

PALLONE, Mr. NADLER, Mr. CLAY, Mr. YATES, Mr. KLECZKA, Mr. McNULTY, Mr. DINGELL, Mr. MILLER of California, Mr. DELLUMS, Mr. CAMPBELL, Mr. HALL of Ohio, Mr. STUPAK, Mr. SABO, Mr. CONDIT, Mr. PASTOR, Mr. EVANS, Mr. HILLIARD, Ms. LOFGREN, Mr. GONZALEZ, and Mr. SAWYER.

H.R. 1321: Mr. BARRETT of Wisconsin.

H.R. 1323: Mr. MCGOVERN.

H.R. 1329: Mr. DELLUMS, Mr. MEEHAN, Mr. FROST, and Mr. DEFAZIO.

H.R. 1335: Mr. BURTON of Indiana, Ms. CARSON, Mr. CLEMENT, Mr. FATTAH, Mr. FOX of Pennsylvania, Mr. GUTIERREZ, Mr. NEY, Mr. RANGEL, Ms. RIVERS, and Ms. WATERS.

H.R. 1348: Mr. DICKEY, Mr. COBURN, Mr. HOSTETTLER, Mr. HILLEARY, Mr. PITTS, Mr. SNOWBARGER, Mr. DOOLITTLE, Mr. BURTON of Indiana, Mr. GRAHAM, Mr. NORWOOD, Mrs. CUBIN, Mr. SAXTON, Mr. RADANOVICH, and Mr. THORNBERRY.

H.R. 1350: Mr. CAMP.

H.R. 1353: Ms. HOOLEY of Oregon and Mr. MEEHAN.

H.R. 1401: Mr. LEWIS of Georgia and Mrs. TAUSCHER.

H.R. 1415: Mr. RAHALL, Mr. DOOLITTLE, Mr. TURNER, Mr. BOUCHER, Mr. SALMON, and Mr. LIPINSKI.

H.R. 1418: Mr. MEEHAN, Mr. FRANK of Massachusetts, Mr. FILNER, Mr. LAFALCE, Ms. LOFGREN, and Mr. QUINN.

H.R. 1427: Mr. BROWN of California.

H.R. 1438: Mrs. MALONEY of New York, Ms. DELAURO, Mr. GEJDENSON, and Mr. CONYERS.

H.R. 1445: Mr. MEEHAN, Mr. FRANK of Massachusetts, Mr. FILNER, Mr. LAFALCE, and Ms. LOFGREN.

H.R. 1474: Mr. MARTINEZ.

H.R. 1475: Mr. HOSTETTLER.

H.R. 1480: Mr. FROST and Mr. ETHERIDGE.

H.R. 1492: Mr. GOODLATTE.

H.R. 1503: Mr. TALENT, Mr. DAVIS of Virginia, Mr. ENGLISH of Pennsylvania, and Mr. MCINTOSH.

H.R. 1507: Mr. SPRATT, Mr. DELLUMS, Mrs. MALONEY of New York, Mr. FILNER, Mr. BROWN of California, Mrs. MEEK of Florida, and Ms. ROYBAL-ALLARD.

H.J. Res. 26: Mr. GOODLATTE.

H.J. Res. 54: Mr. CAMPBELL and Mr. MCINTYRE.

H.J. Res. 72: Mr. MEEHAN, Mr. ROYCE, Mr. DUNCAN, Mrs. NORTHUP, Mr. TALENT, and Mr. ENGLISH of Pennsylvania.

H.J. Res. 75: Mr. FRELINGHUYSEN, Mr. MAS-CARA, Mr. CAMPBELL, Ms. SANCHEZ, Mr. EHR-LICH, Mr. FROST, Mr. LIPINSKI, Ms. CHRISTIAN-GREEN, Mr. PORTER, Mr. BROWN of Ohio, Mr. DAVIS of Virginia, Mr. BOEHNER, Mr. WHITFIELD, Mr. RADANOVICH, Mr. LATHAM, Mr. HERGER, Mr. HASTINGS of Washington, Mr. BONILLA, and Mr. RYUN.

H.Con. Res. 13: Mr. POMEROY, Mr. EVERETT, Mr. MOLLOHAN, Mr. KLINK, Mr. NEAL of Massachusetts, and Mr. LEWIS of California.

H. Con. Res. 35: Mr. COBURN.

H.Con. Res. 48: Mr. CALLAHAN.

H. Con. Res. 55: Mr. HINCHEY, Mr. VIS-CLOSKY, Mr. PORTER, and Mr. PAPPAS.

H. Con. Res. 60: Mr. DAN SCHAEFER of Colorado, Mr. LAMPSON, Mr. MCINNIS, Mr. McNULTY, Mr. MCGOVERN, Mr. ADERHOLT, Mr. PORTER, Mrs. NORTHUP, and Mr. JEFFERSON.

H. Con. Res. 64: Mr. PARKER.

H. Con. Res. 65: Mr. LIPINSKI, Ms. DUNN of Washington, Mr. GILMAN, Mrs. MINK of Hawaii, Mr. TIERNEY, Mr. ROTHMAN, Mr. GREEN, Mr. SCARBOROUGH, Mr. FILNER, Ms. KAPTUR, and Mr. DELAHUNT.

H. Con. Res. 68: Mr. LIPINSKI.

H. Res. 23: Mr. HORN, Mr. ENGLISH of Pennsylvania, and Mr. HILL.

H. Res. 104: Mr. MCGOVERN.

44.29 DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of Rule XXII, sponsors were deleted from public bills and resolutions as follows:

H.R. 900: Mr. TRAFICANT.

H.R. 991: Mr. SALMON.

THURSDAY, MAY 8, 1997 (45)

45.1 DESIGNATION OF SPEAKER PRO TEMPORE

The House was called to order by the SPEAKER pro tempore, Mr. EWING, who laid before the House the following communication:

WASHINGTON, DC,

May 8, 1997.

I hereby designate the Honorable THOMAS W. EWING to act as Speaker pro tempore on this day.

NEWT GINGRICH,

Speaker of the House of Representatives.

45.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. EWING, announced he had examined and approved the Journal of the proceedings of Wednesday, May 7, 1997.

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

The question being put, *viva voce*,

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

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

Ms. DELAURO, objected to the vote on the ground that a quorum was not present and not voting.

The SPEAKER pro tempore, Mr. EWING, pursuant to clause 5, rule I, announced that the vote would be postponed until later today.

The point of no quorum was considered as withdrawn.

45.3 COMMUNICATIONS

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

3179. A letter from the Administrator, Agricultural Marketing Service, transmitting the Service's final rule—Tobacco Inspection; Grower's Referendum Results [Docket No. TB-97-01] received May 7, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3180. A letter from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, transmitting the Service's "Major" final rule—Importation of Pork from Sonora, Mexico [APHIS Docket No. 94-106-6] (RIN: 0579-AA71) received May 7, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3181. A letter from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, transmitting the Service's final rule—Accredited Veterinarians; Optional Digital Signature [APHIS Docket No. 96-075-2] received May 7, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3182. A letter from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, transmitting the Agency's final rule—Pork and Pork Products from Mexico Transiting the United States [APHIS Docket No. 96-076-2] received May 7, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3183. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Cyfluthrin; Pesticide Tolerance [OPP-300484; FRL-5175-6]

(RIN: 2070-AB78) received May 8, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3184. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Plant Extract Derived From *Opuntia Lindheimeri* (Prickly Pear Cactus), *Quercus falcata* (Red Oak), *Rhus aromatica* (Sumac), and *Rhizophora mangle* (Mangrove): Exemption from the Requirement of a Tolerance [OPP-300472; FRL-5600-1] (RIN: 2070-AB78) received May 8, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3185. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Aminoethoxyvinylglycine; Pesticide Tolerances [OPP-300480; FRL-5713-5] (RIN: 2070-AB78) received May 8, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3186. A letter from the Secretary of Agriculture, transmitting the annual report on the Youth Conservation Corps program in the Department for fiscal year 1996, pursuant to 16 U.S.C. 1705; to the Committee on Agriculture.

3187. A letter from the Under Secretary of Defense, transmitting a report of a violation of the Anti-Deficiency Act—Army violation, case No. 96-08, which totaled \$1.3 million, occurred in the fiscal year 1990 Military Construction, Army National Guard appropriation at the Mobile District of the U.S. Army Corps of Engineers in Mobile, AL, pursuant to 31 U.S.C. 1517(b); to the Committee on Appropriations.

3188. A letter from the Under Secretary of Defense, transmitting a report of a violation of the Anti-Deficiency Act—Navy violation, case No. 94-05, which totaled \$7.9 million, occurred in the Phoenix missile program at the Naval Air Systems Command [NAVAIR], pursuant to 31 U.S.C. 1517(b); to the Committee on Appropriations.

3189. A letter from the Secretary of Defense, transmitting the Department's annual report to the President and the Congress, April 1997, pursuant to 10 U.S.C. 113; to the Committee on National Security.

3190. A letter from the Under Secretary of Defense, transmitting certification with respect to the Chemical Demilitarization major defense acquisition program, pursuant to 10 U.S.C. 2433(e)(1); to the Committee on National Security.

3191. A letter from the Secretary of Transportation, transmitting the annual report of the Maritime Administration [MARAD] for fiscal year 1996, pursuant to 46 U.S.C. app. 1118; to the Committee on National Security.

3192. A letter from the Under Secretary for Personnel and Readiness, Department of Defense, transmitting notification that the 1998 Defense Manpower Requirements Report will be submitted by July 1, 1997; to the Committee on National Security.

3193. A letter from the Secretary of Defense, transmitting the Department's report on the state of the Reserves and their ability to meet their missions, pursuant to Public Law 104-201, section 1212 (110 Stat. 2691); to the Committee on National Security.

3194. A letter from the General Counsel, Department of the Treasury, transmitting a draft of proposed legislation to amend the Bretton Woods Agreements Act in order to carry out the purposes of the decision of January 27, 1997, of the Executive Board of the International Monetary Fund relating to the new arrangements to borrow, pursuant to 31 U.S.C. 1110; to the Committee on Banking and Financial Services.

3195. A letter from the President and Chairman, Export-Import Bank of the United States, transmitting a report involving

United States exports to the People's Republic of China, pursuant to 12 U.S.C. 635(b)(3)(i); to the Committee on Banking and Financial Services.

3196. A letter from the Acting President and Chairman, Export-Import Bank of the United States, transmitting the semiannual report on tied aid credits, pursuant to Public Law 99-472, section 19 (100 Stat. 1207); to the Committee on Banking and Financial Services.

3197. A letter from the Director, Office of Thrift Supervision, transmitting the Office of Thrift Supervision's 1996 annual report to Congress on the preservation of minority savings institutions, pursuant to 12 U.S.C. 1462a(g); to the Committee on Banking and Financial Services.

3198. A letter from the Assistant Secretary, Department of Education, transmitting notice of final funding priorities for fiscal year 1997-98 for a knowledge dissemination and utilization project, research and demonstration projects, and rehabilitation research and training centers, pursuant to 20 U.S.C. 1232(f); to the Committee on Education and the Workforce.

3199. A letter from the Assistant General Counsel for Regulations, Department of Education, transmitting the Department's report on technology innovation challenge grants, pursuant to 5 U.S.C. 801(a)(1)(B); to the Committee on Education and the Workforce.

3200. A letter from the Assistant General Counsel for Regulations, Department of Education, transmitting the Department's report on final funding priorities for fiscal years 1997-98 for research and demonstration projects, rehabilitation research and training centers, and a knowledge dissemination and utilization project, pursuant to 5 U.S.C. 801(a)(1)(B); to the Committee on Education and the Workforce.

3201. A letter from the Secretary of Education, transmitting a draft of proposed legislation entitled the "Adult Basic Education and Literacy for the Twenty-First Century Act"; to the Committee on Education and the Workforce.

3202. A letter from the Secretary of Energy, transmitting the Department's annual report for the Strategic Petroleum Reserve, covering calendar year 1996, pursuant to 42 U.S.C. 6245(a); to the Committee on Commerce.

3203. A letter from the Secretary of Transportation, transmitting the Department's 21st annual report to Congress entitled "Automotive Fuel Economy Program," pursuant to 49 U.S.C. 32916; to the Committee on Commerce.

3204. A letter from the Administrator, Energy Information Administration, transmitting the Administration's report "Uranium Industry Annual 1996," pursuant to section 1015 of the Energy Policy Act of 1992; to the Committee on Commerce.

3205. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Redesignation; Maine; Redesignation of Millinocket to Attainment for Sulfur Dioxide [ME3-1-5258a; A-1-FRL-5815-2] received April 29, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

3206. A letter from the Acting Inspector General, Environmental Protection Agency, transmitting the annual report to Congress summarizing the Office of Inspector General's work in the Environmental Protection Agency's Superfund Program for fiscal 1996, pursuant to Public Law 99-499, section 120(e)(5) (100 Stat. 1669); to the Committee on Commerce.

3207. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmit-

ting the Agency's final rule—Tolerance Processing Fees [OPP-30113; FRL-5714-1] received May 8, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

3208. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Allotment of Drinking Water State Revolving Fund Monies; Notice [FRL-5708-2] received May 8, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

3209. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans; New Jersey; Motor Vehicle Inspection and Maintenance Program [Region II Docket No. NJ23-1-164; FRL-5823-9] received May 8, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

3210. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Implementation Plans; Delaware—15 Percent Rate of Progress Plan [DE027-1006; FRL-5823-3] received May 8, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

3211. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Implementation Plans; State of Delaware; Enhanced Motor Vehicle Inspection and Maintenance Program [DE-28-1009; FRL-5823-4] received May 8, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

3212. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans and State Operating Permit Programs; State of Missouri [MO 021-1021; FRL-5817-5] received May 8, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

3213. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Implementation Plans; Delaware—Regulation 24—Control of Volatile Organic Compound Emissions, Section 47—Offset Lithographic Printing [DE026-1005; FRL-5820-3] received May 8, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

3214. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; Redesignation, Maintenance Plan, and Emissions Inventories for Reading; Ozone Redesignations Policy Change [PA036-4060; FRL-5819-8] received May 8, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

3215. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans; Ohio Ozone Maintenance Plan [OH104-1a; FRL-5822-5] received May 8, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

3216. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval of a Revision to a State Implementation Plan; Oklahoma; Revision to Particulate Matter Regulations [OK-13-1-7080a; FRL-5822-3] received May 8, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

3217. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans; State of Missouri [MO 023-1023(a); FRL-5822-9] received May 8, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

3218. A letter from the Associate Managing Director—Performance Evaluation and Records Management, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Wake Village, Texas) [MM Docket No. 96-236, RM-8907] received May 8, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

3219. A letter from the Associate Managing Director—Performance Evaluation and Records Management, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Charlevoix, Michigan) [MM Docket No. 97-42, RM-8988] received May 8, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

3220. A letter from the Associate Managing Director—Performance Evaluation and Records Management, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Poplar Bluff, Missouri) [MM Docket No. 97-54, RM-8989] received May 8, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

3221. A letter from the Associate Managing Director—Performance Evaluation and Records Management, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Garden City, Missouri) [MM Docket No. 97-53, RM-9003] received May 8, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

3222. A letter from the Associate Managing Director—Performance Evaluation and Records Management, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Forest City, Pennsylvania) [MM Docket No. 96-235, RM-8909] received May 8, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

3223. A letter from the Associate Managing Director—Performance Evaluation and Records Management, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Clear Lake, South Dakota) [MM Docket No. 96-224, RM-8906] received May 8, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

3224. A letter from the Administrator, Health Care Financing Administration, transmitting the Administration's report entitled "Evaluation of the Grant Program for Rural Health Care Transition," report to Congress 1997, pursuant to 42 U.S.C. 1395ww note, to the Committee on Commerce.

3225. A letter from the Chairman, Nuclear Regulatory Commission, transmitting a report on the nondisclosure of safeguards information for the quarter ending March 31, 1997, pursuant to 42 U.S.C. 2167(e); to the Committee on Commerce.

3226. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially to Malaysia (Transmittal No. DTC-48-97), pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

3227. A letter from the Chief Counsel, Office of Foreign Assets Control, Department of the Treasury, transmitting the Department's final rule—Blocked Persons, Specially Designated Nationals, Specially Designated Terrorists, Specially Designated Narcotics Traffickers, and Blocked Vessels: Removal of Entry (Office of Foreign Assets Control) [31 CFR Part V] received April 17, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on International Relations.

3228. A letter from the Chief Counsel, Office of Foreign Assets Control, Department of the Treasury, transmitting the Department's final rule—Blocked Persons, Specially Designated Nationals, Specially Designated Terrorists, Specially Designated Narcotics Traffickers, and Blocked Vessels: Additional Designations and Supplemental Information (Office of Foreign Assets Control) [31 CFR Part V] received April 17, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on International Relations.

3229. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting the Department's final rule—Visas: Documentation of Nonimmigrants Under the Immigration and Nationality Act; Visa Fees [Public Notice 253] received April 28, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on International Relations.

3230. A letter from the Director, United States Information Agency, transmitting a copy of the Broadcasting Board of Governors' 1996 annual report, pursuant to 22 U.S.C. 6204; to the Committee on International Relations.

3231. A letter from the Executive Director, District of Columbia Retirement Board, transmitting the personal financial disclosure statements of Board members, pursuant to D.C. Code, section 1-732 and 1-734(a)(1)(A); to the Committee on Government Reform and Oversight.

3232. A letter from the Chairman, Board of Contract Appeals, transmitting the Board's final rule—Rules of Procedure for Travel and Relocation Expenses Cases [48 CFR Part 6104] (RIN: 3090-AG06) received May 7, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform and Oversight.

3233. A letter from the Chairman, Board of Contract Appeals, transmitting the Board's final rule—Rules of Procedure for Transportation Rate Cases [48 CFR Part 6103] (RIN: 3090-AG05) received May 7, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform and Oversight.

3234. A letter from the Chairman, Board of Contract Appeals, transmitting the Board's final rule—Rules of Procedure for Decisions Authorized Under 31 U.S.C. 3529 [48 CFR Part 6105] (RIN: 3090-AG29) received May 7, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform and Oversight.

3235. A letter from the Chairman, Cost Accounting Standards Board, Office of Federal Procurement Policy, transmitting the seventh annual report of the Cost Accounting Standards Board, pursuant to Public Law 100-679, section 5(a) (102 Stat. 4062); to the Committee on Government Reform and Oversight.

3236. A letter from the Director, Office of Personnel Management, transmitting the Office's final rule—Employment (General) [5 CFR Part 300] (RIN: 3206cAH71) received April 30, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform and Oversight.

3237. A letter from the Director, Office of Personnel Management, transmitting the Office's final rule—Official Duty Station Determinations for Pay Purposes [5 CFR Parts 530, 531, and 591] (RIN: 3206-AH84) received May 7, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform and Oversight.

3238. A letter from the Director, Financial Services, Library of Congress, transmitting activities of the U.S. Capitol Preservation Commission fund for the 6-month period which ended on December 31, 1996, pursuant to Public Law 100-696, section 804 (102 Stat. 4610); to the Committee on House Oversight.

3239. A letter from the Deputy Associate Director for Compliance, Department of the Interior, transmitting notification of proposed refunds of excess royalty payments in OCS areas, pursuant to 43 U.S.C. 1339(b); to the Committee on Resources.

3240. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Environmental Impact Assessment of Nongovernmental Activities in Antarctica [FRL-5818-81] received April 29, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

3241. A letter from the Acting Chair, National Indian Gaming Commission, transmitting a draft of proposed legislation that would allow the National Indian Gaming Commission [NIGC] to assess fees on tribes for class II and class III, casino, gaming; to the Committee on Resources.

3242. A letter from the Assistant Attorney General, Department of Justice, transmitting the 1995 annual report on the activities and operations of the Department's Public Integrity Section, Criminal Division, pursuant to 28 U.S.C. 529; to the Committee on the Judiciary.

3243. A letter from the Regulatory Policy Officer, Bureau of Alcohol, Tobacco, and Firearms, transmitting the Bureau's final rule—Residency Requirements for Persons Acquiring Firearms [T.D. ATF-389] (RIN: 1512-AB66) received April 22, 1997, pursuant to the Committee on the Judiciary.

3244. A letter from the Assistant Attorney General, Department of Justice, transmitting a report on the availability of bomb making information, the extent to which its dissemination is controlled by Federal law, and the extent to which such dissemination may be subject to regulation consistent with the first amendment to the U.S. Constitution, pursuant to Public Law 104-132, section 709(b) (110 Stat. 1297); to the Committee on the Judiciary.

3245. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting the Department's final rule—Visas: Documentation of Nonimmigrants Under the Immigration and Nationality Act; Validity of Nonimmigrant Visas [Public Notice 2538] received April 28, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

3246. A letter from the Chairman, Federal Election Commission, transmitting the text of final regulations adopted by the Commission, pursuant to 2 U.S.C. 438(d); to the Committee on the Judiciary.

3247. A letter from the Assistant Secretary of the Army (Civil Works), Department of the Army, transmitting the post authorization change report on the San Luis Rey River, CA, local flood protection project, pursuant to Public Law 104-303, section 301(a)(3) (110 Stat. 3707); to the Committee on Transportation and Infrastructure.

3248. A letter from the Secretary of Transportation, transmitting the Department's third annual report on the activities of the Department regarding the guarantee of obligations issued to finance the construction, reconstruction, or reconditioning of eligible export vessels; to the Committee on Transportation and Infrastructure.

3249. A letter from the Assistant Administrator for Satellite and Information Services, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Schedule of Fees for Access to NOAA Environmental Data and Informa-

tion and Products Derived Therefrom [Docket No. 970306046-7046-01] (RIN: 0648-ZA25) received May 7, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Science.

