the amendment, as modified, was agreed to.

The SPEAKER pro tempore, Mrs. KENNELLY, assumed the Chair.

When Mr. TORRICELLI, Chairman, pursuant to House Resolution 401, reported the bill back to the House with sundry amendments adopted by the Committee.

The previous question having been ordered by said resolution.

The following amendments, reported from the Committee of the Whole House on the state of the Union, were agreed to:

Insert at an appropriate place the following:

SEC. . DISPLAY OF FLAGS AT HALF STAFF.

(a) PUBLIC LAW 87-726—The first section of Public Law 87-726 (36 U.S.C. 167) is amended—

(1) By striking “(2)” and inserting “(3)”;

(2) by inserting after clause (1) the following new clause: “(2) directing the officials of the Government to display at half-staff the flag of the United States on all Government buildings on such day, as provided by section 3(m) of the Act of June 22, 1942 (Chapter 435; 56 Stat. 377; 36 U.S.C. 175).”;

(3) by striking “(3)” and inserting “(4)”;

and

(4) by inserting in paragraph (4) “, including the display at half-staff of the flag of the United States” after “activities”.

(b) ACT OF JUNE 22, 1942.—Section 3(m) of the Act of June 22, 1942 (Chapter 435; 56 Stat. 377; 36 U.S.C. 175) is amended by inserting “The flag shall be flown at half-staff on Peace Officers Memorial Day, unless that day is also Armed Forces Day.” after “a Member of Congress.”.

Insert at an appropriate place the following:

SEC. . SENSE OF CONGRESS WITH RESPECT TO VIOLENCE AGAINST TRUCKERS.

(a) FINDINGS.—Congress finds that—

(1) there are 8,000,000 workers in the trucking industry in the United States, some

working for large carriers and some for small carriers, some for private carriers and some owner operators, all assisting the free flow of commerce by transporting all types of commodities that enter, leave, or move within this country;

(2) unemployment, crime, and drug use have contributed to an increase of violence against commercial truckers, an increase that has gone unrecognized by the public at large;

(3) few State or local authorities report violent crimes against truckers as such to the Federal Bureau of Investigation, statistics do not reflect this fast-growing and increasingly violent segment of crime;

(4) the Federal Bureau of Investigation investigated 282 truck hijackings involving crimes of violence in 1993, not including attempted crimes and crimes addressed by State, county, and local authorities;

(5) the Federal Government in large measure finances the highway system the trucking industry uses, collecting large sums in taxes from the industry, and licenses and regulates the industry and its drivers, entailing a concomitant responsibility to protect them against crime;

(6) Federal law provides protections to truckers in among others, sections 33 and 1951 of title 18, United States Code, but currently Federal prosecutions are not undertaken unless certain monetary thresholds of loss are met.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) when there is Federal jurisdiction, Federal authorities should prosecute to the fullest extent of the law murders, rapes, burglaries, kidnappings and assaults committed against commercial truckers; and

(2) appropriate Federal agencies should acknowledge this problem and place a priority on evaluating how best to prevent these crimes and apprehend those involved, and continue to coordinate their activities with multi-jurisdictional authorities to combat violent crimes committed against truckers.

Page 272, line 5, after “minorities,” insert “providing specialized domestic violence court advocates in courts where a significant number of protective orders are granted.”.

Add at an appropriate place the following:

SEC. . PASSPORT AND VISA OFFENSES PENALTIES IMPROVEMENT.

(a) IN GENERAL.—Chapter 75 of title 18, United States Code, is amended—

(1) in section 1541, by striking “not more than \$500 or imprisoned not more than one year” and inserting “under this title or imprisoned not more than 10 years”;

(2) in each of sections 1542, 1543, and 1544, by striking “not more than \$2,000 or imprisoned not more than five years” and inserting “under this title or imprisoned not more than 10 years”;

(3) in section 1545, by striking “not more than \$2,000 or imprisoned not more than three years” and inserting “under this title or imprisoned not more than 10 years”;

(4) in section 1546(a), by striking “five years” and inserting “10 years”;

(5) in section 1546(b), by striking “in accordance with this title, or imprisoned not more than two years” and inserting “under this title or imprisoned not more than 10”;

(6) by adding at the end the following.

“§1547. Alternative imprisonment maximum for certain offenses

“Notwithstanding any other provision of this title, the maximum term of imprisonment that may be imposed for an offense under this chapter (other than an offense under section 1545)—

“(1) if committed to facilitate a drug trafficking crime (as defined in 929(a) of this title) is 15 years; and

"(2) if committed to facilitate an act of international terrorism (as defined in section 2331 of this title) is 20 years."

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 75 of title 18, United States Code, is amended by adding at the end the following new item:

"1547. Alternative imprisonment maximum for certain offenses."

Page 111, line 16, strike "and".

Page 111, line 18, strike the period and insert "; and".

Page 111, after line 18, insert the following:

(3) coordinate crime prevention programs funded under this program with other existing Federal programs to address the overall needs of communities that benefit from grants received under this title.

Page 172, line 15, strike "or".

Page 172, line 17, strike the period and insert "; or".

Page 172, after line 17, insert the following:

"(C) coordination of crime prevention programs funded under this title with other existing Federal programs to meet the overall needs of communities that benefit from funds received under this section.

Add at the end the following:

TITLE —FINANCIAL INSTITUTION FRAUD

SEC. . FINANCIAL INSTITUTION FRAUD.

Section 528 of Public Law 101-509, approved November 5, 1990, is amended by striking "with the authority of the Resolution Trust Corporation or its successor" at the end of subsection (b)(2) and inserting "on December 31, 2004".

At the end of the bill, add the following:

TITLE —AUTHORIZATION

SEC. . AUTHORIZATION OF APPROPRIATIONS

There is authorized to be appropriated for the activities of the Bureau of Alcohol, Tobacco and Firearms, the United States Customs Service, the Financial Crimes Enforcement Network, the Federal Law Enforcement Training Center, the Criminal Investigation Division of the Internal Revenue Service, and the United States Secret Service, in addition to sums authorized elsewhere in this Act, not to exceed \$210,000,000 for each of the fiscal years 1995, 1996, 1997, 1998, and 1999 to help meet the Department of the Treasury's increased law enforcement activities.

Add at the end the following:

TITLE —CONVERSION OF CLOSED MILITARY INSTALLATIONS

SEC. . CONVERSION OF THREE CLOSED MILITARY INSTALLATIONS INTO FEDERAL PRISON FACILITIES.

(a) STUDY OF SUITABLE BASES.—The Secretary of Defense and the Attorney General shall jointly conduct a study of all military installations selected before the date of the enactment of this Act to be closed pursuant to a base closure law for the purpose of evaluating the suitability of any of these installations, or portions of these installations, for conversion into Federal prison facilities. As part of the study, the Secretary and the Attorney General shall identify the three military installations so evaluated that are most suitable for conversion into Federal prison facilities.

(b) SUITABILITY FOR CONVERSION.—In evaluating the suitability of a military installation for conversion into a Federal prison facility, the Secretary of Defense and the Attorney General shall consider the estimated cost to convert the installation into a prison facility, the proximity of the installation to overcrowded Federal and State prison facilities, and such other factors as the Secretary and the Attorney General consider to be appropriate.

(c) TRANSFER TO ATTORNEY GENERAL.—Notwithstanding any other provision of law re-

garding disposal of military installations selected to be closed pursuant to a base closure law, the Secretary of Defense shall transfer, without reimbursement, jurisdiction over the three installations identified under subsection (a) to the Attorney General for conversion into Federal prison facilities. The Federal prison facilities established using these installations shall be designed to incarcerate persons convicted of a Federal violent felony. Upon a space available basis, the Attorney General may accept transfers from overcrowded State prisons if the persons to be transferred had previously been convicted of a Federal violent felony or are serving a sentence of more than 20 years.

(d) TIME FOR STUDY.—The study required by subsection (a) shall be completed not later than 180 days after the date of the enactment of this Act.

(e) DEFINITIONS.—For purposes of this section:

(1) The term "base closure law" means—

(A) The Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101-510; 10 U.S.C. 2687 note); or

(B) Title II of the Defense Authorization Amendments and Base Closure and Realignment Act (Public Law 100-526; 10 U.S.C. 2687 note).

(2) The term "violent felony" has the meaning given that term in section 3581(c)(2) of title 18, United States Code.

At the appropriate place, insert the following (and redesignate accordingly):

SEC. . COMMISSION MEMBERSHIP AND APPOINTMENT.

(a) MEMBERSHIP.—Section 211(B)(f) of Public Law 101-515 (104 Stat. 2123) is amended to read as follows:

"(a) NUMBER AND APPOINTMENT.—The Commission shall be composed of 25 members as follows:

(1) Seven individuals appointed from national law enforcement organizations representing law enforcement officers, of whom—

(A) two shall be appointed by the Speaker of the House of Representatives;

(B) two shall be appointed by the majority leader of the Senate;

(C) one shall be appointed by the minority leader of the House of Representatives;

(D) one shall be appointed by the minority leader of the Senate; and

(E) one shall be appointed by the President.

(2) Seven individuals appointed from national law enforcement organizations representing law enforcement management, of whom—

(A) two shall be appointed by the Speaker of the House of Representatives;

(B) two shall be appointed by the majority leader of the Senate;

(C) one shall be appointed by the minority leader of the House of Representatives;

(D) one shall be appointed by the minority leader of the Senate; and

(E) one shall be appointed by the President.

(3) Two individuals appointed with academic expertise regarding law enforcement issues, of whom—

(A) one shall be appointed by the Speaker of the House of Representatives and the majority leader of the Senate; and

(B) one shall be appointed by the minority leader of the Senate and the minority leader of the House of Representatives.

(4) Two Members of the House of Representatives, appointed by the Speaker and the minority leader of the House of Representatives.

(5) Two Members of the Senate, appointed by the majority leader and the minority leader of the Senate.

(6) One individual involved in Federal law enforcement from the Department of the Treasury; appointed by the President.

(7) One individual from the Department of Justice, appointed by the President.

(8) One individual representing a State or local governmental entity, such as a Governor, mayor, or State attorney general, to be appointed by the majority leader of the Senate.

(9) One individual representing a State or local governmental entity, such as a Governor, mayor, or State attorney general, to be appointed by the Speaker of the House of Representatives.

(10) One individual representing a State or local governmental entity, such as a Governor, mayor, or State attorney general, to be appointed by the President."