3250. A letter from the Administrator, Small Business Administration, transmitting the annual report on minority small business and capital ownership development for fiscal year 1996, pursuant to Public Law 100-656, section 408 (102 Stat. 3877); to the Committee on Small Business.

3251. A letter from the Secretary of Defense, transmitting the Department's report on small business loans for members released from Reserve service during contingency operations, pursuant to Public Law 104-201, Section 1234 (110 Stat. 2697); to the Committee on Veterans' Affairs.

3252. A letter from the Acting Secretary of Labor, transmitting the 12th report on trade and employment effects of the Caribbean Basin Economic Recovery Act, pursuant to 19 U.S.C. 2705; to the Committee on Ways and Means.

3253. A letter from the Secretary of Defense, transmitting the Department's report concerning incentives to employers of members of the Reserve components, pursuant to Public Law 104-201, Section 1232 (110 Stat. 2697); to the Committee on Ways and Means.

3254. A letter from the Chief, Regulations Branch, U.S. Customs Service, transmitting the Service's final rule—Disposition of Excluded Articles Pursuant to the Anticounterfeiting Consumer Protection Act [T.D. 97-30] (RIN: 1515-AC09) received April 17, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3255. A letter from the Assistant Secretary for Civil Rights, Office for Civil Rights, transmitting the annual report summarizing the compliance and enforcement activities of the Office for Civil Rights and identifying significant civil rights or compliance problems, pursuant to 20 U.S.C. 3413 (b)(1); jointly, to the Committee on Education and the Workforce and the Judiciary.

3256. A letter from the Acting Administrator, Agency for International Development, transmitting notification of the Agency's continuation of support for the activities of PVO's in Yemen in the national interest of the United States; jointly, to the Committee on International Relations and Appropriations.

3257. A letter from the Director, Office of Personnel Management, transmitting the Office's report on congressional recommendations on certain personnel decisions in the executive branch; jointly, to the Committees on Government Reform and Oversight and Appropriations.

3258. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification that Brazil has adopted a regulatory program governing the incidental taking of certain sea turtles, pursuant to Public Law 101-162, section 609(b)(2) (103 Stat. 1038); jointly, to the Committees on Resources and Appropriations.

3259. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting the Secretary's certification to the Congress regarding the incidental capture of sea turtles in commercial shrimping operations, pursuant to Public Law 101-162, section 609(b)(2) (103 Stat. 1038); jointly, to the Committees on Resources and Appropriations.

3260. A letter from the Secretary of Transportation, transmitting a draft of proposed legislation to amend the act of May 13, 1954, Public Law 358 (33 U.S.C. 981, et seq.), as amended, to improve the operation, maintenance, and safety of the St. Lawrence Seaway, within the territorial limits of the United States, by establishing the Saint Lawrence Seaway Development Corporation as a performance based organization in the

Department of Transportation; jointly, to the Committees on Transportation and Infrastructure and Government Reform and Oversight.

¶45.4 UNFINISHED BUSINESS—APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. EWING, pursuant to clause 5, rule I, announced the unfinished business to be the question on agreeing to the Chair's approval of the Journal of Wednesday, May 7, 1997.

The question being put, *viva voce*, Will the House agree to the Chair's approval of said Journal?

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

Ms. DELAURO, objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present, The roll was called under clause 4, rule XV, and the call was taken by electronic device.

When there appeared { Yeas 350
Nays 56

¶45.5 [Roll No. 110] YEAS—350

- | | | |
|--------------|---------------|---------------|
| Ackerman | Combest | Goode |
| Aderholt | Condit | Goodlatte |
| Allen | Conyers | Goodling |
| Archer | Cook | Gordon |
| Armey | Cooksey | Goss |
| Bachus | Coyne | Graham |
| Baesler | Cramer | Greenwood |
| Baker | Crane | Hall (OH) |
| Baldacci | Crapo | Hall (TX) |
| Ballenger | Cummings | Hamilton |
| Barcia | Cunningham | Harman |
| Barr | Danner | Hastert |
| Barrett (NE) | Davis (IL) | Hastings (FL) |
| Barrett (WI) | Davis (VA) | Hastings (WA) |
| Bartlett | Deal | Hayworth |
| Barton | DeGette | Hinches |
| Bass | Delahunt | Hinojosa |
| Bateman | DeLauro | Hobson |
| Becerra | DeLay | Hoekstra |
| Bentsen | Dellums | Holden |
| Bereuter | Deutsch | Hooley |
| Berman | Diaz-Balart | Horn |
| Bilbray | Dickey | Hostettler |
| Bilirakis | Dicks | Houghton |
| Bishop | Dingell | Hoyer |
| Blagojevich | Doggett | Hunter |
| Biley | Dooley | Hutchinson |
| Blumenauer | Dreier | Hyde |
| Boehkert | Duncan | Inglis |
| Boehner | Dunn | Istook |
| Bonilla | Edwards | Jackson (IL) |
| Bonior | Ehlers | Jefferson |
| Bono | Ehrlich | John |
| Boswell | Emerson | Johnson (CT) |
| Boucher | Eshoo | Johnson (WI) |
| Boyd | Etheridge | Johnson, Sam |
| Brady | Evans | Jones |
| Brown (FL) | Everett | Kanjorski |
| Brown (OH) | Ewing | Kaptur |
| Bryant | Farr | Kelly |
| Bunning | Fattah | Kennedy (MA) |
| Burr | Fawell | Kennelly |
| Burton | Fazio | Kildee |
| Buyer | Flake | Kilpatrick |
| Callahan | Foglietta | Kim |
| Calvert | Foley | Kind (WI) |
| Camp | Ford | King (NY) |
| Campbell | Fowler | Kingston |
| Canady | Frank (MA) | Kleccka |
| Cannon | Franks (NJ) | Klink |
| Capps | Frelinghuysen | Klug |
| Cardin | Frost | Knollenberg |
| Carson | Furse | Kolbe |
| Castle | Gallegly | LaHood |
| Chabot | Ganske | Lampson |
| Chenoweth | Gejdenson | Lantos |
| Christensen | Gekas | Largent |
| Clayton | Gilchrest | Latham |
| Clement | Gillmor | LaTourette |
| Coble | Gilman | Lazio |
| Coburn | Gonzalez | Leach |

- | | | |
|---------------|----------------|--------------|
| Levin | Owens | Sherman |
| Lewis (KY) | Oxley | Shimkus |
| Linder | Packard | Shuster |
| Lipinski | Pappas | Sisisky |
| Lofgren | Parker | Skaggs |
| Lowe | Pastor | Skeen |
| Lucas | Paul | Skelton |
| Luther | Paxon | Smith (MI) |
| Maloney (CT) | Payne | Smith (NJ) |
| Maloney (NY) | Pease | Smith (OR) |
| Manton | Pelosi | Smith (TX) |
| Manzullo | Peterson (MN) | Smith, Adam |
| Markey | Peterson (PA) | Smith, Linda |
| Martinez | Petri | Snowbarger |
| Mascara | Pickering | Snyder |
| Matsui | Pitts | Solomon |
| McCarthy (MO) | Pombo | Spence |
| McCarthy (NY) | Pomeroy | Spratt |
| McCullum | Portman | Stabenow |
| McCreery | Price (NC) | Stark |
| McDade | Quinn | Stearns |
| McGovern | Radanovich | Stenholm |
| McHale | Rahall | Stokes |
| McHugh | Rangel | Strickland |
| McInnis | Regula | Stump |
| McIntosh | Reyes | Sununu |
| McIntyre | Riley | Talent |
| McKeon | Rivers | Tanner |
| Meehan | Rodriguez | Tauscher |
| Meek | Roemer | Tauzin |
| Metcalf | Rogan | Taylor (NC) |
| Mica | Rogers | Thomas |
| Millender- | Rohrabacher | Thornberry |
| McDonald | Ros-Lehtinen | Thurman |
| Miller (CA) | Rothman | Tiaht |
| Miller (FL) | Roukema | Tierney |
| Minge | Roybal-Allard | Torres |
| Mink | Royce | Towns |
| Moakley | Rush | Traficant |
| Molinari | Ryun | Turner |
| Mollohan | Sanchez | Upton |
| Moran (KS) | Sanders | Vento |
| Moran (VA) | Sandlin | Walsh |
| Morella | Sanford | Walters |
| Murtha | Sawyer | Watkins |
| Myrick | Saxton | Waxman |
| Nadler | Scarborough | Weldon (FL) |
| Neal | Schaefer, Dan | Weldon (PA) |
| Nethercutt | Schaffter, Bob | Weygand |
| Neumann | Schumer | Whitfield |
| Ney | Scott | Wise |
| Northup | Sensenbrenner | Woolsey |
| Norwood | Serrano | Wynn |
| Obey | Shadegg | Yates |
| Olver | Shaw | Young (AK) |
| Ortiz | Shays | Young (FL) |

NAYS—56

- | | | |
|-------------|----------------|-------------|
| Abercrombie | Hill | Pascrell |
| Berry | Hilleary | Pickett |
| Borski | Hilliard | Poshard |
| Clyburn | Hulshof | Pryce (OH) |
| Collins | Jackson-Lee | Ramstad |
| Houghton | (TX) | Sabo |
| Costello | Johnson, E. B. | Salmon |
| Cubin | Kennedy (RI) | Slaughter |
| DeFazio | Kucinich | Stupak |
| English | LaFalce | Taylor (MS) |
| Ensign | Lewis (CA) | Thompson |
| Forbes | Lewis (GA) | Thune |
| Fox | LoBiondo | Velazquez |
| Gephardt | McDermott | Visclosky |
| Gibbons | McNulty | Wamp |
| Green | Menendez | Watt (NC) |
| Gutierrez | Nussle | Watts (OK) |
| Hanknecht | Oberstar | Weller |
| Hansen | Pallone | Wicker |
| Hefley | | |

NOT VOTING—27

- | | | |
|------------|------------|----------|
| Andrews | Doyle | McKinney |
| Blunt | Engel | Porter |
| Brown (CA) | Filner | Riggs |
| Chambliss | Granger | Schiff |
| Clay | Hefner | Sessions |
| Cox | Herger | Souder |
| Davis (FL) | Jenkins | Wexler |
| Dixon | Kasich | White |
| Doollittle | Livingston | Wolf |

So the Journal was approved.

¶45.6 JUVENILE CRIME

The SPEAKER pro tempore, Mr. EWING, pursuant to House Resolution 133 and rule XXIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the further consideration of the bill

(H.R. 3) to combat violent youth crime and increase accountability for juvenile criminal offenses.

Mr. KINGSTON, Chairman of the Committee of the Whole, resumed the chair; and after some time spent therein,

¶45.7 RECORDED VOTE

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

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Families First Juvenile Offender Control and Prevention Act of 1997".

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

Sec. 1. Short title; table of contents.
TITLE I—JUVENILE OFFENDER CONTROL AND PREVENTION GRANTS

Sec. 101. Short title.
Sec. 102. Grant program.

TITLE II—VIOLENT JUVENILE OFFENDERS

Sec. 201. Time limit on transfer decision.
Sec. 202. Increased detention, mandatory restitution, and additional sentencing options for youth offenders.

Sec. 203. Juvenile handgun possession.
Sec. 204. Access of victims and public to records of crimes committed by juvenile delinquents.

TITLE III—IMPROVING JUVENILE CRIME AND DRUG PREVENTION

Sec. 301. Study by national academy of science.

TITLE I—JUVENILE OFFENDER CONTROL AND PREVENTION GRANTS

SEC. 101. SHORT TITLE.

This title may be cited as the "Juvenile Offender Control and Prevention Grant Act of 1997".

SEC. 102. GRANT PROGRAM.

(a) IN GENERAL.—Part R of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796 et seq.) is amended to read as follows:

“PART R—JUVENILE OFFENDER CONTROL AND PREVENTION GRANTS

“SEC. 1801. PAYMENTS TO LOCAL GOVERNMENTS.

“(a) PAYMENT AND USES.—

“(1) PAYMENT.—The Director of the Bureau of Justice Assistance may make grants to carry out this part, to units of local government that qualify for a payment under this part. Of the amount appropriated in any fiscal year to carry out this part, the Director shall obligate—

“(A) not less than 60 percent of such amount for grants for the uses specified in subparagraphs (A) and (B) of paragraph (2);

“(B) not less than 10 percent of such amount for grants for the use specified in paragraph (2)(C), and

“(C) not less than 20 percent of such amount for grants for the uses specified in subparagraphs (E) and (G) of paragraph (2).

“(2) USES.—Amounts paid to a unit of local government under this section shall be used by the unit for 1 or more of the following:

“(A) Preventing juveniles from becoming involved in crime or gangs by—

“(i) operating after-school programs for at-risk juveniles;

“(ii) developing safe havens from and alternatives to street violence, including educational, vocational or other extracurricular activities opportunities;

“(iii) establishing community service programs, based on community service corps models that teach skills, discipline, and responsibility;

“(iv) establishing peer medication programs in schools;

“(v) establishing big brother programs and big sister programs;

“(vi) establishing anti-truancy programs;

“(vii) establishing and operating programs to strengthen the family unit;

“(viii) establishing and operating drug prevention, treatment and education programs; or

“(ix) establishing activities substantially similar to programs described in clauses (i) through (viii).

“(B) Establishing and operating early intervention programs for at-risk juveniles.

“(C) Building or expanding secure juvenile correction or detention facilities for violent juvenile offenders.

“(D) Providing comprehensive treatment, education, training, and after-care programs for juveniles in juvenile detention facilities.

“(E) Implementing graduated sanctions for juvenile offenders.

“(F) Establishing initiatives that reduce the access of juveniles to fire arms.

“(G) Improving State juvenile justice systems by—

“(i) developing and administering accountability-based sanctions for juvenile offenders;

“(ii) hiring additional prosecutors, so that more cases involving violent juvenile offenders can be prosecuted and backlogs reduced; or

“(iii) providing funding to enable juvenile courts and juvenile probation offices to be more effective and efficient in holding juvenile offenders accountable.

“(H) Providing funding to enable prosecutors—

“(i) to address drug, gang, and violence problems involving juveniles more effectively;

“(ii) to develop anti-gang units and anti-gang task forces to address the participation of juveniles in gangs, and to share information about juvenile gangs and their activities; or

“(iii) providing funding for technology, equipment, and training to assist prosecutors in identifying and expediting the prosecution of violent juvenile offenders.

“(I) Hiring additional law enforcement officers (including, but not limited to, police, corrections, probation, parole, and judicial officers) who are involved in the control or reduction of juvenile delinquency.

“(J) Providing funding to enable city attorneys and county attorneys to seek civil remedies for violations of law committed by juveniles who participate in gangs.

“(3) GEOGRAPHICAL DISTRIBUTION OF GRANTS.—The Director shall ensure that grants made under this part are equitably distributed among all units of local government in each of the States and among all units of local government throughout the United States.

“(b) PROHIBITED USES.—Notwithstanding any other provision of this title, a unit of local government may not expend any of the funds provided under this part to purchase, lease, rent, or otherwise acquire—

“(1) tanks or armored personnel carriers;

“(2) fixed wing aircraft;

“(3) limousines;

“(4) real estate;

“(5) yachts;

“(6) consultants; or

“(7) vehicles not primarily used for law enforcement;

unless the Attorney General certifies that extraordinary and exigent circumstances exist that make the use of funds for such

purposes essential to the maintenance of public safety and good order in such unit of local government.

“(c) REPAYMENT OF UNEXPENDED AMOUNTS.—

“(1) REPAYMENT REQUIRED.—A unit of local government shall repay to the Director, by not later than 27 months after receipt of funds from the Director, any amount that is—

“(A) paid to the unit from amounts appropriated under the authority of this section; and

“(B) not expended by the unit within 2 years after receipt of such funds from the Director.

“(2) PENALTY FOR FAILURE TO REPAY.—If the amount required to be repaid is not repaid, the Director shall reduce payment in future payment periods accordingly.

“(d) NONSUPPLANTING REQUIREMENT.—Funds made available under this part to units of local government shall not be used to supplant State or local funds, but shall be used to increase the amount of funds that would, in the absence of funds made available under this part, be made available from State or local sources.

“(e) MATCHING FUNDS.—The Federal share of a grant received under this part may not exceed 90 percent of the costs of a program or proposal funded under this part.

“SEC. 1802. AUTHORIZATION OF APPROPRIATIONS.

“(a) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this part—

“(1) \$500,000,000 for fiscal year 1998;

“(2) \$500,000,000 for fiscal year 1999; and

“(3) \$500,000,000 for fiscal year 2000.

The appropriations authorized by this subsection may be made from the Violent Crime Reduction Trust Fund.

“(b) OVERSIGHT ACCOUNTABILITY AND ADMINISTRATION.—Not more than 3 percent of the amount authorized to be appropriated under subsection (a) for each of the fiscal years 1998 through 2000 shall be available to the Attorney General for studying the overall effectiveness and efficiency of the provisions of this part, and assuring compliance with the provisions of this part and for administrative costs to carry out the purposes of this part. The Attorney General shall establish and execute an oversight plan for monitoring the activities of grant recipients. Such sums are to remain available until expended.

“(c) AVAILABILITY.—The amounts authorized to be appropriated under subsection (a) shall remain available until expended.

“SEC. 1803. QUALIFICATION FOR PAYMENT.

“(a) IN GENERAL.—The Director shall issue regulations establishing procedures under which a unit of local government is required to provide notice to the Director regarding the proposed use of funds made available under this part.

“(b) PROGRAM REVIEW.—The Director shall establish a process for the ongoing evaluation of projects developed with funds made available under this part.

“(c) GENERAL REQUIREMENTS FOR QUALIFICATION.—A unit of local government qualifies for a payment under this part for a payment period only if the unit of local government submits an application to the Director and establishes, to the satisfaction of the Director, that—

“(1) the chief executive officer of the State has had not less than 20 days to review and comment on the application prior to submission to the Director;

“(2)(A) the unit of local government will establish a trust fund in which the government will deposit all payments received under this part; and

“(B) the unit of local government will use amounts in the trust fund (including inter-

est) during a period not to exceed 2 years from the date the first grant payment is made to the unit of local government;

“(3) the unit of local government will expend the payments received in accordance with the laws and procedures that are applicable to the expenditure of revenues of the unit of local government;

“(4) the unit of local government will use accounting, audit, and fiscal procedures that conform to guidelines which shall be prescribed by the Director after consultation with the Comptroller General and as applicable, amounts received under this part shall be audited in compliance with the Single Audit Act of 1984;

“(5) after reasonable notice from the Director or the Comptroller General to the unit of local government, the unit of local government will make available to the Director and the Comptroller General, with the right to inspect, records that the Director reasonably requires to review compliance with this part or that the Comptroller General reasonably requires to review compliance and operation;

“(6) the unit of local government will spend the funds made available under this part only for the purposes set forth in section 1801(a)(2); and

“(7) the unit of local government has established procedures to give members of the Armed Forces who, on or after October 1, 1990, were or are selected for involuntary separation (as described in section 1141 of title 10, United States Code), approved for separation under section 1174a or 1175 of such title, or retired pursuant to the authority provided under section 4403 of the Defense Conversion, Reinvestment, and Transition Assistance Act of 1992 (division D of Public Law 102-484; 10 U.S.C. 1293 note), a suitable preference in the employment of persons as additional law enforcement officers or support personnel using funds made available under this title. The nature and extent of such employment preference shall be jointly established by the Attorney General and the Secretary of Defense. To the extent practicable, the Director shall endeavor to inform members who were separated between October 1, 1990, and the date of the enactment of this section of their eligibility for the employment preference.

“(d) SANCTIONS FOR NONCOMPLIANCE.—

“(1) IN GENERAL.—If the Director determines that a unit of local government has not complied substantially with the requirements or regulations prescribed under subsections (a) and (c), the Director shall notify the unit of local government that if the unit of local government does not take corrective action within 60 days of such notice, the Director will withhold additional payments to the unit of local government for the current and future payment periods until the Director is satisfied that the unit of local government—

“(A) has taken the appropriate corrective action; and

“(B) will comply with the requirements and regulations prescribed under subsections (a) and (c).

“(2) NOTICE.—Before giving notice under paragraph (1), the Director shall give the chief executive officer of the unit of local government reasonable notice and an opportunity for comment.

“(e) MAINTENANCE OF EFFORT REQUIREMENT.—A unit of local government qualifies for a payment under this part for a payment period only if the unit's expenditures on law enforcement services (as reported by the Bureau of the Census) for the fiscal year preceding the fiscal year in which the payment period occurs were not less than 90 percent of the unit's expenditures on such services for the second fiscal year preceding the fiscal year in which the payment period occurs.”.

(4) to identify specific programs that have not achieved their intended results; and

(5) to make specific recommendations on programs that—

(A) should receive continued or increased funding because of their proven success; or

(B) should have their funding terminated or reduced because of their lack of effectiveness.

(b) NATIONAL ACADEMY OF SCIENCES.—The Attorney General shall request the National Academy of Sciences to enter into the contract under subsection (a) to conduct the study or studies described in subsection (a). If the Academy declines to conduct the study, the Attorney General shall carry out such subsection through other public or non-profit private entities.

(c) ASSISTANCE.—In conducting the study under subsection (a) the contracting party may request analytic assistance, data, and other relevant materials from the Department of Justice and any other appropriate Federal agency.

(d) REPORTING REQUIREMENTS.—

(1) IN GENERAL.—Not later than January 1, 2000, the Attorney General shall submit a report describing the findings made as a result of the study required by subsection (a) to the Committee on the Judiciary and the Committee on Education and the Workforce of the House of Representatives, and to the Committee on the Judiciary and the Committee on Labor and Human Resources of the Senate.

(2) CONTENTS.—The report required by this subsection shall contain specific recommendations concerning funding levels for the programs evaluated. Reports on the effectiveness of such programs and recommendations on funding shall be provided to the appropriate subcommittees of the Committee on Appropriations of the House of Representatives and the Committee on Appropriations of the Senate.

(e) FUNDING.—There are authorized to be appropriated to carry out the study under subsection (a) such sums as may be necessary.

It was decided in the { Yeas 200
negative Nays 224
Answered present 1

45.8 [Roll No. 111]
AYES—200

- Ackerman DeFazio Hall (TX)
Allen DeGette Hamilton
Andrews Delahunt Hamilton
Baldacci DeLauro Hastings (FL)
Barcia Dellums Hilliard
Barrett (WI) Deutsch Hinchey
Becerra Dicks Hinojosa
Bentsen Dingell Holden
Berman Dixon Hooley
Berry Doggett Hoyer
Bishop Dooley Jackson (IL)
Blagojevich Doyle Jackson-Lee
Blumenauer Edwards (TX)
Bonior Ehlers Jefferson
Borski Engel John
Boswell Ensign Johnson (WI)
Boucher Eshoo Johnson, E. B.
Boyd Etheridge Kanjorski
Brown (CA) Evans Kaptur
Brown (FL) Farr Kennedy (MA)
Brown (OH) Fattah Kennedy (RI)
Campbell Fazio Kennelly
Capps Flake Kildee
Cardin Foglietta Kilpatrick
Carson Ford Kind (WI)
Clayton Frank (MA) Kleczka
Clement Frost Klink
Clyburn Furse Kucinich
Condit Gejdenson LaFalce
Conyers Gephardt Lampson
Coyne Gonzalez Lantos
Cummings Gordon Levin
Danner Green Lewis (GA)
Davis (FL) Gutierrez Lipinski
Davis (IL) Hall (OH) Lofgren

- Lowey Olver Skelton
Luther Ortiz Slaughter
Maloney (CT) Owens Smith, Adam
Maloney (NY) Pallone Snyder
Manton Pascrell Spratt
Markey Pastor Stabenow
Martinez Payne Stark
Mascara Pelosi Stenholm
Matsui Petri Stokes
McCarthy (MO) Pickett Strickland
McCarthy (NY) Pomeroy Stupak
McDermott Poshard Tanner
McGovern Price (NC) Tauscher
McHale Rahall Thompson
McIntyre Rangel Thurman
McNulty Reyes Tierney
Meehan Rivers Torres
Meek Rodriguez Towns
Menendez Roemer Turner
Millender Rothman Velazquez
McDonald Roybal-Allard Vento
Miller (CA) Rush Visclosky
Minge Sabo Waters
Mink Sanchez Watt (NC)
Moakley Sanders Waxman
Mollohan Sandlin Wexler
Moran (VA) Sawyer Weygand
Morella Schumer Wise
Murtha Scott Woolsey
Nadler Serrano Wynn
Neal Sherman Yates
Oberstar Sisisky
Obey Skaggs

NOES—224

- Aderholt Foley McCreary
Archer Forbes McDade
Armye Fowler McHugh
Bachus Fox McInnis
Baesler Franks (NJ) McIntosh
Baker Frelinghuysen McKeon
Ballenger Gallegly Metcalf
Barr Ganske Mica
Barrett (NE) Gekas Miller (FL)
Bartlett Gibbons Molinari
Barton Gilchrist Moran (KS)
Bass Gillmor Myrick
Bateman Gilman Nethercutt
Bereuter Goode Neumann
Bilbray Goodlatte Ney
Bilirakis Goodling Northup
Bliley Goss Norwood
Blunt Graham Nussle
Boehlert Granger Oxley
Boehner Greenwood Packard
Bonilla Gutknecht Pappas
Bono Hansen Parker
Brady Hastert Paul
Bryant Hastings (WA) Paxton
Bunning Hayworth Pease
Burr Hefley Peterson (MN)
Burton Herger Peterson (PA)
Buyer Pitts
Callahan Hilleary Pombo
Calvert Hobson Porter
Camp Hoekstra Portman
Canady Horn Pryce (OH)
Cannon Harman Quinn
Castle Houghton Radanovich
Chabot Hulshof Ramstad
Chambliss Hunter Regula
Chenoweth Hutchinson Riggs
Christensen Hyde Riley
Coble Inglis Rogan
Coburn Istook Rogers
Collins Jenkins Rohrabacher
Combust Johnson (CT) Ros-Lehtinen
Cook Johnson, Sam Roukema
Cooksey Jones Royce
Cox Kasich Ryan
Cramer Kelly Salmon
Crane Kim Sanford
Crapo King (NY) Saxton
Cubin Kingston Scarborough
Cunningham Klug Schaefer, Dan
Daval (VA) Knollenberg Schaffer, Bob
Deal Kolbe Sensenbrenner
DeLay LaHood Sessions
Diaz-Balart Largent Shadegg
Dickey Latham Shaw
Doolittle LaTourette Shays
Droier Lazio Shimkus
Duncan Leach Shuster
Dunn Lewis (KY) Skeen
Ehrlich Linder Smith (MI)
Emerson Livingston Smith (NJ)
English LoBiondo Smith (OR)
Everett Lucas Smith (TX)
Ewing Manzullo Smith, Linda
Fawell McCollum Snowbarger

- Solomon Thomas Weldon (FL)
Souder Thornberry Weldon (PA)
Spence Thune Weller
Stearns Tiahrt White
Stump Traficant Whitfield
Sununu Upton Wicker
Talent Walsh Wolf
Tauzin Wamp Young (AK)
Taylor (MS) Watkins Young (FL)
Taylor (NC) Watts (OK)

ANSWERED "PRESENT"—1

Abercrombie

NOT VOTING—8

- Clay Hefner Pickering
Costello Lewis (CA) Schiff
Filner McKinney

So the amendment in the nature of a substitute was not agreed to.

After some further time,

45.9 RECORDED VOTE

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

Page 4, beginning in line 15, strike "that felony" and all that follows through line 18 and insert "a serious violent felony."

Page 6, beginning in line 15 strike "or a conspiracy" and all that follows through "846" in line 18.

Page 6, beginning in line 23, strike "or a conspiracy" and all that follows through line 2 on page 7 and insert a period.

It was decided in the { Yeas 100
negative Nays 320

45.10 [Roll No. 112]
AYES—100

- Abercrombie Gephardt Nadler
Allen Gonzalez Oberstar
Baldacci Gutierrez Obey
Barrett (WI) Hastings (FL) Olver
Becerra Hilliard Owens
Bishop Hinchey Pallone
Blumenauer Hinojosa Payne
Bonior Jackson (IL) Pelosi
Borski Jackson-Lee Rahall
Brown (CA) (TX) Rangel
Brown (FL) Jefferson Rohrabacher
Capps Johnson (WI) Rothman
Carson Johnson, E.B. Roybal-Allard
Clayton Kennedy (RI) Rush
Clyburn Kennelly Sabo
Conyers Kilpatrick Sanders
Coyne Lantos Scott
Cummings Lewis (GA) Serrano
Davis (IL) Lofgren Slaughter
DeFazio Maloney (NY) Stabenow
DeGette Markey Stark
Delahunt Martinez Stokes
Dellums Matsui Thompson
Dixon McDermott Thurman
Evans McGovern Towns
Farr Meek Velazquez
Fattah Millender- Vento
Fazio McDonald Waters
Flake Miller (CA) Watt (NC)
Foglietta Minge Waxman
Ford Mink Weygand
Frank (MA) Moakley Woolsey
Furse Mollohan Wynn
Gejdenson Morella Yates

NOES—320

- Bereuter Bunning
Aderholt Berman Burr
Andrews Berry Burton
Archer Bilbray Buyer
Armye Bilirakis Callahan
Bachus Blagojevich Calvert
Baesler Blunt Camp
Baker Boehlert Campbell
Ballenger Boehner Canady
Barcia Bonilla Cannon
Barr Bono Cardin
Barrett (NE) Boswell Castle
Bartlett Boucher Chabot
Barton Boyd Chambliss
Bass Brady Chenoweth
Bateman Brown (OH) Christensen
Bentsen Bryant Clement

Coble
Coburn
Collins
Combest
Condit
Cook
Cooksey
Cox
Cramer
Crane
Crapo
Cubin
Cunningham
Danner
Davis (FL)
Davis (VA)
Deal
DeLauro
DeLay
Deutsch
Dickey
Dicks
Dingell
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Ensign
Eshoo
Etheridge
Everett
Ewing
Fawell
Foley
Forbes
Fowler
Fox
Franks (NJ)
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green
Greenwood
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hansen
Harman
Hastert
Hastings (WA)
Hayworth
Hefley
Herger
Hill
Hilleary
Hobson
Hoekstra
Holden
Hoolley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde

Inglis
Istook
Jenkins
John
Johnson (CT)
Johnson, Sam
Jones
Kanjorski
Kaptur
Kasich
Kelly
Kennedy (MA)
Kildee
Kim
Kind (WI)
King (NY)
Kingston
Klecza
Klink
Klug
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Largent
Latham
LaTourrette
Lazio
Leach
Levin
Lewis (CA)
Lewis (KY)
Linder
Lipinski
Livingston
LoBiondo
Lowe
Lucas
Luther
Maloney (CT)
Manton
Mascara
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDade
McHale
McHugh
McInnis
McIntosh
McIntyre
McKeon
McNulty
Meehan
Menendez
Metcalf
Mica
Miller (FL)
Molinari
Moran (KS)
Moran (VA)
Murtha
Myrick
Neal
Nethercutt
Neumann
Ney
Northup
Norwood
Nussle
Ortiz
Oxley
Packard
Pappas
Parker
Pascrell
Pastor
Paul
Paxon
Pease
Peterson (MN)
Petri
Pickett
Pitts
Pombo
Pomeroy

Porter
Portman
Poshard
Price (NC)
Pryce (OH)
Quinn
Radanovich
Ramstad
Regula
Reyes
Riggs
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Ros-Lehtinen
Roukema
Royce
Ryun
Salmon
Sandlin
Sanford
Sawyer
Saxton
Schaefer, Dan
Schaffer, Bob
Schumer
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherman
Shimkus
Shuster
Sisisky
Skaggs
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Adam
Smith, Linda
Snowbarger
Snyder
Solomon
Souder
Spence
Spratt
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Talent
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thornberry
Thune
Tiahrt
Tierney
Torres
Traficant
Turner
Upton
Visclosky
Walsh
Wamp
Watkins
Weldon (FL)
Weldon (PA)
Weller
Wexler
White
Whitfield
Wicker
Wise
Wolf
Young (AK)
Young (FL)

NOT VOTING—13

Bliley
Clay
Costello
Diaz-Balart
Filner

Hefner
McKinney
Peterson (PA)
Pickering
Sanchez

Scarborough
Schiff
Watts (OK)

So the amendment was not agreed to.

45.11 RECORDED VOTE

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

Page 4, beginning in line 24, strike "if the juvenile is alleged to have committed an act after the juvenile has attained the age of 13 years which if committed by a juvenile after the juvenile attained the age of 14 years would require that the juvenile be prosecuted as an adult under subsection (b), upon approval of the Attorney General." and insert "", upon approval of the Attorney General, if the juvenile is alleged to have committed, after the juvenile has attained the age of 13 years and before the juvenile has attained the age of 14 years, an act which if committed by an adult would be an offense under section 113(a), 113(b), 113(c), 1111, 1113, or, if the juvenile possessed a firearm during the offense, section 2111, 2113, 2241(a), or 2241(c) of this title."

It was decided in the { Yeas 129 negative } Nays 288

45.12 [Roll No. 113] AYES—129

Abercrombie
Ackerman
Allen
Barrett (WI)
Becerra
Berman
Berry
Bishop
Blumenauer
Bonior
Brown (CA)
Brown (FL)
Brown (OH)
Buyer
Capps
Carson
Clayton
Clyburn
Conyers
Coyne
Cummings
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
Dellums
Dixon
Doggett
Duncan
Ehlers
Eshoo
Evans
Farr
Fattah
Fazio
Flake
Foglietta
Ford
Franks (NJ)
Furse
Gejdenson
Gephardt
Gonzalez

Gutierrez
Hastings (FL)
Hilliard
Hinchee
Hinojosa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (WI)
Johnson, E. B.
Kennedy (MA)
Kennedy (RI)
Kennelly
Kilpatrick
LaFalce
Lampson
Lantos
Lewis (GA)
Lofgren
Cummings
Davis (FL)
Davis (IL)
DeFazio
McDermott
McGovern
McNulty
Meehan
Meek
Millender-McDonald
Miller (CA)
Minge
Mink
Moakley
Mollohan
Moran (VA)
Neal
Oberstar
Obey
Olver
Owens
Pastor
Payne

Pelosi
Petri
Pickett
Pomeroy
Price (NC)
Rahall
Rangel
Rivers
Roukema
Roybal-Allard
Rush
Sabo
Sanders
Sandlin
Sawyer
Scott
Serrano
Skaggs
Slaughter
Snyder
Spratt
Stabenow
Stark
Stokes
Strickland
Stupak
Thompson
Thurman
Tierney
Torres
Towns
Velazquez
Vento
Visclosky
Waters
Watt (NC)
Watts (OK)
Waxman
Weygand
Wise
Woolsey
Wynn
Yates

NOES—288

Aderholt
Andrews
Archer
Armey
Bachus
Baesler
Baker
Baldacci
Ballenger
Barcia
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bentsen
Bereuter
Bilbray
Bilirakis
Blagojevich

Blunt
Boehkert
Boehner
Bonilla
Bono
Borski
Boswell
Boucher
Boyd
Brady
Bryant
Bunning
Burr
Burton
Callahan
Calvert
Camp
Campbell
Canady
Cannon

Cardin
Castle
Chabot
Chambless
Chenoweth
Christensen
Clement
Coble
Coburn
Collins
Combest
Cook
Cooksey
Cox
Cramer
Crane
Crapo
Cubin
Cunningham

Danner
Davis (VA)
Deal
DeLauro
Deutsch
Dickey
Dicks
Dingell
Dooley
Doolittle
Doyle
Dreier
Dunn
Edwards
Ehrlich
Emerson
Engel
English
Ensign
Etheridge
Everett
Ewing
Fawell
Foley
Forbes
Fowler
Fox
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green
Greenwood
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Harman
Hastert
Hastings (WA)
Hayworth
Hefley
Herger
Hill
Hilleary
Hobson
Hoekstra
Holden
Hoolley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde

Kanjorski
Kaptur
Kasich
Kelly
Kildee
Kim
Kind (WI)
King (NY)
Kingston
Klecza
Klink
Klug
Knollenberg
Kolbe
Kucinich
LaHood
Largent
Latham
LaTourrette
Lazio
Leach
Levin
Lewis (CA)
Lewis (KY)
Linder
Lipinski
Livingston
LoBiondo
Lowe
Lucas
Luther
Maloney (CT)
Manton
Manzullo
Mascara
Matsui
McCarthy (NY)
McCollum
McCrery
McDade
McHale
McHugh
McInnis
McIntosh
McIntyre
McKeon
Menendez
Metcalf
Mica
Miller (FL)
Molinari
Moran (KS)
Morella
Murtha
Myrick
Nethercutt
Neumann
Ney
Northup
Norwood
Nussle
Ortiz
Oxley
Packard
Pallone
Pappas
Parker
Pascrell
Paul
Paxon
Pease
Peterson (MN)
Peterson (PA)
Pitts
Pombo
Porter

Portman
Poshard
Pryce (OH)
Quinn
Radanovich
Ramstad
Regula
Reyes
Riggs
Riley
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Royce
Ryun
Salmon
Sanford
Saxton
Schaefer, Dan
Schaffer, Bob
Schumer
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherman
Shimkus
Shuster
Sisisky
Skaggs
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Adam
Smith, Linda
Snowbarger
Solomon
Souder
Spence
Spratt
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Talent
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thornberry
Thune
Tiahrt
Traficant
Turner
Upton
Walsh
Wamp
Watkins
Weldon (FL)
Weldon (PA)
Weller
Wexler
White
Whitfield
Wicker
Wise
Wolf
Young (AK)
Young (FL)

NOT VOTING—16

Barr
Bliley
Clay
Costello
DeLay
Diaz-Balart

Filner
Frank (MA)
Hansen
Hefner
McKinney
Nadler

Pickering
Sanchez
Scarborough
Schiff

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

45.13 RECORDED VOTE

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

Page 22, strike lines 14 through 16.

It was decided in the { Yeas 101
negative } Nays 321

45.14 [Roll No. 114]
AYES—101

- Ackerman Hastings (FL) Oberstar
Barrett (WI) Hilliard Obey
Becerra Hinchey Olver
Berry Hinojosa Owens
Bishop Hooley Pastor
Blumenauer Jackson (IL) Payne
Bonior Jackson-Lee Pelosi
Brown (CA) (TX) Rangel
Brown (FL) Jefferson Roybal-Allard
Brown (OH) Johnson (WI) Rush
Carson Johnson, E.B. Sabo
Clayton Kanjorski Sanders
Clyburn Kennedy (RI) Sawyer
Conyers Kennelly Scott
Coyne Kilpatrick Serrano
Cummings Kleczka Skaggs
Davis (IL) Klink Slaughter
DeFazio LaFalce Stark
DeGette Lantos Stokes
Delahunt Lewis (GA) Stupak
Dellums Lofgren Thompson
Ehlers Martinez Thurman
Ensign McCarthy (MO) Tierney
Eshoo McCarthy (NY) Torres
Evans McDermott Towns
Farr McGovern Velazquez
Fattah McNulty Vento
Flake Meek Waters
Foglietta Millender- Watt (NC)
Ford McDonald Waxman
Furse Miller (CA) Woolsey
Gejdenson Mink Wynn
Gephardt Moakley Yates
Goodling Mollohan
Gutierrez Neal

NOES—321

- Abercrombie Combest Goss
Aderholt Condit Graham
Allen Cook Granger
Andrews Cooksey Green
Archer Cox Greenwood
Armey Cramer Gutknecht
Bachus Crane Hall (OH)
Baesler Crapo Hall (TX)
Baker Cubin Hamilton
Baldacci Cunningham Hansen
Ballenger Danner Harman
Barcia Davis (FL) Hastert
Barr Davis (VA) Hastings (WA)
Barrett (NE) Deal Hayworth
Bartlett DeLauro Hefley
Barton DeLay Heger
Bass Deutsch Hill
Bateman Dickey Hilleary
Bentsen Dicks Hobson
Bereuter Dingell Hoekstra
Berman Dixon Holden
Bilbray Doggett Horn
Bilirakis Dooley Hostettler
Blagojevich Doolittle Houghton
Bliley Doyle Hoyer
Blunt Dreier Hulshof
Boehlert Duncan Hunter
Boehner Dunn Hutchinson
Bonilla Edwards Hyde
Bono Ehrlich Inglis
Borski Emerson Istook
Boswell Engel Jenkins
Boucher English John
Boyd Etheridge Johnson (CT)
Brady Everett Jones
Bryant Ewing Kasich
Bunning Fawell Kelly
Burr Fazio Kennedy (MA)
Burton Foley Kildee
Buyer Forbes Kim
Callahan Fowler Kind (WI)
Calvert Fox King (NY)
Camp Frank (MA) Kingston
Campbell Franks (NJ) Klug
Canady Frelinghuysen Knollenberg
Cannon Frost Kolbe
Capps Gallegly Kucinich
Cardin Ganske LaHood
Castle Gekas Lampson
Chabot Gibbons Largent
Chambliss Gilchrist Latham
Chenoweth Gillmor LaTourette
Christensen Gilman Lazio
Clement Gonzalez Leach
Coble Goode Levin
Coburn Goodlatte Lewis (CA)
Collins Gordon Lewis (KY)

- Linder Pease Skeen
Lipinski Peterson (MN) Skelton
Livingston Peterson (PA) Smith (MI)
LoBiondo Petri Smith (NJ)
Lowe Pickett Smith (OR)
Lucas Pitts Smith (TX)
Luther Pombo Smith, Adam
Maloney (CT) Pomeroy Smith, Linda
Maloney (NY) Porter Snowbarger
Manton Portman Snyder
Manzullo Poshard Solomon
Markey Price (NC) Souder
Mascara Pryce (OH) Spence
Matsui Quinn Spratt
McCollum Radanovich Stabenow
McCrery Rahall Stearns
McDade Ramstad Stenholm
McHale Regula Strickland
McHugh Reyes Stump
McInnis Riggs Sununu
McIntosh Riley Talent
McIntyre Rivers Tanner
McKeon Rodriguez Tauscher
Meehan Roemer Tauzin
Menendez Rogan Taylor (MS)
Metcalf Rogers Taylor (NC)
Mica Rohrabacher Thomas
Miller (FL) Ros-Lehtinen Thornberry
Minge Rothman Thune
Molinari Roukema Tiahrt
Moran (KS) Royce Traficant
Moran (VA) Ryun Turner
Morella Salmon Upton
Murtha Sanchez Visclosky
Myrick Sandlin Walsh
Nadler Sanford Wamp
Nethercutt Saxton Watkins
Neumann Scarborough Watts (OK)
Ney Schaefer, Dan Weldon (FL)
Norwood Schaffer, Bob Weldon (PA)
Nussle Schumer Weller
Ortiz Sensenbrenner Wexler
Oxley Sessions Weygand
Packard Shadegg White
Pallone Shaw Whitfield
Pappas Shays Wicker
Parker Sherman Wise
Pascrell Shimkus Wolf
Paul Shuster Young (AK)
Paxon Sisisky Young (FL)

NOT VOTING—11

- Clay Hefner Northrup
Costello Johnson, Sam Pickering
Diaz-Balart Kaptur Schiff
Filner McKinney

So the amendment was not agreed to.