(b) REPORT.—Section 211(B)(p) of Public Law 101-515 (104 Stat. 2124) is amended by striking "the expiration" and all that follows through "this Act," and inserting "March 31, 1996,"

SEC. . CONFORMING AMENDMENT.

Section 3404(a) of Public Law 101-647 (42 U.S.C. 3721 note) is repealed.

Page 386, after line 16 (at the end of the bill), add the following new title (and amend the table of titles accordingly):

TITLE XXIV—EXPLOSIVES CRIME PENALTIES

SEC. 2401. ENHANCED PENALTY FOR SECOND OFFENSE OF USING AN EXPLOSIVE TO COMMIT A FELONY.

Pursuant to its authority under section 994 of title 28, United States Code, the United States Sentencing Commission shall promulgate amendments to the sentencing guidelines to appropriately enhance penalties in a case in which a defendant convicted under section 844(h) of title 18, United States Code, has previously been convicted under that section.

SEC. 2402. THEFT OF EXPLOSIVES.

Section 844 of title 18, United States Code, is amended by adding at the end the following new subsection:

"(k) A person who steals any explosives materials which are moving as, or are a part of, or which have moved in, interstate or foreign commerce shall be imprisoned for not more than 10 years, fined under this title, or both."

SEC. 2403. POSSESSION OF EXPLOSIVES BY FELONS AND OTHERS.

Section 842(i) of title 18, United States Code, is amended by inserting "or possess" after "to receive".

SEC. 2404. THEFT OF EXPLOSIVES FROM LICENSEE.

Section 844 of title 18, United States Code, is amended by adding at the end the following new subsection:

"(l) A person who steals any explosive material from a licensed importer, licensed manufacturer, or licensed dealer, or from any permittee shall be fined under this title, imprisoned not more than 10 years, or both."

SEC. 2405. DISPOSING OF EXPLOSIVES TO PROHIBITED PERSONS.

Section 842(d) of title 18, United States Code, is amended by striking "licensee" and inserting "person".

Add at the end of title X the following:

SUBTITLE —HOPE IN YOUTH PROGRAM

SEC. 1. FINDINGS.

The Congress finds the following:

(1) Larger cities around the country, particularly those those involved in empowerment zones, are attempting to empower low-income and ethnic minority communities.

(2) Programs that involve local government and local community leaders and which include significant participation by service providers, service participants, and service funders, as equal partners in the design and direction of a myriad of social serv-

ice support programs have been among the most effective demonstration models.

(3) Programs that attempt to link disenfranchised and disconnected citizens through an umbrella organization that provides guidance to public and private service providers have proven to be an effective strategy for empowering local low-income communities.

(4) Families in low-income communities have not attained their full potential as productive citizens, and Federal efforts thus far, have been insufficient to assist them in fully realizing that potential.

SEC. 2. PROGRAM AUTHORITY.

The Secretary of Health and Human Services (in this subtitle referred to as the "Secretary") may make grants to eligible may make grants to eligible service providers in one or more political subdivisions of a State containing an area designated as an empowerment zone, as authorized under the Omnibus Budget Reconciliation Act of 1993 (Public Law 103-66), that have submitted an approved plan to establish advisory organization in low-income communities within the political subdivision containing an empowerment zone which will serve as umbrella agencies for strategic planning and evaluation of service programs serving the low-income communities in which the advisory organization operates.

SEC. 3. PROGRAM REQUIREMENTS.

Each advisory organization established as described in section 2 shall—

(1) provide a permanent multi-issue forum for public policy discussion which will serve as part of a stable infrastructure of community outreach and support,

(2) develop a mechanism by which local support service providers may be evaluated and assessed in the level of service they provide to the community, and which establishes a method for advisory organization participants to review and participate in efforts to maintain or increase the quality of services provided by such providers,

(3) create a Family Outreach Team approach which provides a youth worker, a parent worker, and a school-parent organizer to provide training in outreach, mentoring, community organizing and peer counseling and mentoring to locally recruited volunteers in a particular area. The Family Outreach Team assists such volunteers in outreach, development and coordination of service delivery from among the service providers in the area, including the schools.

(4) establish processes by which local public agencies can effectively involve the private sector in the provision of services that meet the needs of local communities,

(5) establish processes of coalition building in which diverse groups within low-income communities attempt to low-income communities, and

(6) create a training program to foster community-based leadership in low-income communities.

SEC. 4. ELIGIBLE PROVIDERS.

Consortia of public and private nonprofit local social service organizations that have a proven ability to involve disparate populations of low-income citizens and competing service providers are eligible to receive grants under section 2.

SEC. 5. APPLICATIONS.

Applications may be submitted, for approval by the Secretary, by eligible service providers at such time and in such manner as the Secretary may reasonably require. Such applications shall contain—

(1) assurances that selection of participants, organizations, and citizens will not be on the basis of religious preference or affiliation,

(2) assurances that participating organizations and citizens will not offer services

based on any religious preference or affiliation, and

(3) assurances that such service provides will, to the extent practicable, involve participation by citizens not traditionally involved in such activities, including homeless individuals, alcohol- and drug-addicted individuals, and gang involved or violent youth.

SEC. 6. EVALUATION.

The Secretary shall commence a program to evaluate the success and effectiveness of this program 2 years after the program has received an appropriation, and such evaluation shall be completed no later than 1 year after the second program year has been completed. A report thereon shall be submitted to the Congress within 60 days of the completion of the evaluation.

SEC. 7. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated \$20,000,000 for fiscal year 1995, and such sums as are necessary for each of fiscal years 1996, 1997, and 1998 to carry out this subtitle.

SUBTITLE —GANG PREVENTION SERVICES FOR BOYS AND GIRLS

SEC. 1. FINDINGS.

The Congress finds that—

(1) services provided through existing federally supported gang prevention programs do not adequately address the needs of boys and girls in communities with high levels of gang activity and other barriers to service (such as large concentrations of minority populations that have limited English speaking proficiency, geographically isolated populations, and communities in which social service providers are limited or nonexistent);

(2) children that are exposed to gang activity at an early age are more likely to become gang-involved than children who are exposed to such activity later in life, or children that are never exposed to such activity;

(3) gangs are increasingly targeting younger children for recruitment, especially children at middle schools and elementary schools;

(4) Federal studies indicate that violent crime has increased more significantly in the gang population compared to the adult population; and

(5) small community-based service agencies with strong ties to the educational and law enforcement systems offer the best chance to prevent young children from becoming involved in gangs.

SEC. 2. PROGRAM AUTHORITY.

The Administrator of the Office of Juvenile Justice and Delinquency Prevention (hereafter referred to as the "Administrator"), in consultation with the Department of Education and the Department of Health and Human Resources, may make grants to eligible service providers to carry out programs that prevent young children from becoming gang involved. In making such grants, the Administrator shall give a priority to eligible service providers that have a proven track record of serving young children and have an overall budget of not more than \$750,000 a fiscal year, prior to receiving a grant under this section.

SEC. 3. PROGRAM REQUIREMENTS.

The eligible service providers receiving a grant under section 2 shall—

(1) provide a comprehensive array of support services to assist the participants to reach their full potential as a contributing law-abiding citizen (such support services may include, but not be limited to: education and health services; career development training; music/art/drama activities; physical fitness training; life skills training; mental health counseling; and job placement counseling);

(2) to the extent practical, involve the parents and other family members of participating children, and the members of local orga-

nizations that support the educational and law enforcement institutions of the community, as is appropriate, in the administration and operation of the gang prevention program;

(3) utilize community resources and related support services as needed in the operation of the program;

(4) accept referrals from public institutions, as is appropriate, such as law enforcement, mental health, local school systems, and other entities of local government; and

(5) utilize volunteer staff, including participants in programs funded under the National and Community Service Program, Public Law 103-62, to the maximum extent practicable in the operation of the program.

SEC. 4. ELIGIBLE PROVIDERS.

Community-based service providers, as defined in the Juvenile Justice and Delinquency Prevention Act of 1974, that have a proven track record of providing services to children ages 5 to 18 shall be eligible to apply for funds under this subtitle. A priority shall be given to those service providers that have a history of providing services uniquely designed to meet the needs of young children such as the Boys and Girls Clubs of America or service providers that display the potential for providing such targeted services.

SEC. 5. ELIGIBLE PARTICIPANTS.

Children that have the potential, because of community composition and other factors, to come into contact with gangs, or who have a family member that has come into contact with a gang, and are not more than 18 years old at the time of entry into the program, shall be eligible to receive services provided by programs receiving assistance under this subtitle.

SEC. 6. APPLICATIONS PROCESS.

Eligible service providers may submit to the Administrator, for approval, an application in such form at such time as the Administrator deems appropriate.

SEC. 7. EVALUATION.

The Administrator shall conduct an evaluation of the effectiveness of the program model grants authorized under this subtitle, and the extent to which it can be replicated by other local communities. The Administrator shall report to the Congress no later than January 1, 1999, on the details of such evaluations.

SEC. 8. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated \$20,000,000 for fiscal year 1995, and such sums as may be necessary for fiscal years 1996, 1997, and 1998 to carry out this subtitle.

SUBTITLE —ANTICRIME YOUTH COUNCILS

SEC. . PURPOSE.

The purpose of this subtitle is to provide for the establishment of youth anticrime councils to give intermediate and secondary school students a structured forum through which to work with community organizations, law enforcement officials, government and media representatives, and school administrators and faculty to address issues regarding youth and violence. The purpose of such councils is to empower local youth and ensure that their recommendations for preventing youth involvement in crime and violence will be heard and possibly incorporated into community anticrime strategies.

SEC. . AUTHORITY TO MAKE GRANTS.

The Administrator of the Office of Juvenile Justice and Delinquency Prevention (in this subtitle referred to as the "Administrator") may make grants to public and nonprofit community-based organizations to establish regional anticrime youth councils each of which is composed of intermediate and secondary school students who represent all the schools in a separate congressional district.

SEC. . APPLICATIONS FOR GRANTS.