45.15 RECORDED VOTE

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

Page 24, after the line 9, insert the following:

“(12) preventing young Americans from becoming involved in crime or gangs by—

“(A) operating after school programs for at-risk youth;

“(B) developing safe havens from and alternatives to street violence, including educational, vocational or other extracurricular activities opportunities;

“(C) establishing community service programs, based on community service corps models that teach skills, discipline, and responsibility;

“(D) establishing peer mediation programs in schools;

“(E) establishing big brother/big sister programs;

“(F) establishing anti-truancy programs;

“(G) establishing community based juvenile crime prevention programs that include a family strengthening component;

“(H) establishing community based juvenile crime prevention programs that identify and intervene with at-risk youth on a case-by-case basis;

“(I) establishing drug prevention, drug treatment, or drug education programs;

“(J) establishing intensive delinquency supervision programs;

“(K) implementing a structured system of wide ranging and graduated diversions,

placements, and dispositions that combines accountability and sanctions with increasingly intensive treatment and rehabilitation services in order to induce law-abiding behavior and prevent a juvenile's further involvement with the juvenile justice system; that integrates the family and community with the sanctions, treatment, and rehabilitation; and is balanced and humane; and

“(L) establishing activities substantially similar to programs described in subparagraphs (A) through (K).

“(c) REQUIRED USE.—A unit of local government which receives funds under this part shall use not less than 50 percent of the amount received to carry out the purposes described in subsection (b)(12).”

It was decided in the { Yeas 191
negative } Nays 227

45.16 [Roll No. 115]
AYES—191

- Ackerman Harman Olver
Allen Hastings (FL) Ortiz
Andrews Hilliard Owens
Baldacci Hinchey Pallone
Barrett (WI) Hinojosa Pascrell
Becerra Holden Pastor
Bentsen Hoyer Payne
Berman Jackson (IL) Pelosi
Berry Jackson-Lee Peterson (MN)
Bishop (TX) Pomeroy
Blumenauer Jefferson Poshard
Bonior John Price (NC)
Borski Johnson (WI) Quinn
Boswell Johnson, E.B. Rahall
Boyd Kanjorski Rangel
Brown (CA) Kaptur Reyes
Brown (FL) Kennedy (MA) Rivers
Brown (OH) Kennedy (RI) Rodriguez
Capps Kennelly Roemer
Cardin Kildee Rothman
Carson Kilpatrick Roybal-Allard
Castle Kind (WI) Rush
Clayton Kleczka Sabo
Clyburn Klink Sanchez
Condit Kucinich Sanders
Conyers LaFalce Sandlin
Coyne Lampson Sawyer
Cummings Lantos Schumer
Davis (FL) Levin Scott
Davis (IL) Lewis (GA) Serrano
DeFazio Lipinski Shays
DeGette Lofgren Sherman
Delahunt Lowey Sisisky
DeLauro Luther Skaggs
Dellums Maloney (CT) Skelton
Deutsch Maloney (NY) Slaughter
Dicks Manton Smith, Adam
Dingell Markey Spratt
Dixon Martinez Stabenow
Doggett Mascara Stark
Dooley Matsui Stenholm
Doyle McCarthy (MO) Stokes
Edwards McCarthy (NY) Strickland
Engel McDermott Stupak
Ensign McGovern Tauscher
Eshoo McHale Thompson
Etheridge McIntyre Thurman
Evans McNulty Tierney
Farr Meehan Torres
Fattah Meek Towns
Fazio Menendez Turner
Flake Millender- Velazquez
Foglietta McDonald Vento
Ford Miller (CA) Visclosky
Frank (MA) Minge Waters
Frost Mink Watt (NC)
Furse Moakley Waxman
Gejdenson Mollohan Wexler
Gephardt Moran (VA) Weygand
Gonzalez Morella Wise
Goodling Murtha Woolsey
Green Nadler Wynn
Gutierrez Neal Yates
Hall (OH) Oberstar
Hall (TX) Obey

NOES—227

- Abercrombie Barcia Bereuter
Aderholt Barr Bilbray
Armey Barrett (NE) Bilirakis
Bachus Bartlett Bliley
Baesler Barton Blunt
Baker Bass Boehlert
Ballenger Bateman Boehner

Bonilla Hastings (WA)
 Bono Hayworth
 Brady Hefley
 Bryant Herger
 Bunning Hill
 Burr Hilleary
 Burton Hobson
 Callahan Hoekstra
 Calvert Horn
 Camp Hostettler
 Campbell Houghton
 Canady Hulshof
 Cannon Hunter
 Chabot Hutchinson
 Chambliss Hyde
 Chenoweth Inglis
 Christensen Istook
 Clement Jenkins
 Coble Johnson, Sam
 Coburn Jones
 Collins Kasich
 Combest Kelly
 Cook Kim
 Cooksey King (NY)
 Cramer Kingston
 Crane Klug
 Crapo Knollenberg
 Cubin Kolbe
 Cunningham LaHood
 Danner Largent
 Davis (VA) Latham
 Deal LaTourette
 DeLay Lazio
 Doolittle Leach
 Doyle Lewis (CA)
 Dreier Lewis (KY)
 Duncan Linder
 Dunn Livingston
 Ehlers LoBiondo
 Ehrlich Lucas
 Emerson Manzullo
 English McCollum
 Everett McCrery
 Ewing McDade
 Fawell McHugh
 Foley McInnis
 Forbes McIntosh
 Fowler McKeon
 Fox Metcalf
 Franks (NJ) Mica
 Frelinghuysen Miller (FL)
 Gallegly Molinari
 Ganske Moran (KS)
 Gekas Myrick
 Gibbons Nethercutt
 Gilchrist Neumann
 Gillmor Ney
 Gilman Northup
 Goode Norwood
 Goodlatte Nussle
 Gordon Oxley
 Goss Packard
 Graham Pappas
 Granger Parker
 Greenwood Paul
 Gutknecht Paxton
 Hamilton Pease
 Hansen Peterson (PA)
 Hastert Petri

NOT VOTING—15

Archer Costello
 Blagojevich Cox
 Boucher Diaz-Balart
 Buyer Filner
 Clay Hefner

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

45.17 RECORDED VOTE

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

Add at the end the following new title:

Title —GRANT REDUCTION

SEC. 01. PARENTAL NOTIFICATION.

(a) GRANT REDUCTION FOR NONCOMPLIANCE.—Section 506 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 is amended by adding at the end the following:

“(g) INFORMATION ACCESS.—

“(1) IN GENERAL.—The funds available under this subpart for a State shall be reduced by 20 percent and redistributed under paragraph (2) unless the State—

“(A) submits to the Attorney General, not later than 1 year after the date of the enactment of the Juvenile Crime Control Act of 1997, a plan that describes a process to notify parents regarding the enrollment of a juvenile sex offender in an elementary or secondary school that their child attends; and

“(B) adheres to the requirements described in such plan in each subsequent year as determined by the Attorney General.

“(2) REDISTRIBUTION.—To the extent approved in advance in appropriations Acts, any funds available for redistribution shall be redistributed to participating States that have submitted a plan in accordance with paragraph (1).

“(3) COMPLIANCE.—The Attorney General shall issue regulations to ensure compliance with the requirements of paragraph (1).

It was decided in the { Yeas 398 affirmative } Nays 21

45.18

[Roll No. 116

AYES—398

Abercrombie Crane
 Ackerman Crapo
 Aderholt Cubin
 Allen Cummings
 Andrews Cunningham
 Archer Danner
 Arney Davis (FL)
 Bachus Davis (IL)
 Baesler Davis (VA)
 Baker Deal
 Baldacci DeFazio
 Ballenger DeGette
 Barcia Delahunt
 Barr DeLauro
 Barrett (NE) DeLay
 Barrett (WI) Delugs
 Bartlett Deutsch
 Barton Dickey
 Bass Dicks
 Bateman Dixon
 Bentsen Doggett
 Bereuter Dooley
 Berman Doolittle
 Berry Doyle
 Bilbray Dreier
 Bilirakis Duncan
 Bishop Dunn
 Blagojevich Edwards
 Bliley Ehlers
 Blumenauer Ehrlich
 Blunt Emerson
 Boehlert Engel
 Boehner English
 Bonilla Ensign
 Granger Eshoo
 Bono Etheridge
 Borski Evans
 Boswell Everett
 Boyd Ewing
 Brady Farr
 Brown (CA) Fazio
 Brown (FL) Flake
 Brown (OH) Foley
 Bryant Forbes
 Bunning Ford
 Burr Fowler
 Burton Fox
 Callahan Frank (MA)
 Calvert Franks (NJ)
 Camp Frelinghuysen
 Canady Frost
 Cannon Furse
 Cardin Gallegly
 Carson Ganske
 Castle Gejdenson
 Chabot Gekas
 Chambliss Gephardt
 Chenoweth Gibbons
 Christensen Gilchrist
 Clayton Gillmor
 Clement Gonzalez
 Clyburn Goode
 Coble Goodlatte
 Coburn Goodling
 Collins Gordon
 Combest Leach
 Condit Goss
 Cook Graham
 Cooksey Granger
 Cox Green
 Coyne Gutierrez
 Cramer Hall (OH)

LoBiondo Parker
 Lofgren Pascrell
 Lowey Pastor
 Lucas Paul
 Luther Payne
 Maloney (CT) Pease
 Maloney (NY) Pelosi
 Manton Peterson (MN)
 Manzullo Peterson (PA)
 Markey Petri
 Martinez Pickett
 Mascara Pitts
 Matsui Pomo
 McCarthy (MO) Pomeroy
 McCarthy (NY) Porter
 McCollum Portman
 McCrery Poshard
 McDade Price (NC)
 McGovern Pryce (OH)
 McHale Quinn
 McHugh Radanovich
 McInnis Rahall
 McIntosh Ramstad
 McIntyre Regula
 McKeon Reyes
 McNulty Riggs
 Meehan Riley
 Meek Rivers
 Menendez Rodriguez
 Metcalf Roemer
 Mica Rogan
 Millender- Rogers
 McDonald Rohrabacher
 Miller (CA) Ros-Lehtinen
 Miller (FL) Rothman
 Minge Roukema
 Mink Roybal-Allard
 Moakley Royce
 Molinari Rush
 Mollohan Ryan
 Moran (KS) Salmon
 Moran (VA) Sanchez
 Morella Sanders
 Murtha Sandlin
 Myrick Sanford
 Nadler Sawyer
 Neal Saxton
 Nethercutt Scarborough
 Neumann Schaefer, Dan
 Ney Schaefer, Bob
 Northup Schumer
 Norwood Sensenbrenner
 Nussle Serrano
 Oberstar Sessions
 Obey Shadegg
 Olver Shaw
 Ortiz Shays
 Owens Sherman
 Oxley Shimkus
 Packard Shuster
 Pallone Sisisky
 Pappas Skaggs

NOES—21

Becerra Gilman
 Buyer Greenwood
 Campbell Hastings (FL)
 Conyers Hinchey
 Dingell McDermott
 Fattah Rangel
 Foglietta Sabo

NOT VOTING—14

Boucher Fawell
 Capps Filner
 Clay Hefner
 Costello Kasich
 Diaz-Balart McKinney

So the amendment was agreed to.

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

When Mr. KINGSTON, Chairman, pursuant to House Resolution 143, reported the bill back to the House with an amendment adopted by the Committee.

The previous question having been ordered by said resolution.

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

Strike out all after the enacting clause and insert:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Juvenile Crime Control Act of 1997".

TITLE I—REFORMING THE FEDERAL JUVENILE JUSTICE SYSTEM**SEC. 101. DELINQUENCY PROCEEDINGS OR CRIMINAL PROSECUTIONS IN DISTRICT COURTS.**

Section 5032 of title 18, United States Code, is amended to read as follows:

"§ 5032. Delinquency proceedings or criminal prosecutions in district courts

"(a)(1) A juvenile alleged to have committed an offense against the United States or an act of juvenile delinquency may be surrendered to State authorities, but if not so surrendered, shall be proceeded against as a juvenile under this subsection or tried as an adult in the circumstances described in subsections (b) and (c).

"(2) A juvenile may be proceeded against as a juvenile in a court of the United States under this subsection if—

"(A) the alleged offense or act of juvenile delinquency is committed within the special maritime and territorial jurisdiction of the United States and is one for which the maximum authorized term of imprisonment does not exceed 6 months; or

"(B) the Attorney General, after investigation, certifies to the appropriate United States district court that—

"(i) the juvenile court or other appropriate court of a State does not have jurisdiction or declines to assume jurisdiction over the juvenile with respect to the alleged act of juvenile delinquency, and

"(ii) there is a substantial Federal interest in the case or the offense to warrant the exercise of Federal jurisdiction.

"(3) If the Attorney General does not so certify or does not have authority to try such juvenile as an adult, such juvenile shall be surrendered to the appropriate legal authorities of such State.

"(4) If a juvenile alleged to have committed an act of juvenile delinquency is proceeded against as a juvenile under this section, any proceedings against the juvenile shall be in an appropriate district court of the United States. For such purposes, the court may be convened at any time and place within the district, and shall be open to the public, except that the court may exclude all or some members of the public, other than a victim unless the victim is a witness in the determination of guilt or innocence, if required by the interests of justice or if other good cause is shown. The Attorney General shall proceed by information or as authorized by section 3401(g) of this title, and no criminal prosecution shall be instituted except as provided in this chapter.

"(b)(1) Except as provided in paragraph (2), a juvenile shall be prosecuted as an adult—

"(A) if the juvenile has requested in writing upon advice of counsel to be prosecuted as an adult; or

"(B) if the juvenile is alleged to have committed an act after the juvenile attains the age of 14 years which if committed by an adult would be a serious violent felony or a serious drug offense described in section 3559(c) of this title, or a conspiracy or attempt to commit that felony or offense, which is punishable under section 406 of the Controlled Substances Act (21 U.S.C. 846), or section 1013 of the Controlled Substances Import and Export Act (21 U.S.C. 963).

"(2) The requirements of paragraph (1) do not apply if the Attorney General certifies to the appropriate United States district court that the interests of justice are best served by proceeding against the juvenile as a juvenile.

"(c)(1) A juvenile may also be prosecuted as an adult if the juvenile is alleged to have committed an act after the juvenile has at-

tained the age of 13 years which if committed by a juvenile after the juvenile attained the age of 14 years would require that the juvenile be prosecuted as an adult under subsection (b), upon approval of the Attorney General.

"(2) The Attorney General shall not delegate the authority to give the approval required under paragraph (1) to an officer or employee of the Department of Justice at a level lower than a Deputy Assistant Attorney General.

"(3) Such approval shall not be granted, with respect to such a juvenile who is subject to the criminal jurisdiction of an Indian tribal government and who is alleged to have committed an act over which, if committed by an adult, there would be Federal jurisdiction based solely on its commission in Indian country (as defined in section 1151), unless the governing body of the tribe having jurisdiction over the place in which the alleged act was committed has before such act notified the Attorney General in writing of its election that prosecution may take place under this subsection.

"(4) A juvenile may also be prosecuted as an adult if the juvenile is alleged to have committed an act which is not described in subsection (b)(1)(B) after the juvenile has attained the age of 14 years and which if committed by an adult would be—

"(A) a crime of violence (as defined in section 3156(a)(4)) that is a felony;

"(B) an offense described in section 844 (d), (k), or (l), or subsection (a)(6), (b), (g), (h), (j), (k), or (l) of section 924;

"(C) a violation of section 922(o) that is an offense under section 924(a)(2);

"(D) a violation of section 5861 of the Internal Revenue Code of 1986 that is an offense under section 5871 of such Code (26 U.S.C. 5871);

"(E) a conspiracy to commit an offense described in any of subparagraphs (A) through (D); or

"(F) an offense described in section 401 or 408 of the Controlled Substances Act (21 U.S.C. 841, 848) or a conspiracy or attempt to commit that offense which is punishable under section 406 of the Controlled Substances Act (21 U.S.C. 846), or an offense punishable under section 409 or 419 of the Controlled Substances Act (21 U.S.C. 849, 860), or an offense described in section 1002, 1003, 1005, or 1009 of the Controlled Substances Import and Export Act (21 U.S.C. 952, 953, 955, or 959), or a conspiracy or attempt to commit that offense which is punishable under section 1013 of the Controlled Substances Import and Export Act (21 U.S.C. 963).

"(D) A determination to approve or not to approve, or to institute or not to institute, a prosecution under subsection (b) or (c), and a determination to file or not to file, and the contents of, a certification under subsection (a) or (b) shall not be reviewable in any court.

"(e) In a prosecution under subsection (b) or (c), the juvenile may be prosecuted and convicted as an adult for any other offense which is properly joined under the Federal Rules of Criminal Procedure, and may also be convicted of a lesser included offense.

"(f) The Attorney General shall annually report to Congress—

"(1) the number of juveniles adjudicated delinquent or tried as adults in Federal court;

"(2) the race, ethnicity, and gender of those juveniles;

"(3) the number of those juveniles who were abused or neglected by their families, to the extent such information is available; and

"(4) the number and types of assault crimes, such as rapes and beatings, committed against juveniles while incarcerated

in connection with the adjudication or conviction.

"(g) As used in this section—

"(1) the term 'State' includes a State of the United States, the District of Columbia, any commonwealth, territory, or possession of the United States and, with regard to an act of juvenile delinquency that would have been a misdemeanor if committed by an adult, a federally recognized tribe; and

"(2) the term 'serious violent felony' has the same meaning given that term in section 3559(c)(2)(F)(i)."

SEC. 102. CUSTODY PRIOR TO APPEARANCE BEFORE JUDICIAL OFFICER.

Section 5033 of title 18, United States Code, is amended to read as follows:

"§ 5033. Custody prior to appearance before judicial officer

"(a) Whenever a juvenile is taken into custody, the arresting officer shall immediately advise such juvenile of the juvenile's rights, in language comprehensible to a juvenile. The arresting officer shall promptly take reasonable steps to notify the juvenile's parents, guardian, or custodian of such custody, of the rights of the juvenile, and of the nature of the alleged offense.

"(b) The juvenile shall be taken before a judicial officer without unreasonable delay."

SEC. 103. TECHNICAL AND CONFORMING AMENDMENTS TO SECTION 5034.

Section 5034 of title 18, United States Code, is amended—

(1) by striking "The" each place it appears at the beginning of a paragraph and inserting "the";

(2) by striking "If" at the beginning of the 3rd paragraph and inserting "if";

(3)(A) by designating the 3 paragraphs as paragraphs (1), (2), and (3), respectively; and

(B) by moving such designated paragraphs 2 ems to the right; and

(4) by inserting at the beginning of such section before those paragraphs the following:

"In a proceeding under section 5032(a)—"

SEC. 104. DETENTION PRIOR TO DISPOSITION OR SENTENCING.

Section 5035 of title 18, United States Code, is amended to read as follows:

"§ 5035. Detention prior to disposition or sentencing

"(a)(1) A juvenile who has attained the age of 16 years and who is prosecuted pursuant to subsection (b) or (c) of section 5032, if detained at any time prior to sentencing, shall be detained in such suitable place as the Attorney General may designate. Preference shall be given to a place located within, or within a reasonable distance of, the district in which the juvenile is being prosecuted.

"(2) A juvenile less than 16 years of age prosecuted pursuant to subsection (b) or (c) of section 5032, if detained at any time prior to sentencing, shall be detained in a suitable juvenile facility located within, or within a reasonable distance of, the district in which the juvenile is being prosecuted. If such a facility is not available, such a juvenile may be detained in any other suitable facility located within, or within a reasonable distance of, such district. If no such facility is available, such a juvenile may be detained in any other suitable place as the Attorney General may designate.

"(3) To the maximum extent feasible, a juvenile less than 16 years of age prosecuted pursuant to subsection (b) or (c) of section 5032 shall not be detained prior to sentencing in any facility in which the juvenile has regular contact with adult persons convicted of a crime or awaiting trial on criminal charges.

"(b) A juvenile proceeded against under section 5032 shall not be detained prior to

disposition in any facility in which the juvenile has regular contact with adult persons convicted of a crime or awaiting trial on criminal charges.

“(c) Every juvenile who is detained prior to disposition or sentencing shall be provided with reasonable safety and security and with adequate food, heat, light, sanitary facilities, bedding, clothing, recreation, education, and medical care, including necessary psychiatric, psychological, or other care and treatment.”

SEC. 105. SPEEDY TRIAL.

Section 5036 of title 18, United States Code, is amended by—

(1) striking “If an alleged delinquent” and inserting “If a juvenile proceeded against under section 5032(a)”;

(2) striking “thirty” and inserting “45”; and

(3) striking “the court,” and all that follows through the end of the section and inserting “the court. The periods of exclusion under section 3161(h) of this title shall apply to this section.”

SEC. 106. DISPOSITION; AVAILABILITY OF INCREASED DETENTION, FINES AND SUPERVISED RELEASE FOR JUVENILE OFFENDERS.

(a) DISPOSITION.—Section 5037 of title 18, United States Code, is amended to read as follows:

“§ 5037. Disposition

“(a) In a proceeding under section 5032(a), if the court finds a juvenile to be a juvenile delinquent, the court shall hold a hearing concerning the appropriate disposition of the juvenile no later than 40 court days after the finding of juvenile delinquency, unless the court has ordered further study pursuant to subsection (e). A predisposition report shall be prepared by the probation officer who shall promptly provide a copy to the juvenile, the juvenile’s counsel, and the attorney for the Government. Victim impact information shall be included in the report, and victims, or in appropriate cases their official representatives, shall be provided the opportunity to make a statement to the court in person or present any information in relation to the disposition. After the dispositional hearing, and after considering the sanctions recommended pursuant to subsection (f), the court shall impose an appropriate sanction, including the ordering of restitution pursuant to section 3556 of this title. The court may order the juvenile’s parent, guardian, or custodian to be present at the dispositional hearing and the imposition of sanctions and may issue orders directed to such parent, guardian, custodian regarding conduct with respect to the juvenile. With respect to release or detention pending an appeal or a petition for a writ of certiorari after disposition, the court shall proceed pursuant to chapter 207.