To request a grant under section 2, a public and nonprofit community-based organiza-

tions shall submit to the Administrator an application in such form and containing such information as the Administrator may require by rule, including assurances that—

(1) the anticrime youth council with respect to which such grant is requested will be—

(A) selected by a teacher or administrator of an intermediate or secondary school in the congressional district involved, in consultation with teachers and administrators of other intermediate and secondary schools in such district,

(B) composed of not more than 5 students from each of the intermediate and secondary schools in such district, selected as described in paragraph (1) from among individuals who have first-hand knowledge of issues and problems relating to students who attend schools in such district,

(C) supervised by an individual who—

(i) is familiar with issues regarding youth violence,

(ii) has strong ties to the communities in such district and to the organizations with which such council will interact, and

(iii) will be responsible for coordinating the dissemination of information to such council, supervising council meetings, and acting as a liaison between such council and communities in such district, and (D) meet not less frequently than monthly—

(i) to discuss issues of concern, including youth crime, school violence, job creation, and recreation, and

(ii) to develop creative solutions for assisting community organizations, laws enforcement officials, school officials, government officials, and others to address such issues, and

(2) the applicant will submit to the Administrator a report, not later than 180 days after the first year for which such applicant receives a grant under section 2, that—

(A) specifies the number of students and schools involved and represented on such council,

(B) specifies the number of organizations and individuals that council and its subcommittees met with,

(C) specifies the number of grants, policies, and programs submitted to the youth council for review and recommendation,

(D) contains evidence that—

(i) the community has consulted such council and adopted its recommendations, and

(ii) a grant review process has been established within a school system or police department that includes an evaluation by the youth council,

(E) describes the effect that participation on such council has had on the student representatives, (such as improved school attendance and academic performance, and decreased criminal involvement),

(F) describes the effect that participation on such council has had on the participating schools (such as decrease in incidence of school violence),

(G) describes the extent to which other students attended council and subcommittee meetings, and participated as members of the audience in such council's activities,

(H) describes the extent to which family service, youth service, and the education, police health, and judicial departments within such district coordinate anticrime efforts as a result of the recommendations and programs of such council,

(I) describing the extent to which such council raises public awareness and knowledge, via the media, about youth violence and such council's efforts to help prevent it.

SEC. . SECTION OF GRANT RECIPIENTS.

For the purpose of selecting eligible applicants to receive grants under section 2, the Administrator shall take into consideration—

(1) the extent to which all schools in a congressional district are represented on the proposed youth anticrime council,

(2) the extent to which youth crime and violence are an issue of concern in such district,

(3) the extent to which the community is committed to coordinating and meeting with the youth councils, and

(4) the extent to which the students selected to serve on such council are representative of the geographical area and knowledgeable about the issues that such council will consider.

SEC. . AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated \$5,000,000 for fiscal year 1995, and such sums as may be necessary for fiscal years 1996, 1997, and 1998, to carry out this subtitle.

At the end add the following:

TITLE —TRAVELER PROTECTION

SEC. . AUTHORITY TO INVESTIGATE VIOLENT CRIMES AGAINST TRAVELERS

(a) Chapter 33 of title 28, United States Code, is amended by adding at the end the following:

"§540A. Investigation of violent crimes against travelers

"(a) Upon the request of an appropriate law enforcement official of a State or political subdivision, the Attorney General and the Federal Bureau of Investigation may assist in the investigation of a felony crime of violence in violation of the law of any State in which the victim appears to have been selected because he or she is a traveler. In a case in which the traveler is from a foreign nation, the Department of Justice and, where appropriate, the Department of State shall assist the prosecuting and law enforcement officials of a State or political subdivision to the fullest extent possible in securing from abroad such evidence or other information as may be needed for the effective investigation and prosecution of the crime.

"(b) For purpose of this section—

"(1) the term 'felony crime of violence' means an offense punishable by more than one year in prison that has as an element the use, attempted use, or threatened use of physical force against the person of another;

"(2) and for purposes of section 540, the term 'State' means a State of the United States, the District of Columbia, and any commonwealth, territory, or possession of the United States; and

"(3) the term 'traveler' means a person who is not a resident of the State in which the crime of violence occurred."

(b) The chapter analysis for chapter 33 of title 28, United States Code, is amended by adding at the end the following:

"540A. Investigation of violent crimes against travelers."

Page 172, line 15, strike "or".
Page 172, line 17, strike the period and insert "; or".

Page 172, after line 17, insert the following: "(C) job program to prevent crime."

Page 386, after line 16 (at the end of the bill), add the following new title (and amend the table of titles accordingly):

TITLE XXIV—STUDY AND REPORT BY ATTORNEY GENERAL

SEC. 2401. STUDY AND REPORT BY ATTORNEY GENERAL.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this section, the Attorney General shall make a study and submit a report of the results of that study to the Congress. Such study shall—

(1) address how to ease the overcrowding at traditional style prisons by allowing for the processing of new convicts and the housing of non-violent, elderly, and short-term Federal, State, and local inmates in prefabricated, temporary, or portable structures within a secure area; and

(2) determine what legal requirements may exist on the use of such structures for these purposes and suggest legislative measures or other appropriate actions to modify or eliminate those requirements.

(b) ACTION BY THE ATTORNEY GENERAL.—Not later 2 years after the report referred to in subsection (a) is submitted to the Congress, the Attorney General shall implement the actions recommended in the report.

Page 34, line 13, after "(7)" insert "if applicable,".

AMENDMENT OFFERED BY MR. INSLEE

At the appropriate place insert the following new title:

TITLE XXXX—CRIMINAL ALIENS

SECTION XXXI. CONGRESSIONAL FINDINGS.

The Congress makes the following findings:

(1) The Federal Government is responsible for controlling illegal immigration into the United States.

(2) Many States and localities are burdened with the financial costs of housing and processing aliens who are unlawfully within the United States and who are charged with violating criminal statutes.

(3) The Immigration and Naturalization Service is not permitted under current law to accept local and State assistance in its deportation responsibilities.

(4) Many communities with criminal alien populations would like to expedite the deportation of aliens who are charged with violating criminal statutes and who are either unlawfully within the United States or willing to submit to voluntary deportation under safeguard.

SEC. XXX2. AUTHORITY TO ACCEPT CERTAIN ASSISTANCE.

(A) IN GENERAL.—Subject to subsection (b) and notwithstanding any other provision of law, the Attorney General, in the discretion of the Attorney General, is authorized to accept, hold, administer, and utilize gifts of property and services (which may not include cash assistance) for the purpose of assisting the Immigration and Naturalization Service in carrying out the deportation of aliens who are subject to charges for misdemeanor or felony crimes under State or Federal law and who are either unlawfully within the United States or willing to submit to voluntary deportation under safeguard. Any property acquired pursuant to this section shall be acquired in the name of the United States.

(b) LIMITATION.—The Attorney General shall terminate or rescind the excise of the authority under subsection (a) if the Attorney General determines that the exercise of such authority has resulted in discrimination in law enforcement on the basis of race, color, or national origin.

Page 378, line 25, strike "and", in line 4 on page 379 strike the period and insert "; and"; and after line 4 on page 379 insert the following:

"(14) to reduce the incidence of graffiti and to promote graffiti removal, prevention, and education programs.

Page 233, line 7, after the quotation marks insert "victims assistance programs,".

At the end insert the following new title:

TITLE XXIV—IMMIGRATION PROVISIONS

SEC. 2401. EXPEDITED DEPORTATION FOR DENIED ASYLUM APPLICANTS.

(A) The Attorney General may provide for the expeditious adjudication of asylum claims and the expeditious deportation of asylum applications whose applications have been finally denied, unless the applicant remains in an otherwise valid nonimmigrant status.

(b) There are authorized to be appropriated to carry out this section, such sums as are

necessary for each of fiscal year 1994, 1995, 1996, 1997, and 1998.

SEC. 2402. IMPROVING BORDER CONTROLS.

(a) There are authorized to be appropriated such sums as are necessary to increase the Immigration and Naturalization Service's resources for the Border Patrol, the Inspections Program, and the Department Branch to apprehend illegal aliens who attempt clandestine entry into the United States or entry into the United States with fraudulent documents or who remain in the country after their nonimmigrant visas expire.

(b) The Attorney General shall report to the Congress every two years on the programs referred to in subsection (a).

SEC. 2403. EXPANDED SPECIAL DEPORTATION PROCEEDINGS.

(a) Subject to the availability of appropriations, the Attorney General may expand the program authorized by section 242A(d) of the Immigration and Nationality Act to ensure that such aliens are immediately deportable upon their release from incarceration.

(b) There are authorized to be appropriated such sums as necessary to carry out this section for each of fiscal years 1995 through 1998.

(c) The Attorney General shall report to the Congress every two years on the program referred to in subsection (a).

SEC. 2404. CONSTRUCTION OF INS SERVICE PROCESSING CENTERS TO DETAIN CRIMINAL ALIENS.

There are authorized to be appropriated such sums as are necessary in fiscal year 1996 to construct or contract for the construction of 2 Immigration and Naturalization Service Processing Centers to detain criminal aliens.

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

TITLE —COMMISSION ON CRIME AND VIOLENCE.

SEC. . FINDINGS.

The Congress finds that—

(1) there is no more important responsibility of government than the protection of the lives and property of its citizens;

(2) a violent crime occurs every 22 seconds in America;

(3) the Nation's law enforcement personnel and criminal justice system lack the resources they need to fully maintain law and order;

(4) the proliferation of drugs and guns in the last 3 decades has dramatically changed the nature of crime;

(5) it has been 27 years since the Brown Commission redefined the Federal Government's response to crime in America; and

(6) the Nation must commit itself to an energetic, innovative assault on the epidemic of crime in our society, including—

(A) alternative forms of sentencing to guarantee swift and sure punishment of criminals, including the Nation's growing number of youth offenders;

(B) initiatives by the public and private sectors designed to identify and alleviate the causes of criminal behavior; and

(C) an examination of current laws and law enforcement practices to determine where and how resources may be best utilized to fight crime, reduce burdens on courts and jails, and stop recidivism.

SEC. . ESTABLISHMENT OF COMMISSION ON CRIME AND VIOLENCE.

(a) ESTABLISHMENT.—There is established a commission to be known as the "National Commission on Crime and Violence in America" (referred to as the "Commission").

(b) MEMBERSHIP.—

(1) IN GENERAL.—The Commission shall be composed of 22 members, of whom—

(A) 6 shall be appointed by the President;

(B) 8 shall be appointed by the Speaker of the House of Representatives, of whom 2 shall be appointed on the recommendation of the minority leader; and

(C) 8 shall be appointed by the President pro tempore of the Senate, of whom 6 shall be appointed on the recommendation of the majority leader and 2 shall be appointed on the recommendation of the minority leader.

(2) GOALS IN MAKING APPOINTMENTS.—In appointing members of the Commission, the President, Speaker, President pro tempore, and the majority and minority leaders shall seek to ensure that—

(A) the membership of the Commission reflects the racial, ethnic, and gender diversity of the United States; and

(B) members are specially qualified to serve on the Commission by reason of their education, training, expertise, or experience in—

(i) sociology;

(ii) psychology;

(iii) law;

(iv) law enforcement;

(v) social work; and

(vi) ethnography and urban poverty, including health care, housing, education, and employment.

(3) DEADLINE.—Members of the Commission shall be appointed within 60 days after the date of enactment of this Act.

(4) TERM.—Members shall serve on the Commission through the date of its termination under section 8.

(5) MEETINGS.—The Commission—

(A) shall have its headquarters in the District of Columbia; and

(B) shall meet at least once each month for a business session.

(6) QUORUM.—Twelve members of the Commission shall constitute a quorum, but a lesser number may hold hearings.

(7) CHAIRPERSON AND VICE CHAIRPERSON.—Not later than 15 days after the members of the Commission are appointed, the members shall designate a Chairperson and Vice Chairperson of the Commission.

(8) VACANCIES.—A vacancy in the Commission shall be filled not later than 30 days after the Commission is informed of the vacancy in the manner in which the original appointment was made.

(9) COMPENSATION.—

(A) NO PAY, ALLOWANCE, OR BENEFIT.—Members of the Commission shall receive no pay, allowances, or benefits by reason of their service on the Commission.

(B) TRAVEL EXPENSES.—A member of the Commission shall receive travel expenses, including per diem in lieu of subsistence, in accordance with sections 5702 and 5703 of title 5, United States Code.

SEC. . DUTIES.

The Commission shall—

(1) review the effectiveness of traditional criminal justice approaches in preventing and controlling crime and violence;

(2) examine the impact that changes to Federal and State law have had in controlling crime and violence;

(3) examine the impact of changes in Federal immigration laws and policies and increased development and growth along United States international borders on crime and violence in the United States, particularly among our Nation's youth;

(4) examine the problem of youth gangs and provide recommendations on how to reduce youth involvement in violent crime;

(5) examine the extent to which assault weapons and high power firearms have contributed to violence and murder in the United States;

(6) convene hearings in various parts of the country to receive testimony from a cross section of criminal justice professionals, business leaders, elected officials, medical doctors, and other citizens that wish to participate;

(7) review all segments of the criminal justice system, including the law enforcement,

prosecution, defense, judicial, corrections components, in developing the crime control and antiviolen plan;

(8) develop a comprehensive and effective crime control and antiviolen plan that will serve as a blueprint for action in the 1990's;

(9) bring attention to successful models and programs in crime prevention, crime control, and antiviolen;

(10) reach out beyond the traditional criminal justice community for ideas when developing the comprehensive crime control and antiviolen plan;

(11) recommend improvements in the coordination of Federal, State, local, and international border crime control efforts;

(12) make a comprehensive study of the economic and social factors leading to or contributing to crime and violence and specific proposals for legislative and administrative actions to reduce crime and violence and the elements that contribute to crime and violence; and

(13) recommend means of allocating finite correctional facility space and resources to the most serious and violent offenders, with the goal of achieving the most cost-effective crime control and protection of the community and public safety, after—

(A) examining the issue of disproportionate incarceration rates among black males and any other minority group disproportionately represented in Federal and State correctional populations; and

(B) considering increased use of alternatives to incarceration that offer a reasonable prospect of equal or better crime control at equal or less cost than incarceration.

SEC. . STAFF AND SUPPORT SERVICES.

(a) DIRECTOR.—

(1) APPOINTMENT.—After consultation with the members of the Commission, the Chairperson shall appoint a director of the Commission (referred to as the "Director").

(2) COMPENSATION.—The Director shall be paid at a rate not to exceed the rate of basic pay for level V of the Executive Schedule.

(b) STAFF.—With the approval of the Commission, the Director may appoint such personnel as the Director considers to be appropriate.

(c) CIVIL SERVICE LAWS.—The staff of the Commission shall be appointed without regard to the provisions of title 5, United States Code, governing appointments in the competitive service and shall be paid without regard to the provisions of chapter 51 and subchapter III of chapter 53 of that title relating to classification and General Schedule pay rates.

(d) EXPERTS AND CONSULTANTS.—With the approval of the Commission, the Director may procure temporary and intermittent services under section 3109(b) of title 5, United States Code.

(e) STAFF OF FEDERAL AGENCIES.—Upon the request of the Commission, the head of any Federal agency may detail, on a reimbursable basis, personnel of that agency to the Commission to assist in carrying out its duties.

(f) PHYSICAL FACILITIES.—The Administrator of the General Services Administration shall provide suitable office space for the operation of the Commission. The facilities shall serve as the headquarters of the Commission and shall include all necessary equipment and incidentals required for proper functioning.

SEC. . POWERS.

(a) HEARINGS.—The Commission may conduct public hearings or forums at its discretion, at any time and place it is able to secure facilities and witnesses, for the purpose of carrying out its duties.

(b) DELEGATION OF AUTHORITY.—Any member or agent of the Commission may, if authorized by the Commission, take any action

that the Commission is authorized to take by this section.

(c) INFORMATION.—The Commission may secure from any Federal agency or entity in the executive or legislative branch such materials, resources, statistical data, and other information as is necessary to enable it to carry out this Act. Upon request of the Chairperson or Vice Chairperson of the Commission, the head of a Federal agency or entity shall furnish the information to the Commission to the extent permitted by law.

(d) GIFTS, BEQUESTS, AND DEVICES.—The Commission may accept, use, and dispose of gifts, bequests, or devises of services or property, both real and personal, for the purpose of aiding or facilitating the work of the Commission. Gifts, bequests, or devises of money and proceeds from sales of other property received as gifts, bequests, or devises shall be deposited in the Treasury and shall be available for disbursement upon order of the Commission.

(e) MAILS.—The Commission may use the United States mails in the same manner and under the same conditions as other Federal agencies.

SEC. . REPORTS.

(a) MONTHLY REPORTS.—The Commission shall submit monthly activity reports to the President and the Congress.

(b) INTERIM REPORT.—Not later than 1 year before the date of its termination, the Commission shall submit an interim report to the President and the Congress containing—

(1) a detailed statement of the findings and conclusions of the Commission;

(2) recommendations for legislative and administrative action based on the Commission's activities to date;

(3) an estimation of the costs of implementing the recommendations made by the Commission; and

(4) a strategy for disseminating the report to Federal, State, and local authorities.

(c) FINAL REPORT.—Not later than the date of its termination, the Commission shall submit to the Congress and the President a final report with a detailed statement of final findings, conclusions, recommendations, and estimation of costs and an assessment of the extent to which recommendations included in the interim report under subsection (b) have been implemented.

(d) PRINTING AND PUBLIC DISTRIBUTION.—Upon receipt of each report of the Commission under this section, the President shall—

(1) order the report to be printed; and

(2) make the report available to the public.

SEC. . TERMINATION.

The Commission shall terminate on the date that is 2 years after the date on which members of the Commission have met and designated a Chairperson and Vice Chairperson.

Page 115, line 13, after "Secretary of Agriculture" insert "Secretary of the Interior."

At page 386, after line 16, add the following new title:

TITLE XXIV—MISCELLANEOUS

SEC. 24 . EDWARD BYRNE MEMORIAL FORMULA GRANT PROGRAM.

Nothing in this Act shall be construed to prohibit or exclude the expenditure of appropriations to grant recipients who would have been or are eligible to receive grants under subpart 1 of part E of the Omnibus Crime Control and Safe Streets Act of 1968.

Page 233, after line 8, insert the following new subtitle:

Subtitle L—Urban Recreation and At-Risk Youth

SEC. 1099. FINDINGS.

Section 1002 of the Urban Park and Recreation Recovery Act of 1978 is amended by striking "and" at the end of subsection (d), by striking the period at the end of sub-

section (e) and inserting "; and" and by adding the following at the end thereof:

"(f) the quality of life in urban areas has suffered because of decline in the availability of park and recreation systems, including land, facilities, and services;

"(g) the deterioration of urban park and recreation facilities is due in part to the underfunding of Federal grant programs intended to assist in the revitalization of urban recreation facilities and allow us to take back our parks from crime, vandalism, and dilapidation;

"(h) the urban neighborhoods eligible for assistance under this title have deteriorated, in part, due to the rapid increase in violent crime among youth;

"(i) accessible, well-maintained recreational facilities and services have been shown to significantly decrease the incidence of violent crime among youth and can be an effective tool in efforts to prevent crime, increase public safety and improve the quality of life of urban residents; and

"(j) urban sport and recreation programs teach important values and life skills including teamwork, individual responsibility, respect, leadership, and self-esteem which help prevent young people from engaging in criminal behavior."

SEC. 1099A. PURPOSE OF ASSISTANCE.

Section 1003 of the Urban Park and Recreation Recovery Act of 1978 is amended by adding the following at the end thereof: "It is further the purpose of this title to improve recreation facilities and expand recreation services in urban areas with a high incidence of crime and to help deter crime through the expansion of recreation opportunities for at-risk youth. It is the further purpose of this section to increase the security of urban parks and to promote collaboration between local agencies involved in parks and recreation, law enforcement, youth social services, and the juvenile justice system."

SEC. 1099B. DEFINITIONS.

Section 1004 of the Urban Park and Recreation Recovery Act of 1978 is amended by inserting the following new subsection after subsection (c) and by redesignating subsections (d) through (j) as (e) through (k) respectively:

"(d) 'at-risk youth recreation grants' means—

"(1) rehabilitation grants,

"(2) innovation grants, or

"(3) matching grants for continuing program support for programs of demonstrated value or success in providing constructive alternatives to youth at risk for engaging in criminal behavior, including grants for operating, or coordinating recreation programs and services;

in neighborhoods and communities with a high prevalence of crime, particularly violent crime or crime committed by youthful offenders, in addition to the purposes specified in subsection (b), rehabilitation grants referred to in paragraph (1) of this subsection may be used for the provision of lighting, emergency phones or other capital improvements which will improve the security of urban parks;"

SEC. 1099C. CRITERIA FOR SELECTION.