“(b) The term for which probation may be ordered for a juvenile found to be a juvenile delinquent may not extend beyond the maximum term that would be authorized by section 3561(c) if the juvenile had been tried and convicted as an adult. Sections 3563, 3564, and 3565 are applicable to an order placing a juvenile on probation.

“(c) The term for which official detention may be ordered for a juvenile found to be a juvenile delinquent may not extend beyond the lesser of—

(1) the maximum term of imprisonment that would be authorized if the juvenile had been tried and convicted as an adult;

(2) ten years; or

(3) the date when the juvenile becomes twenty-six years old.

Section 3624 is applicable to an order placing a juvenile in detention.

“(d) The term for which supervised release may be ordered for a juvenile found to be a

juvenile delinquent may not extend beyond 5 years. Subsections (c) through (i) of section 3583 apply to an order placing a juvenile on supervised release.

“(e) If the court desires more detailed information concerning a juvenile alleged to have committed an act of juvenile delinquency or a juvenile adjudicated delinquent, it may commit the juvenile, after notice and hearing at which the juvenile is represented by counsel, to the custody of the Attorney General for observation and study by an appropriate agency or entity. Such observation and study shall be conducted on an out-patient basis, unless the court determines that inpatient observation and study are necessary to obtain the desired information. In the case of an alleged juvenile delinquent, inpatient study may be ordered only with the consent of the juvenile and the juvenile’s attorney. The agency or entity shall make a study of all matters relevant to the alleged or adjudicated delinquent behavior and the court’s inquiry. The Attorney General shall submit to the court and the attorneys for the juvenile and the Government the results of the study within 30 days after the commitment of the juvenile, unless the court grants additional time. Time spent in custody under this subsection shall be excluded for purposes of section 5036.

“(f)(1) The United States Sentencing Commission, in consultation with the Attorney General, shall develop a list of possible sanctions for juveniles adjudicated delinquent.

“(2) Such list shall—

“(A) be comprehensive in nature and encompass punishments of varying levels of severity;

“(B) include terms of confinement; and

“(C) provide punishments that escalate in severity with each additional or subsequent more serious delinquent conduct.”

(b) EFFECTIVE DATE.—The Sentencing Commission shall develop the list required pursuant to section 5037(f), as amended by subsection (a), not later than 180 days after the date of the enactment of this Act.

(c) CONFORMING AMENDMENT TO ADULT SENTENCING SECTION.—Section 3553 of title 18, United States Code, is amended by adding at the end the following:

“(g) LIMITATION ON APPLICABILITY OF STATUTORY MINIMUMS IN CERTAIN PROSECUTIONS OF PERSONS UNDER THE AGE OF 16.—Notwithstanding any other provision of law, in the case of a defendant convicted for conduct that occurred before the juvenile attained the age of 16 years, the court shall impose a sentence without regard to any statutory minimum sentence, if the court finds at sentencing, after affording the Government an opportunity to make a recommendation, that the juvenile has not been previously adjudicated delinquent for or convicted of an offense described in section 5032(b)(1)(B).”

SEC. 107. JUVENILE RECORDS AND FINGERPRINTING.

Section 5038 of title 18, United States Code, is amended to read as follows:

“§ 5038. Juvenile records and fingerprinting

“(a)(1) Throughout and upon the completion of the juvenile delinquency proceeding under section 5032(a), the court shall keep a record relating to the arrest and adjudication that is—

“(A) equivalent to the record that would be kept of an adult arrest and conviction for such an offense; and

“(B) retained for a period of time that is equal to the period of time records are kept for adult convictions.

“(2) Such records shall be made available for official purposes, including communications with any victim or, in the case of a deceased victim, such victim’s representative, or school officials, and to the public to the same extent as court records regarding the

criminal prosecutions of adults are available.

“(b) The Attorney General shall establish guidelines for fingerprinting and photographing a juvenile who is the subject of any proceeding authorized under this chapter. Such guidelines shall address the availability of pictures of any juvenile taken into custody but not prosecuted as an adult. Fingerprints and photographs of a juvenile who is prosecuted as an adult shall be made available in the manner applicable to adult offenders.

“(c) Whenever a juvenile has been adjudicated delinquent for an act that, if committed by an adult, would be a felony or for a violation of section 924(a)(6), the court shall transmit to the Federal Bureau of Investigation the information concerning the adjudication, including name, date of adjudication, court, offenses, and sentence, along with the notation that the matter was a juvenile adjudication.

“(d) In addition to any other authorization under this section for the reporting, retention, disclosure, or availability of records or information, if the law of the State in which a Federal juvenile delinquency proceeding takes place permits or requires the reporting, retention, disclosure, or availability of records or information relating to a juvenile or to a juvenile delinquency proceeding or adjudication in certain circumstances, then such reporting, retention, disclosure, or availability is permitted under this section whenever the same circumstances exist.”

SEC. 108. TECHNICAL AMENDMENTS OF SECTIONS 5031 AND 5034.

(a) ELIMINATION OF PRONOUNS.—Sections 5031 and 5034 of title 18, United States Code, are each amended by striking “his” each place it appears and inserting “the juvenile’s”.

(b) UPDATING OF REFERENCE.—Section 5034 of title 18, United States Code, is amended—

(1) in the heading of such section, by striking “magistrate” and inserting “judicial officer”; and

(2) by striking “magistrate” each place it appears and inserting “judicial officer”.

SEC. 109. CLERICAL AMENDMENTS TO TABLE OF SECTIONS FOR CHAPTER 403.

The heading and the table of sections at the beginning of chapter 403 of title 18, United States Code, is amended to read as follows:

“CHAPTER 403—JUVENILE DELINQUENCY

“Sec.

“5031. Definitions.

“5032. Delinquency proceedings or criminal prosecutions in district courts.

“5033. Custody prior to appearance before judicial officer.

“5034. Duties of judicial officer.

“5035. Detention prior to disposition or sentencing.

“5036. Speedy trial.

“5037. Disposition.

“5038. Juvenile records and fingerprinting.

“5039. Commitment.

“5040. Support.

“5041. Repealed.

“5042. Revocation of probation.”

TITLE II—APPREHENDING ARMED VIOLENT YOUTH

SEC. 201. ARMED VIOLENT YOUTH APPREHENSION DIRECTIVE.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Attorney General of the United States shall establish an armed violent youth apprehension program consistent with the following requirements:

(1) Each United States attorney shall designate at least 1 assistant United States attorney to prosecute, on either a full- or part-time basis, armed violent youth.

(2) Each United States attorney shall establish an armed youth criminal apprehension task force comprised of appropriate law enforcement representatives. The task force shall develop strategies for removing armed violent youth from the streets, taking into consideration—

(A) the importance of severe punishment in deterring armed violent youth crime;

(B) the effectiveness of Federal and State laws pertaining to apprehension and prosecution of armed violent youth;

(C) the resources available to each law enforcement agency participating in the task force;

(D) the nature and extent of the violent youth crime occurring in the district for which the United States attorney is appointed; and

(E) the principle of limited Federal involvement in the prosecution of crimes traditionally prosecuted in State and local jurisdictions.

(3) Not less frequently than bimonthly, the Attorney General shall require each United States attorney to report to the Department of Justice the number of youths charged with, or convicted of, violating section 922(g) or 924 of title 18, United States Code, in the district for which the United States attorney is appointed and the number of youths referred to a State for prosecution for similar offenses.

(4) Not less frequently than twice annually, the Attorney General shall submit to the Congress a compilation of the information received by the Department of Justice pursuant to paragraph (3) and a report on all waivers granted under subsection (b).

(b) WAIVER AUTHORITY.—

(1) REQUEST FOR WAIVER.—A United States attorney may request the Attorney General to waive the requirements of subsection (a) with respect to the United States attorney.

(2) PROVISION OF WAIVER.—The Attorney General may waive the requirements of subsection (a) pursuant to a request made under paragraph (1), in accordance with guidelines which shall be established by the Attorney General. In establishing the guidelines, the Attorney General shall take into consideration the number of assistant United States attorneys in the office of the United States attorney making the request and the level of violent youth crime committed in the district for which the United States attorney is appointed.

(c) ARMED VIOLENT YOUTH DEFINED.—As used in this section, the term “armed violent youth” means a person who has not attained 18 years of age and is accused of violating—

(1) section 922(g)(1) of title 18, United States Code, having been previously convicted of—

(A) a violent crime; or

(B) conduct that would have been a violent crime had the person been an adult; or

(2) section 924 of such title.

(d) SUNSET.—This section shall have no force or effect after the 5-year period that begins 180 days after the date of the enactment of this Act.

TITLE III—ACCOUNTABILITY FOR JUVENILE OFFENDERS AND PUBLIC PROTECTION INCENTIVE GRANTS

SEC. 301. SHORT TITLE.

This title may be cited as the “Juvenile Accountability Block Grants Act of 1997”.

SEC. 302. BLOCK GRANT PROGRAM.

(a) IN GENERAL.—Part R of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796 et seq.) is amended to read as follows:

“PART R—JUVENILE ACCOUNTABILITY BLOCK GRANTS

“SEC. 1801. PROGRAM AUTHORIZED.

“(a) IN GENERAL.—The Attorney General is authorized to provide grants to States, for

use by States and units of local government, and in certain cases directly to eligible units.

“(b) AUTHORIZED ACTIVITIES.—Amounts paid to a State, a unit of local government, or an eligible unit under this part shall be used by the State, unit of local government, or eligible unit for the purpose of promoting greater accountability in the juvenile justice system, which includes—

“(1) building, expanding, renovating, or operating temporary or permanent juvenile correction or detention facilities, including training of correctional personnel;

“(2) developing and administering accountability-based sanctions for juvenile offenders;

“(3) hiring additional juvenile judges, probation officers, and court-appointed defenders, and funding pre-trial services for juveniles, to ensure the smooth and expeditious administration of the juvenile justice system;

“(4) hiring additional prosecutors, so that more cases involving violent juvenile offenders can be prosecuted and backlogs reduced;

“(5) providing funding to enable prosecutors to address drug, gang, and youth violence problems more effectively;

“(6) providing funding for technology, equipment, and training to assist prosecutors in identifying and expediting the prosecution of violent juvenile offenders;

“(7) providing funding to enable juvenile courts and juvenile probation offices to be more effective and efficient in holding juvenile offenders accountable and reducing recidivism;

“(8) the establishment of court-based juvenile justice programs that target young firearms offenders through the establishment of juvenile gun courts for the adjudication and prosecution of juvenile firearms offenders;

“(9) the establishment of drug court programs for juveniles so as to provide continuing judicial supervision over juvenile offenders with substance abuse problems and to provide the integrated administration of other sanctions and services;

“(10) establishing and maintaining inter-agency information-sharing programs that enable the juvenile and criminal justice system, schools, and social services agencies to make more informed decisions regarding the early identification, control, supervision, and treatment of juveniles who repeatedly commit serious delinquent or criminal acts; and

“(11) establishing and maintaining accountability-based programs that work with juvenile offenders who are referred by law enforcement agencies, or which are designed, in cooperation with law enforcement officials, to protect students and school personnel from drug, gang, and youth violence.

“SEC. 1802. GRANT ELIGIBILITY.

“(a) STATE ELIGIBILITY.—To be eligible to receive a grant under this section, a State shall submit to the Attorney General an application at such time, in such form, and containing such assurances and information as the Attorney General may require by rule, including assurances that the State and any unit of local government to which the State provides funding under section 1803(b), has in effect (or will have in effect not later than 1 year after the date a State submits such application) laws, or has implemented (or will implement not later than 1 year after the date a State submits such application) policies and programs, that—

“(1) ensure that juveniles who commit an act after attaining 15 years of age that would be a serious violent crime if committed by an adult are treated as adults for purposes of prosecution as a matter of law, or that the prosecutor has the authority to determine whether or not to prosecute such juveniles as adults;

“(2) impose sanctions on juvenile offenders for every delinquent or criminal act, or violation of probation, ensuring that such sanctions escalate in severity with each subsequent, more serious delinquent or criminal act, or violation of probation, including such accountability-based sanctions as—

“(A) restitution;

“(B) community service;

“(C) punishment imposed by community accountability councils comprised of individuals from the offender’s and victim’s communities;

“(D) fines; and

“(E) short-term confinement;

“(3) establish at a minimum a system of records relating to any adjudication of a juvenile who has a prior delinquency adjudication and who is adjudicated delinquent for conduct that if committed by an adult would constitute a felony under Federal or State law which is a system equivalent to that maintained for adults who commit felonies under Federal or State law; and

“(4) ensure that State law does not prevent a juvenile court judge from issuing a court order against a parent, guardian, or custodian of a juvenile offender regarding the supervision of such an offender and from imposing sanctions for a violation of such an order.

“(b) LOCAL ELIGIBILITY.—

“(1) SUBGRANT ELIGIBILITY.—To be eligible to receive a subgrant, a unit of local government shall provide such assurances to the State as the State shall require, that, to the maximum extent applicable, the unit of local government has laws or policies and programs which—

“(A) ensure that juveniles who commit an act after attaining 15 years of age that would be a serious violent crime if committed by an adult are treated as adults for purposes of prosecution as a matter of law, or that the prosecutor has the authority to determine whether or not to prosecute such juveniles as adults;

“(B) impose a sanction for every delinquent or criminal act, or violation of probation, ensuring that such sanctions escalate in severity with each subsequent, more serious delinquent or criminal act, or violation of probation; and

“(C) ensure that there is a system of records relating to any adjudication of a juvenile who is adjudicated delinquent for conduct that if committed by an adult would constitute a felony under Federal or State law which is a system equivalent to that maintained for adults who commit felonies under Federal or State law.

“(2) SPECIAL RULE.—The requirements of paragraph (1) shall apply to an eligible unit that receives funds from the Attorney General under section 1803, except that information that would otherwise be submitted to the State shall be submitted to the Attorney General.

“SEC. 1803. ALLOCATION AND DISTRIBUTION OF FUNDS.

“(a) STATE ALLOCATION.—

“(1) IN GENERAL.—In accordance with regulations promulgated pursuant to this part, the Attorney General shall allocate—

“(A) 0.25 percent for each State; and

“(B) of the total funds remaining after the allocation under subparagraph (A), to each State, an amount which bears the same ratio to the amount of remaining funds described in this subparagraph as the population of people under the age of 18 living in such State for the most recent calendar year in which such data is available bears to the population of people under the age of 18 of all the States for such fiscal year.

“(2) PROPORTIONAL REDUCTION.—If amounts available to carry out paragraph (1)(A) for any payment period are insufficient to pay

in full the total payment that any State is otherwise eligible to receive under paragraph (1)(A) for such period, then the Attorney General shall reduce payments under paragraph (1)(A) for such payment period to the extent of such insufficiency. Reductions under the preceding sentence shall be allocated among the States (other than States whose payment is determined under paragraph (2)) in the same proportions as amounts would be allocated under paragraph (1) without regard to paragraph (2).

“(3) PROHIBITION.—No funds allocated to a State under this subsection or received by a State for distribution under subsection (b) may be distributed by the Attorney General or by the State involved for any program other than a program contained in an approved application.

“(b) LOCAL DISTRIBUTION.—

“(1) IN GENERAL.—Each State which receives funds under subsection (a)(1) in a fiscal year shall distribute not less than 75 percent of such amounts received among units of local government, for the purposes specified in section 1801. In making such distribution the State shall allocate to such units of local government an amount which bears the same ratio to the aggregate amount of such funds as—

“(A) the sum of—

“(i) the product of—

“(I) two-thirds; multiplied by

“(II) the average law enforcement expenditure for such unit of local government for the 3 most recent calendar years for which such data is available; plus

“(ii) the product of—

“(I) one-third; multiplied by

“(II) the average annual number of part 1 violent crimes in such unit of local government for the 3 most recent calendar years for which such data is available, bears to—

“(B) the sum of the products determined under subparagraph (A) for all such units of local government in the State.

“(2) EXPENDITURES.—The allocation any unit of local government shall receive under paragraph (1) for a payment period shall not exceed 100 percent of law enforcement expenditures of the unit for such payment period.

“(3) REALLOCATION.—The amount of any unit of local government's allocation that is not available to such unit by operation of paragraph (2) shall be available to other units of local government that are not affected by such operation in accordance with this subsection.

“(c) UNAVAILABILITY OF DATA FOR UNITS OF LOCAL GOVERNMENT.—If the State has reason to believe that the reported rate of part 1 violent crimes or law enforcement expenditure for a unit of local government is insufficient or inaccurate, the State shall—

“(1) investigate the methodology used by the unit to determine the accuracy of the submitted data; and

“(2) if necessary, use the best available comparable data regarding the number of violent crimes or law enforcement expenditure for the relevant years for the unit of local government.

“(d) LOCAL GOVERNMENT WITH ALLOCATIONS LESS THAN \$5,000.—If under this section a unit of local government is allocated less than \$5,000 for a payment period, the amount allotted shall be expended by the State on services to units of local government whose allotment is less than such amount in a manner consistent with this part.

“(e) DIRECT GRANTS TO ELIGIBLE UNITS.—

“(1) IN GENERAL.—If a State does not qualify or apply for funds reserved for allocation under subsection (a) by the application deadline established by the Attorney General, the Attorney General shall reserve not more than 75 percent of the allocation that the State would have received under subsection

(a) for such fiscal year to provide grants to eligible units which meet the requirements for funding under subsection (b).

“(2) AWARD BASIS.—In addition to the qualification requirements for direct grants for eligible units the Attorney General may use the average amount allocated by the States to like governmental units as a basis for awarding grants under this section.

“SEC. 1804. REGULATIONS.

“The Attorney General shall issue regulations establishing procedures under which an eligible State or unit of local government that receives funds under section 1803 is required to provide notice to the Attorney General regarding the proposed use of funds made available under this part.

“SEC. 1805. PAYMENT REQUIREMENTS.

“(a) TIMING OF PAYMENTS.—The Attorney General shall pay each State or unit of local government that receives funds under section 1803 that has submitted an application under this part not later than—

“(1) 180 days after the date that the amount is available, or

“(2) the first day of the payment period if the State has provided the Attorney General with the assurances required by subsection (c), whichever is later.

“(b) REPAYMENT OF UNEXPENDED AMOUNTS.—

“(1) REPAYMENT REQUIRED.—From amounts appropriated under this part, a State shall repay to the Attorney General, by not later than 27 months after receipt of funds from the Attorney General, any amount that is not expended by the State within 2 years after receipt of such funds from the Attorney General.

“(2) PENALTY FOR FAILURE TO REPAY.—If the amount required to be repaid is not repaid, the Attorney General shall reduce payment in future payment periods accordingly.

“(3) DEPOSIT OF AMOUNTS REPAID.—Amounts received by the Attorney General as repayments under this subsection shall be deposited in a designated fund for future payments to States.

“(c) ADMINISTRATIVE COSTS.—A State, unit of local government or eligible unit that receives funds under this part may use not more than 10 percent of such funds to pay for administrative costs.

“(d) NONSUPPLANTING REQUIREMENT.—Funds made available under this part to States, units of local government, or eligible units shall not be used to supplant State or local funds as the case may be, but shall be used to increase the amount of funds that would, in the absence of funds made available under this part, be made available from State or local sources, as the case may be.

“(e) MATCHING FUNDS.—The Federal share of a grant received under this part may not exceed 90 percent of the costs of a program or proposal funded under this part.

“SEC. 1806. UTILIZATION OF PRIVATE SECTOR.

“Funds or a portion of funds allocated under this part may be utilized to contract with private, nonprofit entities or community-based organizations to carry out the purposes specified under section 1801(a)(2).

“SEC. 1807. ADMINISTRATIVE PROVISIONS.

“(a) IN GENERAL.—A State that receives funds under this part shall—

“(1) establish a trust fund in which the government will deposit all payments received under this part; and

“(2) use amounts in the trust fund (including interest) during a period not to exceed 2 years from the date the first grant payment is made to the State;

“(3) designate an official of the State to submit reports as the Attorney General reasonably requires, in addition to the annual reports required under this part; and

“(4) spend the funds only for the purposes under section 1801(b).

“(b) TITLE I PROVISIONS.—The administrative provisions of part H shall apply to this part and for purposes of this section any reference in such provisions to title I shall be deemed to include a reference to this part.

“SEC. 1808. DEFINITIONS.

“For the purposes of this part:

“(1) The term ‘unit of local government’ means—

“(A) a county, township, city, or political subdivision of a county, township, or city, that is a unit of local government as determined by the Secretary of Commerce for general statistical purposes; and

“(B) the District of Columbia and the recognized governing body of an Indian tribe or Alaskan Native village that carries out substantial governmental duties and powers.

“(2) The term ‘eligible unit’ means a unit of local government which may receive funds under section 1803(e).

“(3) The term ‘State’ means any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, American Samoa, Guam, and the Northern Mariana Islands, except that American Samoa, Guam, and the Northern Mariana Islands shall be considered as 1 State and that, for purposes of section 1803(a), 33 percent of the amounts allocated shall be allocated to American Samoa, 50 percent to Guam, and 17 percent to the Northern Mariana Islands.

“(4) The term ‘juvenile’ means an individual who is 17 years of age or younger.