Section 1005 of the Urban Park and Recreation Recovery Act of 1978 is amended by striking "and" at the end of paragraph (6), by striking the period at the end of paragraph (7) and inserting "; and" and by adding the following at the end thereof:

"(8) in the case of at-risk youth recreation grants, the Secretary shall give a priority to each of the following criteria:

"(A) Programs which are targeted to youth who are at the greatest risk of becoming involved in violence and crime,

"(B) Programs which teach important values and life skills, including teamwork, respect, leadership, and self-esteem.

"(C) Programs which offer tutoring, remedial education, mentoring, and counseling in addition to recreation opportunities;

"(D) Programs which offer services during late night or other nonschool hours.

"(E) Programs which demonstrate collaboration between local park and recreation, juvenile justice, law enforcement, and youth social service agencies and nongovernmental entities, including the private sector and community and nonprofit organizations.

"(F) Programs which leverage public or private recreation investments in the form of services, materials, or cash.

"(G) Programs which show the greatest potential of being continued with non-Federal funds or which can serve as models for other communities."

SEC. 1099D. PARK AND RECREATION ACTION RECOVERY PROGRAMS.

Section 1007(b) of the Urban Park and Recreation Recovery Act of 1978 is amended by adding the following at the end thereof:

"In order to be eligible to receive 'at-risk youth recreation grants' a local government shall amend its 5-year action program to incorporate the goal of reducing crime and juvenile delinquency and to provide a description of the implementation strategies to achieve this goal. The plan shall also address how the local government is coordinating its recreation programs with crime prevention efforts of law enforcement, juvenile corrections, and youth social service agencies."

SEC. 1099E. MISCELLANEOUS AND TECHNICAL AMENDMENTS.

(a) PROGRAM SUPPORT.—Section 1013 of the Urban Park and Recreation Recovery Act of 1978 is amended by inserting "(a) IN GENERAL.—" after "1013" and by adding the following new subsection at the end thereof:

"(b) PROGRAM SUPPORT.—Not more than 25 percent of the amounts made available under this title to any local government may be used for program support."

(b) EXTENSION.—Section 1003 of the Urban Park and Recreation Recovery 1978 is amended by striking "for a period of five years" and by striking "short-term".

Add at the appropriate place in the bill the following:

SEC. . FUNDING FOR RURAL AREAS.

It is the sense of Congress that—

(1) the Attorney General should ensure that funding for programs in this Act is distributed such that rural areas continue to receive comparable support for their broad-based crime fighting initiatives;

(2) rural communities should not receive less funding than they receive in fiscal year 1994 for anti-crime initiatives as a result of any legislative or administrative actions; and

(3) to the maximum extent possible, funding for the Edward Byrne Memorial State and Local Law Enforcement Assistance Program should be maintained at its fiscal year 1994 level.

Page 33, line 18, after "includes" insert "appropriate professional training for corrections officers in dealing with violent repeat offenders."

Page 34, after line 16, insert the following:

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

Page 34, line 17, strike "(c)" and insert "(d)".

Page 117, line 23, strike "Resources" and insert "Services".

Page 134, line 21, strike "or" the second place it appears and insert "a".

Page 154, line 18, strike "of" and insert "to".

Page 165, beginning in line 13, strike "sections 1065 and" and insert "section".

Page 166, line 23, strike "or Triad program".

Page 167, line 12, strike "Triad".

Page 167, line 20, strike "Triad endeavors" and insert "the program".

Page 167, line 24, strike "Triad" and insert "program's".

Page 169, line 4, strike "Triad".

Page 170, line 24, strike "Triad".

Page 221, line 10, insert "Youth" before "Employment".

Page 222, line 18, strike "youth age 14 to 15" and insert "youths of age 14 or 15".

Page 225, line 15, strike "youth" and insert "young".

Page 226, line 10, strike "youth" and insert "youths".

Page 226, line 16, strike "youth" and insert "youths".

At the end of the bill, insert the following new title:

TITLE —RURAL CRIME

Subtitle A—Drug Trafficking in Rural Areas

SEC. . AUTHORIZATIONS FOR RURAL LAW ENFORCEMENT AGENCIES.

(a) AUTHORIZATION OF APPROPRIATIONS.—Section 1001(a)(9) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 is amended to read as follows:

"(9) There are authorized to be appropriated to carry out part O \$50,000,000 for each of fiscal years 1994, 1995, 1996, 1997, and 1998."

(b) AMENDMENT TO BASE ALLOCATION.—Section 1501(a)(2)(A) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 is amended by striking "\$100,000" and insert "\$250,000".

SEC. . RURAL CRIME AND DRUG ENFORCEMENT TASK FORCES.

(a) ESTABLISHMENT.—Not later than 90 days after the date of enactment of this Act, the Attorney General, in consultation with the Governors, mayors, and chief executive officers of State and local law enforcement agencies, shall establish a Rural Crime and Drug Enforcement Task Force in each of the Federal judicial districts which encompass significant rural lands. Assets seized as a result of investigations initiated by a Rural Drug Enforcement Task Force shall be used primarily to enhance the operations of the task force and its participating State and local law enforcement agencies.

(b) TASK FORCE MEMBERSHIP.—The task forces established under subsection (a) shall be chaired by the United States Attorney for the respective Federal judicial district. The task forces shall include representatives from—

- (1) State and local law enforcement agencies;
- (2) the Drug Enforcement Administration;
- (3) the Federal Bureau of Investigation;
- (4) the Immigration and Naturalization Service;
- (5) the Customs Service;
- (6) the United States Marshals Service; and
- (7) law enforcement officers from the United States Park Police, United States Forest Service and Bureau of Land Management, and such other Federal law enforcement agencies as the Attorney General may direct.

SEC. . CROSS-DESIGNATION OF FEDERAL OFFICERS.

(a) IN GENERAL.—The Attorney General may cross-designate up to 100 law enforcement officers from each of the agencies specified under section 1502(b)(6) of the Omnibus Crime Control and Safe Streets Act of 1968 with jurisdiction to enforce the provisions of the Controlled Substances Act on non-Federal lands and title 18 of the United States Code to the extent necessary to effect the purposes of this Act.

(b) ADEQUATE STAFFING.—The Attorney General shall, subject to the availability of

appropriations, ensure that each of the task forces established in accordance with this title are adequately staffed with investigators and that additional investigators are provided when requested by the task force.

SEC. . RURAL DRUG ENFORCEMENT TRAINING.

(a) SPECIALIZED TRAINING FOR RURAL OFFICERS.—The Director of the Federal Law Enforcement Training Center shall develop a specialized course of instruction developed to training law enforcement officers from rural agencies in the investigation of drug trafficking and related crimes.

(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out subsection (a) \$1,000,000 for each of fiscal years 1994, 1995, 1996, 1997, and 1998.

SEC. . MORE AGENTS FOR THE DRUG ENFORCEMENT ADMINISTRATION.

There are authorized to be appropriated for the hiring of additional Drug Enforcement Administration agents \$20,000,000 for each of fiscal years 1994, 1995, 1996, 1997, and 1998.

Subtitle B—Drug Free Truck Stops and Safety Rest Areas

SEC. . DRUG FREE TRUCK STOPS AND SAFETY REST AREAS.

(a) SHORT TITLE.—This section may be cited as the "Drug Free Truck Stop Act".

(b) AMENDMENT TO CONTROLLED SUBSTANCES ACT.—

(1) IN GENERAL.—Part D of the Controlled Substances Act (21 U.S.C. 801 et seq.) is amended by inserting after section 408 the following new section:

"TRANSPORTATION SAFETY OFFENSES

"SEC. 409. (a) DEFINITIONS.—In this section—

"safety rest area" means a roadside facility with parking facilities for the rest or other needs of motorists.

"truck stop" means a facility (including any parking lot appurtenant thereto) that—

(A) has the capacity to provide fuel or service, or both, to any commercial motor vehicle (as defined under section 12019 of the Commercial Motor Vehicle Safety Act of 1986 (49 U.S.C. App. 2716)) operating in commerce (as defined in that section); and

(B) is located within 2,500 feet of the National System of Interstate and Defense Highways or the Federal-Aid Primary System.

(b) FIRST OFFENSE.—A person who violates section 401(a)(1) or section 416 by distributing or possessing with intent to distribute a controlled substance in or on, or within 1,000 feet of, a truck stop or safety rest area is (except as provided in subsection (b)) subject to—

(1) twice the maximum punishment authorized by section 401(b); and

(2) twice any term of supervised release authorized by section 401(b) for a first offense.

(c) SUBSEQUENT OFFENSE.—A person who violates section 401(a)(1) or section 416 by distributing or possessing with intent to distribute a controlled substance in or on, or within 1,000 feet of, a truck stop or a safety rest area after a prior conviction or convictions under subsection (a) have become final is subject to—

(1) 3 times the maximum punishment authorized by section 401(b); and

(2) 3 times any term of supervised release authorized by section 401(b) for a first offense."

(2) TECHNICAL AMENDMENTS.—

(A) CROSS REFERENCE.—Section 401(b) of the Controlled Substances Act (21 U.S.C. 841(b)) is amended by inserting "409," before "418," each place it appears.

(B) TABLE OF CONTENTS.—The table of contents of the Comprehensive Drug Abuse Prevention and Control Act of 1970 is amended by striking the item relating to section 409 and inserting the following new item:

"Sec. 409. Transportation safety offenses."

(c) SENTENCING GUIDELINES.—Pursuant to its authority under section 994 of title 28, United States Code, and section 21 of the Sentencing Act of 1987 (28 U.S.C. 994 note), the United States Sentencing Commission shall promulgate guidelines, or shall amend existing guidelines, to provide an appropriate enhancement of punishment for a defendant convicted of violating section 409 of the Controlled Substances Act, as added by subsection (b).

Subtitle C—Rural Domestic Violence and Child Abuse Enforcement

SEC. . RURAL DOMESTIC VIOLENCE AND CHILD ABUSE ENFORCEMENT ASSISTANCE.

(a) GRANTS.—The Attorney General may make grants to units of State and local governments of rural States, and to other public or private entities of rural States—

(1) to implement, expand, and establish cooperative efforts and projects between law enforcement officers, prosecutors, victim advocacy groups, and other related parties to investigate and prosecute incidents of domestic violence and child abuse;

(2) to provide treatment and counseling to victims of domestic violence and child abuse; and

(3) to work in cooperation with the community to develop education and prevention strategies directed toward such issues.

(b) DEFINITION.—In this section, "rural State" has the meaning stated in section 1501(b) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796bb(B)).

(c) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There is authorized to be appropriated to carry out this section \$10,000,000 for each of fiscal years 1995, 1996, and 1997.

(2) ADDITIONAL FUNDING.—In addition to funds received under a grant under subsection (a), a law enforcement agency may use funds received under a grant under section 103 to accomplish the objectives of this section.

Add at the end of title X the following:

TITLE —BOYS AND GIRLS CLUBS IN PUBLIC HOUSING

SEC. 1. ESTABLISHMENT.

The Secretary for Housing and Urban Development, in consultation with the Attorney General, shall enter into contracts with the Boys and Girls Clubs of America, a national nonprofit youth organization to establish Boys and Girls Clubs in public housing.

SEC. 2. REPORT.

By May 1 of each fiscal year for which funds for this section are provided, the Secretary of Housing and Urban Development shall submit a report to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Banking, Finance and Urban Affairs of the House of Representatives that details the progress of establishing boys and girls clubs in public housing and the effectiveness of the programs in reducing drug abuse and gang violence.

SEC. 3. AUTHORIZATION OF APPROPRIATION.

There are authorized to be appropriated the following sums to carry out this section—

- (1) \$12,000,000 for fiscal year 1995;
- (2) 12,000,000 for fiscal year 1996; and
- (3) 12,000,000 for fiscal year 1997.

At the end, add the following:

TITLE —PENALTIES FOR TRAFFICKING IN COUNTERFEIT GOODS AND SERVICES

SEC. . PENALTIES FOR TRAFFICKING IN COUNTERFEIT GOODS AND SERVICES.

Section 2320(a) of title 18, United States Code, is amended—

(1) in the first sentence—

(A) by striking "\$250,000 or imprisoned not more than five years" and inserting

“\$2,000,000 or imprisoned not more than 10 years”; and

(B) by striking “\$1,000,000” and inserting “\$5,000,000”;

(2) in the second sentence—

(A) by striking “\$1,000,000 or imprisoned not more than fifteen years” and inserting “\$5,000,000 or imprisoned not more than 20 years”; and

(B) by striking “\$5,000,000” and inserting “\$15,000,000”;

At the end of the bill add the following:

TITLE —MILITARY MEDALS AND DECORATIONS

SEC.

That section 704 of title 18, United States Code, is amended—

(1) by inserting “(a)” before “Whoever”;

(2) by striking “not more than \$250” and inserting “under this title”; and

(3) by adding at the end the following:

“(b)(1) If the decoration or medal involved in an offense under subsection (a) of this section is a Congressional Medal of Honor, in lieu of the punishment provided in such subsection the offender shall be fined under this title or imprisoned not more than one year, or both.

“(2) As used in subsection (a) of this section with respect to a Congressional Medal of Honor, the term ‘sells’ includes trades, barbers, or exchanges for anything of value.

“(3) As used in this subsection, the term ‘Congressional Medal of Honor’ is a medal awarded under section 3741 of title 10.”

At the end of title 10, insert the following:

Subtitle —Community-Based Justice Grants for Local Prosecutors

SEC. . GRANT AUTHORIZATION.

The Attorney General may make grants to local prosecutors for the purpose of supporting the creation or expansion of community-based justice programs.

SEC. . USE OF FUNDS.

Grants made by the Attorney General under this section shall be used—

(1) to fund programs that require the cooperation and coordination of prosecutors, school officials, police, probation officers, youth and social service professionals, and community members in the effort to reduce the incidence of, and increase the successful identification and speed of prosecution of, young violent offenders;

(2) to fund programs in which prosecutors focus on the offender, not simply the specific offense, and impose individualized sanctions, designed to deter that offender from further antisocial conduct, and impose increasingly serious sanctions on a young offender who continues to commit offenses; and

(3) to fund programs that coordinate criminal justice resources with educational, social service, and community resources to develop and deliver violence prevention programs, including mediation and other conflict resolution methods, treatment, counselling, educational, and recreational programs that create alternatives to criminal activity.

SEC. APPLICATIONS.

(a) ELIGIBILITY.—In order to be eligible to receive a grant under this part for any fiscal year, a local prosecutor, in conjunction with the mayor from the jurisdiction in which the program will be placed, shall submit an application to the Attorney General in such form and containing such information as the Attorney General may reasonably require.

(b) REQUIREMENTS.—Each applicant shall include—

(1) a request for funds for the purposes described in section ;

(2) a description of the communities to be served by the grant, including the nature of the youth crime and violence problems within such communities;

(3) assurances that Federal funds received under this part shall be used to supplement,

not supplant, non-Federal funds that would otherwise be available for activities funded under this section; and

(4) statistical information in such form and containing such information that the Attorney General may require.

(c) COMPREHENSIVE PLAN.—Each applicant shall include a comprehensive plan that shall contain—

(1) a description of the youth violent crime problem;

(2) an action plan outlining how the applicant will achieve the purposes as described in section 1;

(3) a description of the resources available in the community to implement the plan together with a description of the gaps in the plan that cannot be filled with existing resources; and

(4) a description of how the requested grant will be used to fill gaps.

SEC. . ALLOCATION OF FUNDS; LIMITATIONS ON GRANTS.

(a) ADMINISTRATIVE COST LIMITATION.—The Attorney General shall use not more than 5 percent of the funds available under this program for the purposes of administration and technical assistance.

(b) RENEWAL OF GRANTS.—A grant under this part may be renewed for up to 2 additional years after the first fiscal year during which the recipient receives its initial grant under this part, subject to the availability of funds, if—

(1) the Attorney General determines that the funds made available to the recipient during the previous year were used in a manner required under the approved application; and

(2) the Attorney General determines that an additional grant is necessary to implement the community prosecution program described in the comprehensive plan required by section 2.

SEC. . AWARD OF GRANTS.

The Attorney General shall consider the following factors in awarding grants:

(1) Demonstrated need and evidence of the ability to provide the services described in the plan required under section .

(2) The Attorney General shall attempt, to the extent practicable, to achieve an equitable geographic distribution of grant awards.

SEC. . REPORTS.

(a) REPORT TO ATTORNEY GENERAL.—Local prosecutors that receive funds under this shall submit to the Attorney General a report not later than March 1 of each year that describes progress achieved in carrying out the plan described under section 2(c).

(b) REPORT TO CONGRESS.—The Attorney General shall submit to the Congress a report by October 1 of each year in which grants are made available under this which shall contain a detailed statement regarding grant awards, activities of grant recipients, a compilation of statistical information submitted by applicants, and an evaluation of programs established under this .

SEC. . AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated \$20,000,000 for each of the fiscal years 1995 through 1999 to carry out the purposes of this .

SEC. . DEFINITIONS.

The term “young violent offender” means individuals, ages 7-22, who have committed crimes of violence, weapons offenses, drug distribution, hate crimes and civil rights violations, and offenses against personal property of another.

At the end of the bill add the following (and make such technical and conforming changes as may be necessary):

TITLE XXIV—AGE DISCRIMINATION IN EMPLOYMENT

SEC. 2401. REENACTMENT OF SUBSECTION WITH AN AMENDMENT.

(A) REENACTMENT.—Section 4(j) of the Age Discrimination in Employment Act of 1967 (29 U.S.C. 623(j)) as in effect immediately before December 31, 1993, is hereby reenacted.

(b) AMENDMENT.—Section 4(j) of the Age Discrimination in Employment Act of 1967 (29 U.S.C. 623(j)), as reenacted by subsection (a) of this section, is amended by striking “attained the age” and all that follows through “1983, and”, and inserting the following:

“attained—

“(A) the age of hiring or retirement in effect under applicable State or local law on March 3, 1983; or

“(B) if the age of retirement was not in effect under applicable State or local law on March 3, 1983, 55 years of age; and”.

(c) RETROACTIVITY.—Subsections (a) and (b) shall take effect immediately after the operation of section 3(b) of the Age Discrimination in Employment Amendments of 1986 (Public Law 99-592; 29 U.S.C. 523 note).

SEC. 2402. STUDY AND GUIDELINES FOR PERFORMANCE TESTS.

(a) STUDY.—Not later than 3 years after the date of enactment of this Act, the Chairman of the Equal Employment Opportunity Commission (in this section referred to as “the Chairman”) shall conduct, directly or by contract, a study that will include—

(1) a list and description of all tests available for the assessment of abilities important for completion of public safety tasks performed by law enforcement officers and firefighters,

(2) a list of such public safety tasks for which adequate tests do not exist,

(3) a description of the technical characteristics that performance tests must meet to be compatible with applicable Federal civil rights Acts and policies,

(4) a description of the alternative methods available for determining minimally acceptable performance standards on the tests described in paragraph (1),

(5) a description of the administrative standards that should be met in the administration, scoring, and score interpretation of the tests described in paragraph (1), and

(6) an examination of the extent to which the tests described in paragraph (1) are cost effective, safe, and comply with Federal civil rights Acts and regulations.

(b) ADVISORY GUIDELINES.—Not later than 4 years after the date of enactment of this Act, the Chairman shall develop and issue, based on the results of the study required by subsection (a), advisory guidelines for the administration and use of physical and mental fitness tests to measure the ability and competency of law enforcement officers and firefighters to perform the requirements of their jobs.

(c) CONSULTATION REQUIREMENT; OPPORTUNITY FOR PUBLIC COMMENT.—(1) The Chairman shall, during the conduct of the study required by subsection (a), consult with—

(A) the United States Fire Administration,

(B) the Federal Emergency Management Agency,

(C) organizations that represent law enforcement officers, firefighters, and their employers, and

(D) organizations that represent older individuals.

(2) Before issuing the advisory guidelines required in subsection (b), the Chairman shall allow for public comment on the proposed guidelines.

(d) DEVELOPMENT OF STANDARDS FOR WELLNESS PROGRAMS.—Not later than 2 years after the date of the enactment of this Act, the Chairman shall propose advisory

standards for wellness programs for law enforcement officers and firefighters.

(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$5,000,000.

Page 34, line 12, strike “; and” and insert a semicolon, in line 16 strike the period and insert a semicolon, and after line 16 insert the following:

(8) assurances that the State or States have implemented, or will implement within 18 months after the date of the enactment of this Act, policies to determine the veteran status of inmates and to ensure that incarcerated veterans receive the veterans benefits to which they are entitled.