“(5) The term ‘law enforcement expenditures’ means the expenditures associated with police, prosecutorial, legal, and judicial services, and corrections as reported to the Bureau of the Census for the fiscal year preceding the fiscal year for which a determination is made under this part.

“(6) The term ‘part 1 violent crimes’ means murder and nonnegligent manslaughter, forcible rape, robbery, and aggravated assault as reported to the Federal Bureau of Investigation for purposes of the Uniform Crime Reports.

“(7) The term ‘serious violent crime’ means murder, aggravated sexual assault, and assault with a firearm.

“SEC. 1809. AUTHORIZATION OF APPROPRIATIONS.

“(a) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this part—

“(1) \$500,000,000 for fiscal year 1998;

“(2) \$500,000,000 for fiscal year 1999; and

“(3) \$500,000,000 for fiscal year 2000.

“(b) OVERSIGHT ACCOUNTABILITY AND ADMINISTRATION.—Not more than 1 percent of the amount authorized to be appropriated under subsection (a), with such amounts to remain available until expended, for each of the fiscal years 1998 through 2000 shall be available to the Attorney General for studying the overall effectiveness and efficiency of the provisions of this part, assuring compliance with the provisions of this part, and for administrative costs to carry out the purposes of this part. The Attorney General shall establish and execute an oversight plan for monitoring the activities of grant recipients.

“(c) FUNDING SOURCE.—Appropriations for activities authorized in this part may be made from the Violent Crime Reduction Trust Fund.”.

(b) CLERICAL AMENDMENTS.—The table of contents of title I of the Omnibus Crime Control and Safe Streets Act of 1968 is amended by striking the item relating to part R and inserting the following:

“PART R—JUVENILE ACCOUNTABILITY BLOCK GRANTS

“Sec. 1801. Program authorized.

“Sec. 1802. Grant eligibility.

“Sec. 1803. Allocation and distribution of funds.

- "Sec. 1804. Regulations.
 "Sec. 1805. Payment requirements.
 "Sec. 1806. Utilization of private sector.
 "Sec. 1807. Administrative provisions.
 "Sec. 1808. Definitions.
 "Sec. 1809. Authorization of appropriations."

TITLE IV—SPECIAL PRIORITY FOR CERTAIN DISCRETIONARY GRANTS

SEC. 401. SPECIAL PRIORITY.

Section 517 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 is amended by adding at the end the following:

"(c) SPECIAL PRIORITY.—In awarding discretionary grants under section 511 to public agencies to undertake law enforcement initiatives relating to gangs, or to juveniles who are involved or at risk of involvement in gangs, the Director shall give special priority to a public agency that includes in its application a description of strategies, either in effect or proposed, providing for cooperation between local, State, and Federal law enforcement authorities to disrupt the illegal sale or transfer of firearms to or between juveniles through tracing the sources of crime guns provided to juveniles."

TITLE V—GRANT REDUCTION

SEC. 501. PARENTAL NOTIFICATION.

(a) GRANT REDUCTION FOR NONCOMPLIANCE.—Section 506 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 is amended by adding at the end the following:

"(g) INFORMATION ACCESS.—

"(1) IN GENERAL.—The funds available under this subpart for a State shall be reduced by 20 percent and redistributed under paragraph (2) unless the State—

"(A) submits to the Attorney General, not later than 1 year after the date of the enactment of the Juvenile Crime Control Act of 1997, a plan that describes a process to notify parents regarding the enrollment of a juvenile sex offender in an elementary or secondary school that their child attends; and

"(B) adheres to the requirements described in such plan in each subsequent year as determined by the Attorney General.

"(2) REDISTRIBUTION.—To the extent approved in advance in appropriations Acts, any funds available for redistribution shall be redistributed to participating States that have submitted a plan in accordance with paragraph (1).

"(3) COMPLIANCE.—The Attorney General shall issue regulations to ensure compliance with the requirements of paragraph (1)."

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

Mr. CONYERS 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 all after the enacting clause and insert the following:

TITLE I—TREATMENT OF JUVENILES AS ADULTS

SEC. 101. TREATMENT OF JUVENILES AS ADULTS.

The fourth undesignated paragraph of section 5032 of title 18, United States Code, is amended by striking "an offense under section 113(a), 113(b), 113(c), 1111, 1113, or, if the juvenile possessed a firearm during the offense, section 2111, 2113, 2241(a) or 2241(c)," and insert "any serious violent felony as defined in section 3559(c)(2)(F) of this title."

SEC. 102. RECORDS OF CRIMES COMMITTED BY JUVENILE DELINQUENTS.

Section 5038 of title 18, United States Code, is amended—

(1) in subsection (a), by striking "Through-out and" and all that follows through the colon and inserting the following: "Through-

out and upon completion of the juvenile delinquency proceeding, the court records of the original proceeding shall be safeguarded from disclosure to unauthorized persons. The records shall be released to the extent necessary to meet the following circumstances:";

(2) in subsection (a)(3), by inserting before the semicolon "or analysis requested by the Attorney General";

(3) in subsection (a), so that paragraph (6) reads as follows:

"(6) communications with any victim of such juvenile delinquency, or in appropriate cases with the official representative of the victim, in order to apprise such victim or representative of the status or disposition of the proceeding or in order to effectuate any other provision of law or to assist in a victim's, official representative's, allocution at disposition."; and

(4) by striking subsections (d) and (f), by redesignating subsection (e) as subsection (d), by inserting "pursuant to section 5032 (b) or (c)" after "adult" in subsection (d) as so redesignated, and by adding at the end new subsections (e) through (f) as follows:

"(e) Whenever a juvenile has been adjudicated delinquent for an act that if committed by an adult would be a felony or for a violation of section 922(x), the juvenile shall be fingerprinted and photographed, and the fingerprints and photograph shall be sent to the Federal Bureau of Investigation. The court shall also transmit to the Federal Bureau of Investigation the information concerning the adjudication, including name, date of adjudication, court, offenses, and sentence, along with the notation that the matter was a juvenile adjudication.

"(f) In addition to any other authorization under this section for the reporting, retention, disclosure, or availability of records or information, if the law of the State in which a Federal juvenile delinquency proceeding takes place permits or requires the reporting, retention, disclosure, or availability of records or information relating to a juvenile or to a juvenile delinquency proceeding or adjudication in certain circumstances, then such reporting, retention, disclosure, or availability is permitted under this section whenever the same circumstances exist."

SEC. 103. TIME LIMIT ON TRANSFER DECISION.

Section 5032 of title 18, United States Code, is amended by inserting "The transfer decision shall be made not later than 90 days after the first day of the hearing." after the first sentence of the 4th paragraph.

SEC. 104. INCREASED DETENTION, MANDATORY RESTITUTION, AND ADDITIONAL SENTENCING OPTIONS FOR YOUTH OFFENDERS.

Section 5037 of title 18, United States Code, is amended to read as follows:

"§ 5037. Dispositional hearing

"(a) IN GENERAL.—

"(1) HEARING.—In a juvenile proceeding under section 5032, if the court finds a juvenile to be a juvenile delinquent, the court shall hold a hearing concerning the appropriate disposition of the juvenile not later than 20 court days after the finding of juvenile delinquency unless the court has ordered further study pursuant to subsection (e).

"(2) REPORT.—A predisposition report shall be prepared by the probation officer who shall promptly provide a copy to the juvenile, the attorney for the juvenile, and the attorney for the government.

"(3) ORDER OF RESTITUTION.—After the dispositional hearing, and after considering any pertinent policy statements promulgated by the Sentencing Commission pursuant to 994, of title 28, the court shall enter an order of restitution pursuant to section 3556, and may suspend the findings of juvenile delinquency, place the juvenile on probation,

commit the juvenile to official detention (including the possibility of a term of supervised release), and impose any fine that would be authorized if the juvenile had been tried and convicted as an adult.

"(4) RELEASE OR DETENTION.—With respect to release or detention pending an appeal or a petition for a writ of certiorari after disposition, the court shall proceed pursuant to the provisions of chapter 207.

"(b) TERM OF PROBATION.—The term for which probation may be ordered for a juvenile found to be a juvenile delinquent may not extend beyond the maximum term that would be authorized by section 3561(c) if the juvenile had been tried and convicted as an adult. Sections 3563, 3564, and 3565 are applicable to an order placing a juvenile on probation.

"(c) TERMS OF OFFICIAL DETENTION.—

"(1) MAXIMUM TERM.—The term for which official detention may be ordered for a juvenile found to be a juvenile delinquent may not extend beyond the lesser of—

"(A) the maximum term of imprisonment that would be authorized if the juvenile had been tried and convicted as an adult;

"(B) 10 years; or

"(C) the date on which the juvenile achieves the age of 26.

"(2) APPLICABILITY OF OTHER PROVISIONS.—Section 3624 shall apply to an order placing a juvenile in detention.

"(d) TERM OF SUPERVISED RELEASE.—The term for which supervised release may be ordered for a juvenile found to be a juvenile delinquent may not extend beyond 5 years. Subsections (c) through (i) of section 3583 shall apply to an order placing a juvenile on supervised release.

"(e) CUSTODY OF ATTORNEY GENERAL.—

"(1) IN GENERAL.—If the court desires more detailed information concerning a juvenile alleged to have committed an act of juvenile delinquency or a juvenile adjudicated delinquent, it may commit the juvenile, after notice and hearing at which the juvenile is represented by an attorney, to the custody of the Attorney General for observation and study by an appropriate agency or entity.

"(2) OUTPATIENT BASIS.—Any observation and study pursuant to a commission under paragraph (1) shall be conducted on an outpatient basis, unless the court determines that inpatient observation and study are necessary to obtain the desired information, except that in the case of an alleged juvenile delinquent, inpatient study may be ordered with the consent of the juvenile and the attorney for the juvenile.

"(3) CONTENTS OF STUDY.—The agency or entity conducting an observation or study under this subsection shall make a complete study of the alleged or adjudicated delinquent to ascertain the personal traits, capabilities, background, any prior delinquency or criminal experience, any mental or physical defect, and any other relevant factors pertaining to the juvenile.

"(4) SUBMISSION OF RESULTS.—The Attorney General shall submit to the court and the attorneys for the juvenile and the government the results of the study not later than 30 days after the commitment of the juvenile, unless the court grants additional time.

"(5) EXCLUSION OF TIME.—Any time spent in custody under this subsection shall be excluded for purposes of section 5036.

"(f) CONVICTION AS ADULT.—With respect to any juvenile prosecuted and convicted as an adult pursuant to section 5032, the court may, pursuant to guidelines promulgated by the United States Sentencing Commission under section 994 of title 28, determine to treat the conviction as an adjudication of delinquency and impose any disposition authorized under this section. The United States Sentencing Commission shall promul-

gate such guidelines as soon as practicable and not later than 1 year after the date of enactment of this Act.

“(g)(1) A juvenile detained either pending juvenile proceedings or a criminal trial, or detained or imprisoned pursuant to an adjudication or conviction shall be substantially segregated from any prisoners convicted for crimes who have attained the age of 21 years.

“(2) As used in this subsection, the term “substantially segregated”—

“(A) means complete sight and sound separation in residential confinement; but

“(B) is not inconsistent with—

“(i) the use of shared direct care and management staff, properly trained and certified to interact with juvenile offenders, if the staff does not interact with adult and juvenile offenders during the same shift.

“(ii) incidental contact during transportation to court proceedings and other activities in accordance with regulations issued by the Attorney General to ensure reasonable efforts are made to segregate adults and juveniles.”

TITLE II—JUVENILE OFFENDER CONTROL AND PREVENTION GRANTS

SEC. 201. SHORT TITLE.

This title may be cited as the “Juvenile Offender Control and Prevention Grant Act of 1997”.

SEC. 202. GRANT PROGRAM.

(a) IN GENERAL.—Part R of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796 et seq.) is amended to read as follows:

PART R—JUVENILE OFFENDER CONTROL AND PREVENTION GRANTS

“SEC. 1801. PAYMENTS TO LOCAL GOVERNMENTS.

“(a) PAYMENT AND USES.—

“(1) PAYMENT.—The Director of the Bureau of Justice Assistance may make grants to carry out this part, to units of local government that qualify for a payment under this part. Of the amount appropriated in any fiscal year to carry out this part, the Director shall obligate—

“(A) not less than 60 percent of such amount for grants for the uses specified in subparagraphs (A) and (B) of paragraph (2);

“(B) not less than 10 percent of such amount for grants for the use specified in paragraph (2)(C), and

“(C) not less than 20 percent of such amount for grants for the uses specified in subparagraphs (E) and (G) of paragraph (2).

“(2) USES.—Amounts paid to a unit of local government under this section shall be used by the unit for 1 or more of the following:

“(A) Preventing juveniles from becoming involved in crime or gangs by—

“(i) operating after-school programs for at-risk juveniles;

“(ii) developing safe havens from and alternatives to street violence, including educational, vocational or other extracurricular activities opportunities;

“(iii) establishing community service programs, based on community service corps models that teach skills, discipline, and responsibility;

“(iv) establishing peer medication programs in schools;

“(v) establishing big brother programs and big sister programs;

“(vi) establishing anti-truancy programs;

“(vii) establishing and operating programs to strengthen the family unit;

“(viii) establishing and operating drug prevention, treatment and education programs; or

“(ix) establishing activities substantially similar to programs described in clauses (i) through (viii).

“(B) Establishing and operating early intervention programs for at-risk juveniles.

“(C) Building or expanding secure juvenile correction or detention facilities for violent juvenile offenders.

“(D) Providing comprehensive treatment, education, training, and after-care programs for juveniles in juvenile detention facilities.

“(E) Implementing graduated sanctions for juvenile offenders.

“(F) Establishing initiatives that reduce the access of juveniles to firearms.

“(G) Improving State juvenile justice systems by—

“(i) developing and administering accountability-based sanctions for juvenile offenders;

“(ii) hiring additional prosecutors, so that more cases involving violent juvenile offenders can be prosecuted and backlogs reduced; or

“(iii) providing funding to enable juvenile courts and juvenile probation offices to be more effective and efficient in holding juvenile offenders accountable;

“(H) providing funding to enable prosecutors—

“(i) to address drug, gang, and violence problems involving juveniles more effectively;

“(ii) to develop anti-gang units and anti-gang task forces to address the participation of juveniles in gangs, and to share information about juvenile gangs and their activities; or

“(iii) providing funding for technology, equipment, and training to assist prosecutors in identifying and expediting the prosecution of violent juvenile offenders;

“(I) hiring additional law enforcement officers (including, but not limited to, police, corrections, probation, parole, and judicial officers) who are involved in the control or reduction of juvenile delinquency; or

“(J) providing funding to enable city attorneys and county attorneys to seek civil remedies for violations of law committed by juveniles who participate in gangs.

“(3) GEOGRAPHICAL DISTRIBUTION OF GRANTS.—The Director shall ensure that grants made under this part are equitably distributed among all units of local government in each of the States and among all units of local government throughout the United States.

“(b) PROHIBITED USES.—Notwithstanding any other provision of this title, a unit of local government may not expend any of the funds provided under this part to purchase, lease, rent, or otherwise acquire—

“(1) tanks or armored personnel carriers;

“(2) fixed wing aircraft;

“(3) limousines;

“(4) real estate;

“(5) yachts;

“(6) consultants; or

“(7) vehicles not primarily used for law enforcement;

unless the Attorney General certifies that extraordinary and exigent circumstances exist that make the use of funds for such purposes essential to the maintenance of public safety and good order in such unit of local government.

“(c) REPAYMENT OF UNEXPENDED AMOUNTS.—

“(1) REPAYMENT REQUIRED.—A unit of local government shall repay to the Director, by not later than 27 months after receipt of funds from the Director, any amount that is—

“(A) paid to the unit from amounts appropriated under the authority of this section; and

“(B) not expended by the unit within 2 years after receipt of such funds from the Director.

“(2) PENALTY FOR FAILURE TO REPAY.—If the amount required to be repaid is not repaid, the Director shall reduce payment in future payment periods accordingly.

“(3) DEPOSIT OF AMOUNTS REPAID.—Amounts received by the Director as repay-

ments under this subsection shall be deposited in a designated fund for future payments to units of local government. Any amounts remaining in such designated fund after shall be applied to the Federal deficit or, if there is no Federal deficit, to reducing the Federal debt.

“(d) NONSUPPLANTING REQUIREMENT.—Funds made available under this part to units of local government shall not be used to supplant State or local funds, but shall be used to increase the amounts of funds that would, in the absence of funds made available under this part, be made available from State or local sources.

“(e) MATCHING FUNDS.—The Federal share of a grant received under this part may not exceed 90 percent of the costs of a program or proposal funded under this part.

“SEC. 1802. AUTHORIZATION OF APPROPRIATIONS.

“(a) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this part—

“(1) \$500,000,000 for fiscal year 1998;

“(2) \$500,000,000 for fiscal year 1999; and

“(3) \$500,000,000 for fiscal year 2000.

The appropriations authorized by this subsection may be made from the Violent Crime Reduction Trust Fund.

“(b) OVERSIGHT ACCOUNTABILITY AND ADMINISTRATION.—Not more than 3 percent of the amount authorized to be appropriated under subsection (a) for each of the fiscal years 1998 through 2000 shall be available to the Attorney General for studying the overall effectiveness and efficiency of the provisions of this part, and assuring compliance with the provisions of this part and for administrative costs to carry out the purposes of this part. The Attorney General shall establish and execute an oversight plan for monitoring the activities of grant recipients. Such sums are to remain available until expended.

“(c) AVAILABILITY.—The amounts authorized to be appropriated under subsection (a) shall remain available until expended.

“SEC. 1803. QUALIFICATION FOR PAYMENT.

“(a) IN GENERAL.—The Director shall issue regulations establishing procedures under which a unit of local government is required to provide notice to the Director regarding the proposed use of funds made available under this part.

“(b) PROGRAM REVIEW.—The Director shall establish a process for the ongoing evaluation of projects developed with funds made available under this part.

“(c) GENERAL REQUIREMENTS FOR QUALIFICATION.—A unit of local government qualifies for a payment under this part for a payment period only if the unit of local government submits an application to the Director and establishes, to the satisfaction of the Director, that—

“(1) the chief executive officer of the State has had not less than 20 days to review and comment on the application prior to submission to the Director;

“(2)(A) the unit of local government will establish a trust fund in which the government will deposit all payments received under this part; and

“(B) the unit of local government will use amounts in the trust fund (including interest) during a period not to exceed 2 years from the date the first grant payment is made to the unit of local government;

“(3) the unit of local government will expend the payments received in accordance with the laws and procedures that are applicable to the expenditure of revenues of the unit of local government;

“(4) the unit of local government will use accounting, audit, and fiscal procedures that conform to guidelines which shall be prescribed by the Director after consultation

with the Comptroller General and as applicable, amounts received under this part shall be audited in compliance with the Single Audit Act of 1984;

“(5) after reasonable notice from the Director or the Comptroller General to the unit of local government, the unit of local government will make available to the Director and the Comptroller General, with the right to inspect, records that the Director reasonably requires to review compliance with this part or that the Comptroller General reasonably requires to review compliance and operation;

“(6) the unit of local government will spend the funds made available under this part only for the purposes set forth in section 1801(a)(2);

“(7) the unit of local government has established procedures to give members of the Armed Forces who, on or after October 1, 1990, were or are selected for involuntary separation (as described in section 1141 of title 10, United States Code), approved for separation under section 1174a or 1175 of such title, or retired pursuant to the authority provided under section 4403 of the Defense Conversion, Reinvestment, and Transition Assistance Act of 1992 (division D of Public Law 102-484; 10 U.S.C. 1293 note), a suitable preference in the employment of persons as additional law enforcement officers or support personnel using funds made available under this title. The nature and extent of such employment preference shall be jointly established by the Attorney General and the Secretary of Defense. To the extent practicable, the Director shall endeavor to inform members who were separated between October 1, 1990, and the date of the enactment of this section of their eligibility for the employment preference;

“(d) SANCTIONS FOR NONCOMPLIANCE.—

“(1) IN GENERAL.—If the Director determines that a unit of local government has not complied substantially with the requirements or regulations prescribed under subsections (a) and (c), the Director shall notify the unit of local government that if the unit of local government does not take corrective action within 60 days of such notice, the Director will withhold additional payments to the unit of local government for the current and future payment periods until the Director is satisfied that the unit of local government—

“(A) has taken the appropriate corrective action; and

“(B) will comply with the requirements and regulations prescribed under subsections (a) and (c).

“(2) NOTICE.—Before giving notice under paragraph (1), the Director shall give the chief executive officer of the unit of local government reasonable notice and an opportunity for comment.

“(e) MAINTENANCE OF EFFORT REQUIREMENT.—A unit of local government qualifies for a payment under this part for a payment period only if the unit’s expenditures on law enforcement services (as reported by the Bureau of the Census) for the fiscal year preceding the fiscal year in which the payment period occurs were not less than 90 percent of the unit’s expenditures on such services for the second fiscal year preceding the fiscal year in which the payment period occurs.”.

(b) TECHNICAL AMENDMENT.—The table of contents of the title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796 et seq.) is amended by striking the matter relating to part R and inserting the following:

- “PART R—JUVENILE CRIME CONTROL GRANTS
“Sec. 1801. Payments to local governments.
“Sec. 1802. Authorization of appropriations.
“Sec. 1803. Qualification for payment.”.

SEC. 203. MODEL PROGRAMS TO PREVENT JUVENILE DELINQUENCY.

The Administrator of the Office of Juvenile Justice and Delinquency Prevention shall provide, through the clearinghouse and information center established under section 242(3) of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5652(3)), information and technical assistance to community-based organizations and units of local government to assist in the establishment, operation, and replication of model programs designed to prevent juvenile delinquency.

TITLE III—IMPROVING JUVENILE CRIME AND DRUG PREVENTION

SEC. 301. STUDY BY NATIONAL ACADEMY OF SCIENCE.

(a) IN GENERAL.—The Attorney General shall enter into a contract with a public or nonprofit private entity, subject to subsection (b), for the purpose of conducting a study or studies—

(1) to evaluate the effectiveness of federally funded programs for preventing juvenile violence and juvenile substance abuse;

(2) to evaluate the effectiveness of federally funded grant programs for preventing criminal victimization of juveniles;

(3) to identify specific Federal programs and programs that receive Federal funds that contribute to reductions in juvenile violence, juvenile substance abuse, and risk factors among juveniles that lead to violent behavior and substance abuse;

(4) to identify specific programs that have not achieved their intended results; and

(5) to make specific recommendations on programs that—

(A) should receive continued or increased funding because of their proven success; or

(B) should have their funding terminated or reduced because of their lack of effectiveness.

(b) NATIONAL ACADEMY OF SCIENCES.—The Attorney General shall request the National Academy of Sciences to enter into the contract under subsection (a) to conduct the study or studies described in subsection (a). If the Academy declines to conduct the study, the Attorney General shall carry out such subsection through other public or nonprofit private entities.

(c) ASSISTANCE.—In conducting the study under subsection (a) the contracting party may request analytic assistance, data, and other relevant materials from the Department of Justice and any other appropriate Federal agency.

(d) REPORTING REQUIREMENTS.—

(1) IN GENERAL.—Not later than January 1, 2000, the Attorney General shall submit a report describing the findings made as a result of the study required by subsection (a) to the Committee on the Judiciary and the Committee on Education and the Workforce of the House of Representatives, and to the Committee on the Judiciary and the Committee on Labor and Human Resources of the Senate.

(2) CONTENTS.—The report required by this subsection shall contain specific recommendations concerning funding levels for the programs evaluated. Reports on the effectiveness of such programs and recommendations on funding shall be provided to the appropriate subcommittees of the Committee on Appropriations of the House of Representatives and the Committee on Appropriations of the Senate.

(e) FUNDING.—There are authorized to be appropriated to carry out the study under subsection (a) such sums as may be necessary.

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, Mr. LAHOOD, announced that the nays had it.

Mr. CONYERS demanded a recorded vote on the motion to recommit with instructions, 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 { Yeas 174
negative } Nays 243

45.19 [Roll No. 117]
AYES—174

Table with 3 columns: Name, State, Name. Lists members of the House of Representatives such as Ackerman, Hamilton, Olver, Allen, Harman, Owens, Andrews, Hastings (FL), Pallone, Baldacci, Hilliard, Pastor, Barrett (WI), Hinchey, Payne, Becerra, Hinojosa, Pelosi, Bentsen, Hooley, Peterson (MN), Berman, Hoyer, Pomeroy, Bishop, Jackson (IL), Poshard, Blagojevich, Jackson-Lee, Price (NC), Blumenauer, (TX), Rangel, Bonior, Jefferson, Reyes, Borski, John, Rivers, Boucher, Johnson (WI), Rodriguez, Boyd, Johnson, E. B., Roemer, Brown (CA), Kaptur, Rothman, Brown (FL), Kennedy (MA), Roybal-Allard, Brown (OH), Kennedy (RI), Rush, Capps, Kennelly, Sabo, Cardin, Kildee, Sanchez, Carson, Kilpatrick, Sanders, Clayton, Kind (WI), Sandlin, Clyburn, Kleczka, Sawyer, Condit, Kucinich, Schumer, Conyers, LaFalce, Scott, Coyne, Lampson, Serrano, Cummings, Lantos, Shays, Davis (FL), Levin, Sherman, Davis (IL), Lewis (GA), Sisisky, DeFazio, Lofgren, Skaggs, DeGette, Lowey, Skelton, Delahunt, Luther, Slaughter, DeLauro, Maloney (CT), Snyder, Dellums, Maloney (NY), Spratt, Deutsch, Manton, Stabenow, Dicks, Markey, Stark, Dingell, Martinez, Stenholm, Dixon, McCarthy (MO), Stokes, Doggett, McCarthy (NY), Strickland, Dooley, McDermott, Stupak, Edwards, McGovern, Tauscher, Engel, McHale, Thompson, Eshoo, McIntyre, Thurman, Etheridge, McNulty, Tierney, Evans, Meehan, Torres, Farr, Meek, Towns, Fattah, Menendez, Turner, Fazio, Millender, Velazquez, Flake, McDonald, Vento, Foglietta, Miller (CA), Visclosky, Ford, Minge, Waters, Frank (MA), Mink, Waxman, Frost, Mollohan, Wexler, Furse, Moran (VA), Weygand, Gejdenson, Morella, Wise, Gephardt, Nadler, Woolsey, Gonzalez, Neal, Wynn, Hall (OH), Oberstar, Yates, Hall (TX), Obey.

NOES—243

Table with 3 columns: Name, Name, Name. Lists members of the House of Representatives such as Abercrombie, Berry, Callahan, Aderholt, Bilbray, Camp, Archer, Billirakis, Campbell, Armey, Bliley, Canady, Bachus, Blunt, Cannon, Baesler, Boehlert, Castle, Baker, Boehner, Chabot, Ballenger, Bonilla, Chambliss, Barcia, Bono, Chenoweth, Barr, Boswell, Christensen, Barrett (NE), Brady, Clement, Bartlett, Bryant, Coble, Barton, Bunning, Coburn, Bass, Burr, Collins, Bateman, Burton, Combest, Bereuter, Buyer, Cook.

Cooksey	Inglis	Quinn	Baessler	Gordon	Packard	Brown (OH)	Jefferson	Payne
Cox	Jenkins	Radanovich	Baker	Goss	Pappas	Campbell	Johnson, E. B.	Pelosi
Cramer	Johnson (CT)	Rahall	Ballenger	Graham	Parker	Cannon	Kanjorski	Pomeroy
Crane	Johnson, Sam	Ramstad	Barcia	Granger	Pascrell	Capps	Kennedy (MA)	Rahall
Crapo	Jones	Regula	Barr	Green	Pease	Cardin	Kennedy (RI)	Rangel
Cubin	Kanjorski	Riggs	Barrett (NE)	Greenwood	Peterson (MN)	Carson	Kennelly	Rivers
Cunningham	Kasich	Riley	Bartlett	Gutknecht	Peterson (PA)	Clayton	Kilpatrick	Roybal-Allard
Danner	Kelly	Rogan	Barton	Hall (OH)	Petri	Clyburn	Klink	Rush
Davis (VA)	Kim	Rogers	Bass	Hall (TX)	Pickett	Conyers	LaFalce	Sabo
Deal	King (NY)	Rohrabacher	Bateman	Hamilton	Pitts	Coyne	Lantos	Sanders
DeLay	Kingston	Ros-Lehtinen	Bentsen	Hansen	Pombo	Cummings	Levin	Sanford
Dickey	Klink	Roukema	Bereuter	Harman	Porter	Davis (IL)	Lewis (GA)	Sawyer
Doolittle	Klug	Royce	Bilbray	Hastert	Portman	DeFazio	Lofgren	Schaffer, Bob
Doyle	Knollenberg	Ryun	Bilirakis	Hayworth	Poshard	DeGette	Markey	Schumer
Dreier	Kolbe	Salmon	Bishop	Hefley	Price (NC)	Delahunt	Martinez	Scott
Duncan	LaHood	Sanford	Bliley	Herger	Pryce (OH)	Dellums	Mascara	Serrano
Dunn	Largent	Saxton	Blunt	Hill	Quinn	Dixon	Matsui	Shadegg
Ehlers	Latham	Scarborough	Boehlert	Hilleary	Radanovich	Doggett	McCarthy (MO)	Skaggs
Ehrlich	LaTourrette	Schaefer, Dan	Boehner	Hinojosa	Ramstad	Doyle	McCarthy (NY)	Slaughter
Emerson	Lazio	Schaffer, Bob	Bonilla	Hobson	Regula	Ehlers	McDermott	Snyder
English	Leach	Sensenbrenner	Bono	Hoekstra	Reyes	Eshoo	McGovern	Stark
Ensign	Lewis (CA)	Sessions	Borski	Holden	Riggs	Evans	Meehan	Stokes
Everett	Lewis (KY)	Shadegg	Boswell	Hooley	Riley	Farr	Meek	Strickland
Ewing	Linder	Shaw	Boucher	Horn	Rodriguez	Fattah	Menendez	Stupak
Fawell	Lipinski	Shimkus	Boyd	Houghton	Roemer	Fazio	Millender	Thompson
Foley	Livingston	Shuster	Brady	Hulshof	Rogan	Flake	McDonald	Thurman
Forbes	LoBiondo	Skeen	Bryant	Hunter	Rogers	Foglietta	Miller (CA)	Tierney
Fowler	Lucas	Smith (MI)	Bunning	Hutchinson	Rohrabacher	Ford	Minge	Torres
Fox	Manzullo	Smith (NJ)	Burr	Hyde	Ros-Lehtinen	Frank (MA)	Mink	Towns
Franks (NJ)	Mascara	Smith (OR)	Burton	Inglis	Rothman	Furse	Mollohan	Velazquez
Frelinghuysen	McCollum	Smith (TX)	Buyer	Istook	Roukema	Gejdenson	Morella	Vento
Galleghy	McDade	Smith, Adam	Callahan	Jenkins	Royce	Gephardt	Murtha	Visclosky
Ganske	McHugh	Smith, Linda	Camp	John	Ryun	Gonzalez	Nadler	Waters
Gekas	McInnis	Snowbarger	Canady	Johnson (CT)	Salmon	Hastings (FL)	Neal	Watt (NC)
Gibbons	McIntosh	Solomon	Castle	Johnson (WI)	Sanchez	Hilliard	Oberstar	Waxman
Gilchrest	McKeon	Souder	Chabot	Johnson, Sam	Sandlin	Hinchey	Obey	Weygand
Gillmor	Metcalf	Spence	Chambliss	Jones	Saxton	Hostettler	Olver	Wise
Gilman	Mica	Stearns	Chenoweth	Kaptur	Scarborough	Hoyer	Owens	Woolsey
Goode	Miller (FL)	Stump	Christensen	Kasich	Schaefer, Dan	Jackson (IL)	Pallone	Wynn
Goodlatte	Molinari	Sununu	Clement	Kelly	Sensenbrenner	Jackson-Lee	Pastor	Yates
Goodling	Moran (KS)	Talent	Coble	Kildee	Sessions	(TX)	Paul	
Gordon	Murtha	Tanner	Coburn	Kim	Shaw			
Goss	Myrick	Tauzin	Collins	King (WI)	Shays			
Graham	Nethercutt	Taylor (MS)	Combest	King (NY)	Sherman	Calvert	Filner	McKinney
Granger	Neumann	Taylor (NC)	Condit	Kingston	Shimkus	Clay	Gutierrez	Moakley
Green	Ney	Thomas	Cook	Klecza	Shuster	Costello	Hastings (WA)	Paxon
Greenwood	Northup	Thornberry	Cooksey	Klug	Sisisky	Diaz-Balart	Hefner	Pickering
Gutknecht	Norwood	Thune	Cox	Knollenberg	Skeen	English	McCrery	Schiff
Hansen	Nussle	Tiahrt	Cramer	Kolbe	Skelton			
Hastert	Ortiz	Trafficant	Crane	Kucinich	Smith (MI)			
Hayworth	Oxley	Upton	Crapo	LaHood	Smith (NJ)			
Hefley	Packard	Walsh	Cubin	Lampson	Smith (OR)			
Herger	Pappas	Wamp	Cunningham	Largent	Smith (TX)			
Hill	Parker	Watkins	Danner	Latham	Smith, Adam			
Hilleary	Pascrell	Watt (NC)	Davis (FL)	LaTourrette	Smith, Linda			
Hobson	Paul	Watts (OK)	Davis (VA)	Lazio	Snowbarger			
Hoekstra	Pease	Weldon (FL)	Deal	Leach	Solomon			
Holden	Peterson (PA)	Weldon (PA)	DeLauro	Lewis (CA)	Souder			
Horn	Petri	Weller	DeLay	Lewis (KY)	Spence			
Hostettler	Pickett	White	Linder		Spratt			
Houghton	Pitts	Whitfield	Lipinski		Stabenow			
Hulshof	Pombo	Wicker	Livingston		Walsh			
Hunter	Porter	Wolf	LoBiondo		Stenholm			
Hutchinson	Portman	Young (AK)	Dooley		Lowey			
Hyde	Pryce (OH)	Young (FL)	Lucas		Sununu			
			Doolittle		Talent			
			Dreier		Luther			
			Duncan		Maloney (CT)			
			Dunn		Maloney (NY)			
			Edwards		Manton			
			Ehrlich		Manzullo			
			Emerson		McCollum			
			Engel		McDade			
			Ensign		McHale			
			Etheridge		McHugh			
			Everett		McInnis			
			Ewing		McIntosh			
			Fawell		McIntyre			
			Foley		McKeon			
			Forbes		McNulty			
			Fowler		Metcalf			
			Fox		Mica			
			Franks (NJ)		Miller (FL)			
			Frelinghuysen		Molinari			
			Frost		Moran (KS)			
			Galleghy		Moran (VA)			
			Ganske		Myrick			
			Gekas		Nethercutt			
			Gibbons		Neumann			
			Gilchrest		Ney			
			Gillmor		Northup			
			Gilman		Norwood			
			Goode		Nussle			
			Goodlatte		Ortiz			
			Goodling		Oxley			

NOT VOTING—16

Calvert	Hastings (WA)	Moakley
Clay	Hefner	Paxon
Costello	Istook	Pickering
Diaz-Balart	Matsui	Schiff
Filner	McCrery	
Gutierrez	McKinney	

So the motion to recommit with instructions was not agreed to.

The question being put, *viva voce*, Will the House pass said bill?

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

Mr. MCCOLLUM demanded a recorded vote on passage of said bill, 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 { Yeas 286 affirmative } Nays 132

45.20

[Roll No. 118]
AYES—286

Abercrombie	Andrews	Armey
Aderholt	Archer	Bachus

NOES—132

Ackerman	Becerra	Blumenauer
Allen	Berman	Bonior
Baldacci	Berry	Brown (CA)
Barrett (WI)	Blagojevich	Brown (FL)

NOT VOTING—15

Calvert	Filner	McKinney
Clay	Gutierrez	Moakley
Costello	Hastings (WA)	Paxon
Diaz-Balart	Hefner	Pickering
English	McCrery	Schiff

So the bill was passed.

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

Ordered, That the Clerk request the concurrence of the Senate in said bill.

45.21 CLERK TO CORRECT ENGROSSMENT

On motion of Mr. MCCOLLUM, by unanimous consent,

Ordered, That in the engrossment of the foregoing bill the Clerk be authorized to correct section numbers, cross references, and punctuation, and to make such stylistic, clerical, technical, conforming, and other changes as may be necessary to reflect the actions of the House in amending the bill.

45.22 COMMUNITY HOUSING OPPORTUNITY AND RESPONSIBILITY

The SPEAKER pro tempore, Mr. LAHOOD, pursuant to House Resolution 133 and rule XXIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 2) to repeal the United States Housing Act of 1937, deregulate the public housing program and the program for rental housing assistance for low-income families, and increase community control over such programs, and for other purposes.

Mr. GOODLATTE, Chairman of the Committee of the Whole, resumed the chair; and after some time spent therein,

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

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

¶45.23 PERMISSION TO FILE REPORT

On motion of Mr. GOSS, by unanimous consent, the Committee on International Relations was granted permission until midnight, Friday, May 9, 1997, to file a report on the bill (H.R. 1486) to consolidate international affairs agencies, to reform foreign assistance programs, to authorize appropriations for foreign assistance programs and for the Department of State and related agencies for fiscal years 1998 and 1999, and for other purposes.

¶45.24 ADJOURNMENT OVER

On motion of Mr. GOSS, by unanimous consent,

Ordered. That when the House adjourns today, it adjourn to meet on Monday, May 12, 1997, at 12 o'clock noon.

¶45.25 HOUR OF MEETING

On motion of Mr. GOSS, by unanimous consent,

Ordered. That when the House adjourns Monday, May 12, 1997, it adjourn to meet at 12:30 p.m. on Tuesday, May 13, 1997, for "morning-hour" debates.

¶45.26 CALENDAR WEDNESDAY BUSINESS DISPENSED WITH

On motion of Mr. GOSS, by unanimous consent,

Ordered. That business in order for consideration on Wednesday, May 14, 1997, under clause 7, rule XXIV, the Calendar Wednesday rule, be dispensed with.

¶45.27 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted—

- To Mr. HEFNER, for today;
 - To Mr. DIAZ-BALART, for today after 12:15 p.m.;
 - To Mr. COSTELLO, for today after 12 noon;
 - To Mr. PICKERING, for today after 12 noon;
 - To Mr. SKELTON, for May 13, 14, 15 and 16; and
 - To Ms. MCKINNEY, for today.
- And then,

¶45.28 ADJOURNMENT

On motion of Mr. OWENS, pursuant to the special order heretofore agreed to, at 8 o'clock and 40 minutes p.m., the House adjourned until 12:30 p.m. on Monday, May 12, 1997.

¶45.29 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

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

Mr. GOODLING: Committee on Education and the Workforce. H.R. 1385. A bill to consolidate, coordinate, and improve employment, training, literacy, and vocational rehabilitation programs in the United States, and for other purposes; with an amendment

(Rept. No. 105-93). Referred to the Committee of the Whole House on the State of the Union.

¶45.30 PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BURTON of Indiana (for himself, Mr. WAXMAN, and Mr. STOKES):

H.R. 1553. A bill to amend the President John F. Kennedy Assassination Records Collection Act of 1992 to extend the authorization of the Assassination Records Review Board until September 30, 1998; to the Committee on Government Reform and Oversight, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HUTCHINSON (for himself, Mr. BLUNT, Mr. SANDLIN, and Mr. EDWARDS):

H.R. 1554. A bill to amend the Internal Revenue Code of 1986 to provide that the commercial activities of an Indian tribal organization shall be subject to the unrelated business income tax; to the Committee on Ways and Means.

By Mr. FATTAH (for himself, Mr. CONYERS, Ms. JACKSON-LEE, Mrs. MEEK of Florida, Ms. MCKINNEY, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. NOR-TON, Mr. PAYNE, Mr. FROST, Mr. RUSH, Mr. CLAY, Mr. DAVIS of Illinois, Mrs. CLAYTON, Mr. BARRETT of Wisconsin, Mr. THOMPSON, Mr. FORD, Mr. JEFFERSON, Ms. CARSON, Mr. BLUMENAUER, Mr. GEPHARDT, Mr. CLYBURN, Mr. SHAYS, Mr. HASTINGS of Florida, Ms. DEGETTE, Mr. DELLUMS, Mr. FILNER, Mr. MARTINEZ, Mr. EVANS, Mr. BORSKI, Mr. HILLIARD, Mr. MASCARA, Mr. FALEOMAVAEGA, Mr. WAXMAN, Ms. KILPATRICK, Mr. FOGLIETTA, Mr. COYNE, Mr. BROWN of California, Mr. LEWIS of Georgia, Ms. CHRISTIAN-GREEN, Mr. FLAKE, Ms. KAPTUR, Mr. ALLEN, Mr. TOWNS, Ms. WATERS, Mr. SNYDER, and Mr. RANGEL):

H.R. 1555. A bill to amend the Housing and Community Development Act of 1974 and the Federal Home Loan Bank Act to authorize Federal Home Loan Banks to make guaranteed advances for community development activities to units of general local government and advances of future community development block grant entitlement amounts, and to expand the community participation requirements relating to community development loan guarantees to include participation of major community stakeholders, and for other purposes; to the Committee on Banking and Financial Services.

By Mr. BOUCHER (for himself and Mr. GILCREST):

H.R. 1556. A bill to provide for protection of the flag of the United States; to the Committee on the Judiciary.

By Mr. ARCHER:

H.R. 1557. A bill to amend the Internal Revenue Code of 1986 to increase the dollar limitation on the exclusion under section 911 of such Code to reflect inflation since the current limitation was imposed; to the Committee on Ways and Means.

By Mr. BAKER (for himself, Mr. LIVINGSTON, Mr. TAUZIN, Mr. MCCRERY, Mr. COOKSEY, and Mr. JOHN):

H.R. 1558. A bill to authorize the relocation of the Gillis W. Long Hansen's Disease Center, to provide for the transfer to the State of Louisiana of the current site of such cen-

ter, and for other purposes; to the Committee on Commerce.