Page 233, after line 8, insert the following:

SEC. . EXTENSION OF BYRNE GRANT FUNDING.

There are authorized to be appropriated such sums as may be necessary for each of the fiscal years 1995, 1996, 1997, 1998, and 1999, to carry out the programs under parts D and E of title I of the Omnibus Crime Control and Safe Streets Act of 1968.

Page 233, after line 8, add the following:

SEC. . BENEFITS FOR CHAPLAINS.

(a) IN GENERAL.—Section 1204 of the Omnibus Crime Control and Safe Streets Act of 1968 is amended—

(1) by redesignating paragraphs (2) through (7) as (3) through (8), respectively;

(2) by inserting after paragraph (1) the following:

“(2) chaplain means any individual serving as an officially recognized or designated member of a legally organized volunteer fire department or legally organized police department, or an officially recognized or designated public employee of a legally organized fire or police department who was responding to a fire, rescue, or police emergency.”; and

(3) in paragraph (8), as redesignated by paragraph (1) of this Act, by striking “or rescue squad or ambulance crew” and inserting “rescue squad or ambulance crew, or chaplain”.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the date of enactment of this Act and shall apply to injuries or deaths that occur in the line of duty on or after such date.

At the end of title VII, add the following:

SEC. . KIDNAPPING.

Section 1201(g)(1) of title 18, United States Code, is amended by inserting “to the penalty of death if the death of the victim results and, in any other case,” after “shall be subject”.

Page 46, after line 21, insert the following:

“(d) AGGRAVATING FACTORS FOR DRUG OFFENSE DEATH PENALTY.—In determining whether to recommend a sentence of death for an offense described in paragraph (3), (4), or (5) of section 3591, the jury, or if there is no jury, the court, shall consider any aggravating factor for which notice has been provided under section 3593 of this title, including the following factors:

“(1) PREVIOUS CONVICTION OF OFFENSE FOR WHICH A SENTENCE OF DEATH OR LIFE IMPRISONMENT WAS AUTHORIZED.—The defendant has previously been convicted of another Federal or State offense resulting in the death of a person, for which a sentence of life imprisonment or death was authorized by statute.

“(2) PREVIOUS CONVICTION OF OTHER SERIOUS OFFENSES.—The defendant has previously been convicted of two or more Federal or State offenses, each punishable by a term of imprisonment of more than one year, committed on different occasions, involving the importation, manufacture, or distribution of a controlled substance (as defined in section 102 of the Controlled Substances Act (21 U.S.C. 802)) or the infliction of, or attempted infliction of, serious bodily injury or death upon another person.

“(3) PREVIOUS SERIOUS DRUG FELONY CONVICTION.—The defendant has previously been convicted of another Federal or State offense involving the manufacture, distribution, importation, or possession of a controlled substance (as defined in section 102 of the Controlled Substances Act (21 U.S.C. 802)) for which a sentence of five or more years of imprisonment was authorized by statute.

“(4) USE OF FIREARM.—In committing the offense, or in furtherance of a continuing criminal enterprise of which the offense was a part, the defendant used a firearm or knowingly directed, advised, authorized, or assisted another to use a firearm, as defined in section 921 of this title, to threaten, intimidate, assault, or injure a person.

“(5) DISTRIBUTION TO PERSONS UNDER TWENTY-ONE.—The offense, or a continuing criminal enterprise of which the offense was a part, involved conduct proscribed by section 418 of the Controlled Substances Act which was committed directly by the defendant or for which the defendant would be liable under section 2 of this title.

“(6) DISTRIBUTION NEAR SCHOOLS.—The offense, or a continuing criminal enterprise of which the offense was a part, involved conduct proscribed by section 419 of the Controlled Substances Act which was committed directly by the defendant or for which the defendant would be liable under section 2 of this title.

“(7) USING MINORS IN TRAFFICKING.—The offense or a continuing criminal enterprise of which the offense was a part, involved conduct proscribed by section 420 of the Controlled Substances Act which was committed directly by the defendant or for which the defendant would be liable under section 2 of this title.

“(8) LETHAL ADULTERANT.—The offense involved the importation, manufacture, or distribution of a controlled substance (as defined in section 102 of the Controlled Substances Act (21 U.S.C. 802)), mixed with a potentially lethal adulterant, and the defendant was aware of the presence of the adulterant.

Page 51, line 7, strike “, in the case” and all that follows through “the jury” in line 14, and insert “an aggravating factor required to be considered under section 3592 is found to exist, the jury”.

Page 48, strike line 1 through line 2.

Page 51, strike line 14 and all that follows through line 3 on page 52 and insert the following:

the jury, or if there is no jury, the court, shall then consider whether the aggravating factor or factors found to exist outweigh any mitigating factors. The jury, or if there is no jury, the court shall recommend a sentence of death if it unanimously finds at least one aggravating factor and no mitigating factor or if it finds one or more aggravating factors which outweigh any mitigating factors. In any other case, it shall not recommend a sentence of death. The jury shall be instructed that it must avoid any influence of sympathy, sentiment, passion, prejudice, or other arbitrary factors in its decision, and should make such a recommendation as the information warrants. The jury shall be instructed that its recommendation concerning a sentence of death is to be based on the aggravating factor or factors and any mitigating factors which have been found, but that the final decision concerning the balance of aggravating and mitigating factors is a matter for the jury’s judgment.

Page 53, beginning in line 3, strike “or life imprisonment without possibility of release”.

Page 91, strike line 15 and all that follows through line 16 on page 106.

Page 24, line 23, strike “Violent Felons” and insert “Criminals”.

Page 25, line 4, insert “or a serious drug offense” after “serious violent felony”.

Page 25, line 9, strike “of—” and all that follows through “drug offenses” in line 12 and insert “serious violent felonies or serious drug offenses, or any combination of such felonies and offenses.”.

Page 27, line 22, after “2111” insert “, 2113, or 2118”.

Page 29, strike lines 14 and 15 and insert the following:

“(i) no firearm or other dangerous weapon was used in the offense and no threat of use of a firearm or other dangerous weapon was involved in the offense; and

Add at the appropriate place the following:

TITLE —TRUTH IN SENTENCING

SEC. . GRANTS.

The Attorney General is authorized to provide grants to States to build, expand, or operate space in correctional facilities in order to increase the prison bed capacity in such facilities in order to reach the goals set forth in section

SEC. . FEDERAL FUNDS.

(a) DISTRIBUTION OF FUNDS IN FISCAL YEAR 1995.—Of the total amount of funds appropriated under this title in fiscal year 1995, there shall be allocated to each State an amount which bears the same ratio to the amount of funds appropriated pursuant to this title as the number of part I violent crimes reported by the States to the Federal Bureau of Investigation for 1993 bears to the number of part I violent crimes reported by all States to the Federal Bureau of Investigation for 1993.

(b) DISTRIBUTION OF FUNDS IN FISCAL YEARS 1996 THROUGH 1999.—75 percent of the total amount of funds appropriated under this title in fiscal years 1996, 1997, 1998, and 1999 shall be allocated to each State according to the formula establish in subsection (a) adjusted to reflect in each year the most recent data from the Federal Bureau of Investigation reporting Part I violent crimes.

(c) GOOD FAITH EFFORT.—In order to be eligible for funding under subsections (a) and (b), a State shall submit an application and give the Attorney General assurances that it will make a good faith and cost effective effort to become eligible for a grant under subsection (d).

(d) TRUTH IN SENTENCING INCENTIVE FUND.—25 percent of the total amount of funds appropriated under this title in each of the fiscal years 1996, 1997, 1998, and 1999 shall be allocated to each eligible State according to the same ratios established in subsection (b) multiplied by the percentage change in the States’ percentage of time to be served by the persons convicted of violent crimes divided by the average of all States’ percentage change in percentage of time to be served by the persons convicted of violent crimes. States which have achieved a Truth in Sentencing standard of violent criminals serving 85 percent of prison time assessed shall receive the incentive funds based on the average of such percentage change ratios of all States multiplied by the States percentage of total Part I violent crime reported.

(e) ELIGIBILITY FOR TRUTH IN SENTENCING INCENTIVE FUND.—In order to be eligible for grants under subsection (d), a State must demonstrate that it has since 1993—

(1) increased the percentage of convicted violent offenders sentenced to prison;

(2) increased the average prison time actually to be served in prison by convicted violent offenders sentenced to prison; and

(3) increased the percentage of sentence to be actually served in prison by violent offenders sentenced to prison.

(f) LAW CHANGES.—As evidence of such good faith effort to meet the goals contained

in subsection (e), a State may make changes to its laws and regulations which may include—

(1) truth in sentencing laws which will require persons convicted of violent crimes to serve not less than 85 percent of the sentence imposed;

(2) mandatory prison sentences for persons convicted of the most serious violent crimes;

(3) pretrial detention for persons whose release it can be shown would pose a danger to any other person or the community;

(4) sentencing authority to allow the defendant's victims or the family of victims the opportunity to be heard regarding the issue of sentencing and provide that the victim or the victim's family will be notified whenever such defendant is to be released; or

(5) that a person who is convicted of a serious violent crime shall be sentenced to life imprisonment if—

(A) the person has been convicted on 2 or more prior occasions in a court of the United States or of a State of a serious violent crime, or of 1 or more serious violent crimes and 1 or more serious drug offenses; and

(B) each serious violent crime or serious drug offense used as a basis for sentencing under this subsection, other than the first, was committed after the defendant's conviction of the preceding serious violent crime or serious drug offense.

SEC. 4. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—For purposes of this title, there are authorized to be appropriated—

- (1) \$2,500,000,000 for fiscal year 1995;
- (2) \$2,000,000,000 for fiscal year 1996;
- (3) \$2,000,000,000 for fiscal year 1997;
- (4) \$2,000,000,000 for fiscal year 1998; and
- (5) \$2,000,000,000 for fiscal year 1999.

(b) LIMITATIONS ON FUNDS.—

(1) NONSUPPLANTING REQUIREMENT.—Funds made available under this section shall not be used to supplant State funds, but shall be used to increase the amount of funds that would, in the absence of Federal funds, be made available from State sources.

(2) ADMINISTRATIVE COSTS.—Not more than 3 percent of the funds available under this section may be used for administrative costs.

(3) MATCHING FUNDS.—The portion of the costs of a program provided by a grant under this section may not exceed 90 percent of the total costs of the program as described in the application.

(4) CARRY OVER OF APPROPRIATIONS.—Any funds appropriated but not expended as provided by this section during any fiscal year shall be carried over and will be made available until expended.

SEC. . DEFINITIONS.

For purposes of this title—

(1) the term "violent crime" means—

(A) a felony offense that has an element the use, attempted use, or threatened use of physical force against the person of another, or

(B) any other offense that is a felony and that, by its nature, involves substantial risk that physical force against the person of another may be used in the course of committing the offense.;

(2) the term "serious drug offender" has the same meaning as that is used in section 924(e)(2)(A) of title 18, United States Code;

(3) the term "State" means any of the United States and the District of Columbia;

(4) the term "convicted" means convicted and sentenced to a term in a State corrections institution or a period of formal probation; and

(5) the term "Part I violent crimes" means murder, rape, robbery, and aggravated assault as those offenses are reported to the Federal Bureau of Investigation for purposes of the Uniform Crime Reports.

Strike title VI and insert the following:

SEC 601. SHORT TITLE.

This title may be cited as the "Violent Offender Incarceration Act".

SEC 602. GRANTS FOR CORRECTIONAL FACILITIES.

(a) GRANT AUTHORIZATION.—The Attorney General may make grants to individual eligible States and to eligible States, organized as regional compacts—

(1) to develop, construct, expand and operate correctional facilities to ensure that prison space is available for the confinement of persons convicted of a serious violent felony, and

(2) to develop, construct, expand, and operate temporary or permanent correctional facilities, including facilities on military bases, for the confinement of convicted non-violent offenders and criminal aliens for the purpose of freeing suitable existing prison space for the confinement of persons convicted of a serious violent felony.

(b) ELIGIBILITY.—To be eligible to receive a grant under this title a State or States, organized as regional compacts, shall submit an application to the Attorney General which includes—

(1) a plan consistent with section 2(b)(2)(A) to incarcerate all criminals convicted of a serious violent felony over the next 5 years with Federal assistance;

(2) a certification that the State or States—

(A) have established a truth in sentencing policy under which offenders will serve no less than 85 percent of the term of imprisonment to which they are sentenced with respect to conviction of a serious violent felony after having been convicted of a prior serious violent felony or a serious drug offense;

(B) have established pretrial detention similar to and at least as restrictive as that provided in the Federal system under section 3142 of title 18, United States Code;

(C) have established provisions which require that a person who is convicted of a serious violent felony shall be sentenced to life imprisonment if—

(i) the person has been convicted (and those convictions have become final) on 2 or more prior occasions in a court of the United States or of a State of a serious violent felony, or of 1 or more serious violent felonies and 1 or more serious drug offenses; and

(ii) each serious violent felony or serious drug offense used as a basis for sentencing under this subsection, other than the first, was committed after the defendant's conviction of the preceding serious violent felony or serious drug offense;

(D) have established provisions which require the sentencing authority to allow defendant's victims (limited to the victims of defendants convicted of a serious violent felony) or the family of victims the opportunity to be heard regarding the issue of sentencing, and provide that the victim and victims family is notified whenever such defendant is to be released;

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

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

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

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

SEC. 603. FEDERAL FUNDS.

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

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

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

SEC. 604. RULES AND REGULATIONS.

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

SEC. 605. DEFINITIONS AS USED IN THIS TITLE.

As used in this section—

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

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

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

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

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

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

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

(B) any other offense punishable by a maximum term of imprisonment of 10 years or more that has as an element the use, at-

tempted use, or threatened use of physical force against the person of another or that, by its nature, involves a substantial risk that physical force against the person of another may be used in the course of committing the offense;

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

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

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

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

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

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

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

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

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

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

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 nonimmigrant 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 training 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) RE SALE 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 information 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 assets. 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:

"§4047. 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:

"4047. Strength-training of prisoners prohibited."

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 Supreme 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.

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.

Add at the end the following new title:

TITLE —LABELS ON PRODUCTS

SEC. . PLACEMENT OF MADE IN AMERICA LABELS ON PRODUCTS.

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

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

(2) the Secretary of Commerce has determined that—

(A) 60 percent of the product was manufactured in the United States; and

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

(b) REGISTRY OF AMERICAN-MADE PRODUCTS.—Not later than 12 months after the Secretary has promulgated regulations regarding 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 suggests that the product was made in America.

(c) PENALTIES FOR FRAUDULENT USE OF LABELS.—

(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 violation 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 regulations establishing procedures under which a person shall register a product under this section.

(e) DEFINITIONS.—For purposes of this section:

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

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

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.

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 re-

payment 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 re-

sponsibilities 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).

At the end, add the following:

TITLE ___. COCAINE PENALTY STUDY

SEC. ___. COCAINE PENALTY STUDY.

Not later than December 31, 1994, the United States Sentencing Commission shall submit a report to the Congress on issues relating to sentences applicable to offenses involving the possession or distribution of all forms of cocaine. The report shall address the different penalty levels which apply to different forms of cocaine, and include any recommendations the Commission may have for retention or modification of these differences in penalties.

Add at the end the following new title:
TITLE —INMATE REHABILITATION
SEC. . EDUCATION REQUIREMENT FOR EARLY RELEASE.

Section 3624(b) of title 18, United States Code, is amended—

- (1) by inserting "(1)' after "behavior.—";
(2) by striking "Such credit toward service of sentence vests at the time that it is received. Credit that has vested may not later be withdrawn, and credit that has not been earned may not later be granted," and inserting "Credit that has not been earned may not later be granted."; and
(3) by adding at the end the following:
"(2) Credit toward a prisoner's service of sentence shall not be vested unless the prisoner has earned a high school diploma or an equivalent degree.

(3) The Attorney General shall ensure that the Bureau of Prisons has in effect an optional General Educational Development program for inmates who have not earned a high school diploma or its equivalent."

(4) Exemptions to the General Educational Development requirement may be made as deemed necessary by the Director of the Federal Bureau of Prisons."

The bill, as amended, was ordered to be engrossed and read a third time, was read a third time by title.

Mr. McCOLLUM moved to recommit the bill to the Committee on the Judiciary with instructions to report the bill back to the House forthwith with the following amendment:

Strike title IX and insert the following:
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 RULES.—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, a 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 AMENDMENT.—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".

After debate,

By unanimous consent, the previous question was ordered on the motion to recommit with instructions.

The question being put, viva voce, Will the House recommit said bill with instructions?

The SPEAKER pro tempore, Mrs. KENNELLY, announced that the nays had it.

Mr. McCOLLUM demanded a recorded vote on agreeing to said motion, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the negative { Yeas 192 Nays 235

37.11 [Roll No. 143]
AYES—192

Table listing names of members voting AYES, organized in three columns: Allard, Archer, Army, Bachus (AL), Baker (CA), Baker (LA), Ballenger, Barcia, Barrett (NE), Bartlett, Barton, Bateman, Bentley, Bereuter, Bilbray, Bilirakis, Biiley, Blute, Boehner, Bonilla, Browder, Bunning, Burton, Buyer, Callahan, Calvert, Camp, Canady, Castle, Clinger, Coble, Collins (GA), Combest, Condit, Cox, Crane, Crapo, Cunningham, Darden, Deal, DeLay, Diaz-Balart, Dickey, Doolittle, Dornan, Dreier, Duncan, Dunn, Ehlers, Emerson, Everett, Ewing, Fawell, Fields (TX), Fowler, Franks (CT), Franks (NJ), Gallegly, Gekas, Geren, Gilchrist, Gillmor, Gilman, Gingrich, Goodlatte, Goodling, Goss, Grams, Greenwood, Gunderson, Hall (TX), Hancock, Hansen, Hastert, Hefley, Herger, Hobson, Hoekstra, Hoke, Holden, Horn, Houghton, Huffington, Hunter, Hutchinson, Hutto, Hyde, Inglis, Inhofe, Istook, Johnson (CT), Johnson, Sam, Kasich, Kim, King, Kingston, Klink, Klug, Knollenberg, Kolbe, Kyl, Lancaster, Lazio, Leach, Lehman, Levy, Lewis (FL), Lightfoot, Linder, Lipinski, Livingston, Lloyd, Machtley, Manzullo, Margolies-Mezvinsky, McCandless, McCollum, McCrery, McDade, McHugh, McInnis, McKeon, McMillan, Meyers, Mica, Michel, Miller (FL), Molinari, Moorhead, Myers, Nussle, Orton, Oxley, Packard, Paxon, Petri, Pickett, Pombo, Porter, Portman, Pryce (OH), Quillen, Ramstad, Ravenel, Regula, Ridge, Roberts, Rogers, Rohrabacher, Ros-Lehtinen, Roth, Roukema, Rowland, Royce, Santorum, Sarpaluis, Saxton, Schaefer, Schiff, Sensenbrenner, Shaw, Shuster, Siskisky, Skeen, Smith (MI), Smith (NJ), Smith (OR), Smith (TX), Snowe, Solomon, Spence, Stearns, Stenholm, Stump, Sundquist, Talent, Tanner, Tauzin, Taylor (MS), Taylor (NC), Thomas (CA), Thomas (WY), Torkildsen, Upton, Vucanovich, Walker, Weldon, Wolf, Young (AK), Young (FL), Zeliff, Zimmer

NOES—235

Table listing names of members voting NOES, organized in three columns: Abercrombie, Ackerman, Andrews (ME), Andrews (TX), Applegate, Bacchus (FL), Baesler, Barca, Barlow, Barrett (WI), Becerra, Beilenson, Berman, Bevill, Bishop, Blackwell, Boehlert, Bonior, Borski, Boucher, Brewster, Brooks, Brown (CA), Brown (FL), Brown (OH), Bryant, Byrne, Cantwell, Cardin, Carr, Chapman, Clay, Clayton, Clement, Clyburn, Coleman, Collins (IL), Collins (MI), Conyers, Cooper, Coppersmith, Costello, Coyne, Cramer, Danner, de la Garza, DeFazio, DeLauro, Dellums, Derrick, Deutsch, Dicks, Dingell, Dixon, Dooley, Durbin, Edwards (CA), Edwards (TX), Engel, English, Eshoo, Evans, Farr, Fazio, Fields (LA), Filner, Fingerhut, Flake, Foglietta, Ford (MI), Ford (TN), Frank (MA)