By Mr. BARTLETT of Maryland (for himself, Mr. WATTS of Oklahoma, Mr. BONO, Mr. GRAHAM, Mr. HUNTER, Mr. HILLEARY, Mr. MCKEON, Mr. STUMP, Mr. LIVINGSTON, Mr. DELAY, Mr. SOL-OMON, Mr. SAM JOHNSON, Mrs. CUBIN, Mr. WELDON of Florida, Mr. BURTON of Indiana, Mrs. CHENOWETH, Mr. LARGENT, Mr. SMITH of New Jersey, Mr. LEWIS of Kentucky, Mr. JONES, Mr. SNOWBARGER, Mr. DICKEY, Mr. HOSTETTLER, Mr. PETERSON of Pennsylvania, Mr. COBURN, Mr. PITTS, Mr. HERGER, Mr. DOOLITTLE, Mr. MCINTOSH, Mrs. NORTHUP, Mr. STEARNS, Mr. SCARBOROUGH, Mr. MCHALE, Mr. TAYLOR of North Carolina, Mr. COLLINS, Mr. CRANE, Mr. SALMON, Mr. FOX of Pennsylvania, Mr. BACHUS, Mr. WHITFIELD, Mr. CRAPO, Mr. DEAL of Georgia, Mr. TRAFICANT, Mr. SHUSTER, Mr. TAYLOR of Mississippi, Mr. ROHRBACHER, Mr. METCALF, Mr. HALL of Texas, Mr. BARCIA of Michigan, Mr. GILCREST, Mr. CAMPBELL, Mr. WATKINS, Mr. MICA, Mr. BARR of Georgia, Mr. HASTERT, Mr. KNOLLENBERG, Mr. BLILEY, Mr. EHRlich, Mr. COBLE, Mr. EHLERS, Mr. PACKARD, Mr. SKEEN, Mr. SAXTON, Mr. BUNNING of Kentucky, Mr. WICKER, Mr. BATEMAN, Mr. HUTCHINSON, Mr. BRYANT, Mr. BARTON of Texas, Mr. COOKSEY, Mr. CALVERT, Mr. SENSENBRENNER, Mr. HASTINGS of Washington, Mr. HAYWORTH, Mr. WAMP, Mr. BROWN of California, Mr. PARKER, Mr. BALLENGER, Mr. SHADEGG, Mr. EVERETT, Mrs. EMERSON, and Mr. ISTOOK):

H.R. 1559. A bill to amend title 10, United States Code, to require that recruit basic training in the Army, Navy, Air Force, and Marine Corps be conducted separately for male and female recruits; to the Committee on National Security.

By Mr. BEREUTER:

H.R. 1560. A bill to require the Secretary of the Treasury to mint coins in commemoration of the bicentennial of the Lewis & Clark Expedition, and for other purposes; to the Committee on Banking and Financial Services.

By Ms. CHRISTIAN-GREEN (for herself, Mr. FALEOMAVAEGA, and Mr. UNDERWOOD):

H.R. 1561. A bill to amend the National Highway System Designation Act of 1995 and title 23, United States Code, to allow the Virgin Islands and the other territories to participate in the State infrastructure bank program and to use surface transportation program funds for construction of certain access and development roads; to the Committee on Transportation and Infrastructure.

By Mr. CLAY (for himself and Mr. KIL-DEE):

H.R. 1562. A bill to provide assistance to States and local communities to improve adult education and literacy, to help achieve the national educational goals for all citizens, and for other purposes; to the Committee on Education and the Workforce.

By Mr. COSTELLO:

H.R. 1563. A bill to amend the Internal Revenue Code of 1986 to provide for the non-recognition of gain on long-term real property which is involuntarily converted as the result of the exercise of eminent domain, without regard to whether the replacement property is similar or of like kind; to the Committee on Ways and Means.

By Ms. DEGETTE (for herself, Mr. DINGELL, Mr. BROWN of Ohio, and Mr. WAXMAN):

H.R. 1564. A bill to amend title XIX of the Social Security Act to permit presumptive eligibility for low-income children under the Medicaid Program; to the Committee on Commerce.

By Mr. ENGLISH of Pennsylvania (for himself, Mr. WATTS of Oklahoma, Mr. FOX of Pennsylvania, and Mr. GRAHAM):

H.R. 1565. A bill to amend the Internal Revenue Code of 1986 to increase the amount of depreciable business assets which may be expensed, and for other purposes; to the Committee on Ways and Means.

By Mr. FRANK of Massachusetts:

H.R. 1566. A bill to amend the Cuban Liberty and Democratic Solidarity [LIBERTAD] Act of 1996 relating to the exclusion from the United States of certain aliens; to the Committee on International Relations.

By Mr. HANSEN (for himself, Mr. SMITH of Oregon, Ms. DUNN of Washington, Mr. CRAPO, Mr. MCKEON, Mr. SKEEN, Mr. HILL, Mr. HASTINGS of Washington, Mr. HAYWORTH, and Mrs. CHENOWETH):

H.R. 1567. A bill to provide for the designation of additional wilderness lands in the eastern United States; to the Committee on Resources.

By Mr. HOYER:

H.R. 1568. A bill to establish the National Military Museum Foundation, and for other purposes; to the Committee on National Security.

By Mrs. JOHNSON of Connecticut:

H.R. 1569. A bill to require the same distribution of child support arrearages collected by Federal tax intercept as collected directly by the States, and for other purposes; to the Committee on Ways and Means.

By Mr. KENNEDY of Rhode Island (for himself and Mrs. MALONEY of New York):

H.R. 1570. A bill to amend the Arms Export Control Act to remove an exemption from the prohibition on imports of certain firearms and ammunition; to the Committee on International Relations, and in addition to the Committees on Ways and Means, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. MORELLA (for herself, Mr. SHAYS, Ms. MOLINARI, Ms. WATERS, Ms. PELOSI, Mrs. MEEK of Florida, Mr. BOEHLERT, Mr. DELAHUNT, Mr. CUMMINGS, Mr. GILCHREST, Mr. McDERMOTT, Mr. FILNER, Mr. HORN, Mr. HINCHEY, Mr. PAYNE, Mrs. MALONEY of New York, Ms. LOFGREN, Mr. BOUCHER, Mr. CONYERS, Ms. CHRISTIAN-GREEN, Ms. WOOLSEY, Mr. STARK, Mr. THOMPSON, and Ms. BROWN of Florida):

H.R. 1571. A bill to amend the Public Health Service Act to establish programs of research with respect to women and cases of infection with the human immunodeficiency virus; to the Committee on Commerce.

By Mrs. MORELLA (for herself, Mr. LEACH, Mrs. JOHNSON of Connecticut, Mr. DAVIS of Virginia, Mrs. TAUSCHER, Mr. FORD, Mr. GEJDENSON, Mr. ENGLISH of Pennsylvania, and Mr. BOEHLERT):

H.R. 1572. A bill to provide for teacher technology training; to the Committee on Education and the Workforce.

By Mr. OBERSTAR (for himself, Mr. HYDE, Mr. CONYERS, Mr. BURTON of Indiana, Mr. DELLUMS, Mr. FROST, Mr. KLUG, Mr. RAHALL, Mr. CLEMENT, Mr. FRANK of Massachusetts, Mr.

ACKERMAN, Mrs. MALONEY of New York, Ms. LOFGREN, Mr. PETERSON of Minnesota, Mr. SANDERS, Mr. McDERMOTT, Mr. GEJDENSON, Ms. STABENOW, Mr. GUTIERREZ, and Ms. NORTON):

H.R. 1573. A bill to provide equal leave benefits for parents who adopt a child or provide foster care for a child; to the Committee on Education and the Workforce.

By Mr. SALMON (for himself, Mr. MICA, Mr. BALLENGER, Mr. BARTLETT of Maryland, Mr. CAMPBELL, Mr. CANON, Mr. COOKSEY, Mrs. CUBIN, Mr. CUNNINGHAM, Mr. DUNCAN, Mr. ENSIGN, Mr. FOLEY, Mr. GOSS, Mr. HAYWORTH, Mr. HILLEARY, Mrs. KELLY, Mr. KOLBE, Mr. McCRERY, Mr. NETHERCUTT, Mr. NORWOOD, Mr. PACKARD, Mr. PAUL, Mr. SCARBOROUGH, Mr. BOB SCHAFFER, Mr. SENSENBRENNER, Mr. SHADEGG, Mr. SKEEN, Mr. SOUDER, Mr. STUMP, and Mr. WALSH):

H.R. 1574. A bill to amend chapter 89 of title 5, United States Code, to permit Federal employees and annuitants to elect to receive contributions into medical savings accounts under the Federal Employee Health Benefits Program [FEHBP]; to the Committee on Government Reform and Oversight.

By Mr. SAXTON:

H.R. 1575. A bill to establish a limitation on the vessels that may engage in harvesting Atlantic mackerel or Atlantic herring within the exclusive economic zone; to the Committee on Resources.

By Mr. STARK (for himself, Mr. BROWN of California, Mr. DELLUMS, Mr. FILNER, Mr. MATSUI, Ms. ESHOO, Mrs. TAUSCHER, Mr. MILLER of California, Mr. BERMAN, and Mr. TORRES):

H.R. 1576. A bill to provide for the continuation of the operations of the California Urban Environmental Research and Education Center; to the Committee on Education and the Workforce, and in addition to the Committee on Science, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. TIAHRT (for himself, Mr. ROYCE, Mr. ARMEY, Mr. DELAY, Mr. BOEHNER, Mr. KASICH, Mr. SOLOMON, Mr. LIVINGSTON, Mr. COBURN, Mr. BARTLETT of Maryland, Mr. HOSTETTLER, Mr. SHADEGG, Mr. NEUMANN, Mr. SCARBOROUGH, Mr. SMITH of Michigan, Mr. ROHRABACHER, Mrs. MYRICK, Mr. HERGER, Mr. KLUG, Mr. BLUNT, Mr. GRAHAM, Mr. SANFORD, Mr. SOUDER, Mr. CHRISTENSEN, Mr. PAPPAS, Mr. LARGENT, Mr. LATHAM, Mr. DOOLITTLE, Mr. McINTOSH, Mr. RYUN, Mr. GOSS, Mr. RADANOVICH, Mr. LOBIONDO, Mr. SNOWBARGER, Mr. SAM JOHNSON, Mr. PITTS, Mr. PAUL, Mr. MCCOLLUM, Mr. HILL, Mr. POMBO, Mr. PARKER, Mr. PETRI, Mr. MILLER of Florida, Mr. PETERSON of Pennsylvania, Mrs. KELLY, and Mr. MORAN of Kansas):

H.R. 1577. A bill to abolish the Department of Energy; to the Committee on Commerce, and in addition to the Committees on National Security, Science, Resources, Rules, and Government Reform and Oversight, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ISTOOK (for himself, Mr. BISHOP, Mr. ADERHOLT, Mr. ARMEY, Mr. BACHUS, Mr. BAKER, Mr. BALLENGER, Mr. BARCIA of Michigan, Mr. BARR of Georgia, Mr. BARRETT of Nebraska, Mr. BARTLETT of Mary-

land, Mr. BARTON of Texas, Mr. BLILEY, Mr. BLUNT, Mr. BONILLA, Mr. BUNNING of Kentucky, Mr. BURTON of Indiana, Mr. CALLAHAN, Mr. CALVERT, Mr. CAMPBELL, Mr. CHAMBLISS, Mrs. CHENOWETH, Mr. CHRISTENSEN, Mr. COBURN, Mr. COLLINS, Mr. COMBEST, Mr. CONDIT, Mr. COOK, Mr. CRANE, Mr. CRAPO, Mrs. CUBIN, Mr. CUNNINGHAM, Mr. DEAL of Georgia, Mr. DELAY, Mr. DIAZ-BALART, Mr. DICKEY, Mr. DOOLITTLE, Mr. DUNCAN, Mrs. EMERSON, Mr. EVERETT, Mr. FLAKE, Mr. GINGRICH, Mr. GOODE, Mr. GOODLING, Mr. GRAHAM, Mr. HALL of Texas, Mr. HANSEN, Mr. HAYWORTH, Mr. HEFLEY, Mr. HERGER, Mr. HILL, Mr. HILLEARY, Mr. HOEKSTRA, Mr. HUNTER, Mr. HUTCHINSON, Mr. INGLIS of South Carolina, Mr. SAM JOHNSON, Mr. JONES, Mr. KASICH, Mr. KIM, Mr. KINGSTON, Mr. LAHOOD, Mr. LARGENT, Mr. LEWIS of Kentucky, Mr. LINDER, Mr. LIPINSKI, Mr. LIVINGSTON, Mr. LUCAS of Oklahoma, Mr. MCCOLLUM, Mr. McCRERY, Mr. MCHUGH, Mr. McINNIS, Mr. McINTOSH, Mr. MCKEON, Mr. MICA, Mrs. MYRICK, Mr. NEUMANN, Mr. NORWOOD, Mr. PACKARD, Mr. PAPPAS, Mr. PARKER, Mr. PAUL, Mr. PAXON, Mr. PETERSON of Pennsylvania, Mr. PICKERING, Mr. PITTS, Mr. POMBO, Mr. RADANOVICH, Mr. RAHALL, Mr. RILEY, Mr. ROGERS, Mr. ROHRABACHER, Mr. ROYCE, Mr. SCARBOROUGH, Mr. BOB SCHAFFER, Mr. SESSIONS, Mr. SKEEN, Mr. SMITH of New Jersey, Mrs. LINDA SMITH of Washington, Mr. SNOWBARGER, Mr. SOLOMON, Mr. SPENCE, Mr. STEARNS, Mr. STENHOLM, Mr. TAUZIN, Mr. TAYLOR of North Carolina, Mr. TAYLOR of Massachusetts, Mr. THORNBERRY, Mr. THUNE, Mr. TIAHRT, Mr. TRAFICANT, Mr. WAMP, Mr. WATKINS, Mr. WATTS, Mr. WELDON, Mr. WHITFIELD, Mr. WICKER, and Mr. YOUNG):

H.J. Res. 78. Joint resolution proposing an amendment to the Constitution of the United States restoring religious freedom; to the Committee on the Judiciary.

By Mr. BILIRAKIS:

H. Con. Res. 77. Concurrent resolution expressing the sense of the Congress that Federal civilian and military retirement cost-of-living adjustments should not be delayed; to the Committee on Government Reform and Oversight, and in addition to the Committee on National Security, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

45.31 ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 66: Mr. ETHERIDGE, Ms. MCCARTHY of Missouri, Mr. WALSH, and Mr. MCGOVERN.

H.R. 96: Mr. LAHOOD and Mr. HILL.

H.R. 122: Mr. SNOWBARGER, Mr. CHRISTENSEN, and Mrs. MYRICK.

H.R. 127: Mr. DAVIS of Illinois and Ms. DELAURO.

H.R. 145: Mr. BARRETT of Wisconsin, Mr. KANJORSKI, Mr. BOSWELL, Mr. FAZIO of California, Mr. BONIOR, and Mr. GEJDENSON.

H.R. 158: Mr. TORRES and Mrs. CHENOWETH.

H.R. 159: Mr. CAMP.

H.R. 160: Mr. ENSIGN.

H.R. 165: Ms. WOOLSEY.

H.R. 176: Ms. STABENOW, Mr. MARTINEZ, Mr. BRYANT, Ms. WOOLSEY, Mr. WALSH, and Mr. DELLUMS.

H.R. 192: Mr. REYES, Mr. TAYLOR of North Carolina, Mr. KILDEE, and Mr. MINGE.

H.R. 218: Mr. GALLEGLY, Mr. TRAFICANT, and Mr. WELDON of Pennsylvania.

H.R. 230: Mr. BLUNT.
 H.R. 335: Mr. WHITFIELD.
 H.R. 339: Mr. HASTINGS of Washington.
 H.R. 399: Mr. LATOURETTE and Mr. POSHARD.
 H.R. 402: Mr. FROST.
 H.R. 404: Mr. HINCHEY, Mr. BONIOR, and Mr. WISE.
 H.R. 406: Mr. FOX of Pennsylvania.
 H.R. 407: Mr. GRAHAM, Mr. MCDADE, Mr. ROGERS, Mr. ENGLISH of Pennsylvania, and Mr. CUNNINGHAM.
 H.R. 409: Mr. MANTON, Mr. REGULA, Mr. WATTS of Oklahoma, Mr. ROHRBACHER, Mr. CLEMENT, Mr. HINCHEY, and Mr. CUNNINGHAM.
 H.R. 411: Mr. MATSUI, Mr. PAYNE, Mr. Hilliard, and Mr. OLVER.
 H.R. 414: Mr. REYES, Mr. TAYLOR of North Carolina, and Mr. KILDEE.
 H.R. 426: Mr. HOUGHTON, Mr. FOLEY, Mr. EDWARDS, Ms. HOOLEY of Oregon, and Mr. WALSH.
 H.R. 450: Mr. SKEEN.
 H.R. 465: Mr. WELLER.
 H.R. 471: Mr. KIM.
 H.R. 475: Mr. HILLIARD.
 H.R. 479: Mr. KOLBE.
 H.R. 530: Mr. SPENCE, Mr. BAKER, and Mr. PITTS.
 H.R. 535: Mr. CLYBURN.
 H.R. 536: Mrs. MCCARTHY of New York.
 H.R. 548: Mr. ENGEL.
 H.R. 563: Ms. SLAUGHTER, Mr. OWENS, Mr. BURR of North Carolina, Ms. RIVERS, and Mr. THOMPSON.
 H.R. 586: Ms. HOOLEY of Oregon, Mr. MOAKLEY, and Mr. WATT of North Carolina.
 H.R. 598: Mr. ADAM SMITH of Washington.
 H.R. 604: Mr. MCGOVERN and Mr. ABERCROMBIE.
 H.R. 611: Mr. PRICE of North Carolina, Mr. KENNEDY of Rhode Island, Mr. TIERNEY, Mr. GONZALEZ, Ms. NORTON, Mr. MALONEY of Connecticut, Mr. COSTELLO, Mr. SKAGGS, Mr. FAZIO of California, Mr. RANGEL, and Mr. DELAHUNT.
 H.R. 614: Mr. SOLOMON, Mr. MEEHAN, and Mr. GOSS.
 H.R. 630: Ms. ROYBAL-ALLARD.
 H.R. 659: Ms. GRANGER, Mr. BALLENGER, Mrs. MYRICK, and Mr. COBLE.
 H.R. 687: Mr. DEFAZIO.
 H.R. 695: Mr. WEXLER and Mr. WELLER.
 H.R. 716: Mr. PACKARD and Mr. NEUMANN.
 H.R. 724: Ms. WOOLSEY.
 H.R. 753: Mr. SPRATT, Mr. SKAGGS, and Mr. MALONEY of Connecticut.
 H.R. 755: Mr. ENGEL, Mr. FATTAH, Mr. MALONEY of Connecticut, and Mr. ENGLISH of Pennsylvania.
 H.R. 777: Mr. UNDERWOOD, Mr. BAKER, Mr. GREENWOOD, Mr. SANDERS, Mr. THOMPSON, Mr. GONZALEZ, Mr. MALONEY of Connecticut, and Ms. BROWN of Florida.
 H.R. 778: Mr. CAPPS.
 H.R. 780: Mr. CAPPS.
 H.R. 784: Mr. HORN.
 H.R. 794: Mr. MARKEY.
 H.R. 818: Ms. KILPATRICK.
 H.R. 819: Ms. KILPATRICK.
 H.R. 840: Mr. TORRES.
 H.R. 850: Ms. DEGETTE.
 H.R. 871: Ms. KAPTUR and Mr. LEWIS of Georgia.
 H.R. 877: Mr. PARKER, Mr. MARTINEZ, Mr. SNOWBARGER, Mr. LEACH, Mr. PAYNE, Mr. GILMAN, Mrs. NORTHUP, and Mr. DEFAZIO.
 H.R. 902: Mr. TAUZIN and Mr. PORTER.
 H.R. 907: Mr. WICKER and Mr. HUTCHINSON.
 H.R. 911: Mrs. FOWLER, Mr. LEWIS of Kentucky, Mr. NEUMANN, and Mr. SHAW.
 H.R. 937: Mr. COYNE.
 H.R. 950: Ms. CHRISTIAN-GREEN.
 H.R. 955: Mr. HILLEARY, Mr. CHRISTENSEN, Mr. TIAHRT, and Mr. FOX of Pennsylvania.
 H.R. 988: Mr. ENGEL and Mr. PAYNE.
 H.R. 989: Mr. KIND, Mr. BARRETT of Wisconsin, Ms. LOFGREN, Mr. ACKERMAN, Mr. EVENS, Mr. STARK, Mr. LIPINSKI, Mr. RUSH,

Mr. MCGOVERN, Mr. MANTON, Mr. CASTLE, Mr. LAFALCE, Ms. MOLINARI, Mr. KLUG, and Mr. GILMAN.
 H.R. 992: Mr. RADANOVICH, Mr. MCHUGH, and Mr. SKEEN.
 H.R. 1009: Mr. CANNON and Mr. SMITH of Michigan.
 H.R. 1010: Mr. MCINTYRE, Mr. SMITH of New Jersey, Mr. GOSS, Mr. BARCIA of Michigan, Mr. GRAHAM, and Mrs. NORTHUP.
 H.R. 1037: Mrs. JOHNSON of Connecticut, Mr. CHRISTENSEN, Mr. ENSIGN, Mr. WATKINS, and Mr. HOUGHTON.
 H.R. 1043: Ms. BROWN of Florida and Mr. PARKER.
 H.R. 1053: Mr. NORWOOD and Mr. LEWIS of Georgia.
 H.R. 1054: Mr. GRAHAM and Mr. ROGAN.
 H.R. 1059: Mr. KING of New York, Mr. BUNNING of Kentucky, Mr. DAVIS of Virginia, Mr. NEUMANN, Mr. OXLEY, and Mr. WAMP.
 H.R. 1062: Mr. YOUNG of Alaska.
 H.R. 1064: Mr. LIPINSKI.
 H.R. 1068: Mr. CRANE, Mr. ENSIGN, and Mr. PETERSON of Minnesota.
 H.R. 1070: Mr. STRICKLAND, Mr. FOX of Pennsylvania, Mrs. MCCARTHY of New York, Mr. KLUG, Mr. ENGEL, Mr. FILNER, and Mr. WAXMAN.
 H.R. 1077: Mr. MCGOVERN and Mr. MOAKLEY.
 H.R. 1125: Mr. ENGEL.
 H.R. 1130: Mr. CONYERS and Mr. POSHARD.
 H.R. 1151: Ms. STABENOW.
 H.R. 1162: Mr. GRAHAM.
 H.R. 1169: Mr. LEWIS of California, Mr. WELLER, and Ms. DUNN of Washington.
 H.R. 1188: Mr. MARTINEZ.
 H.R. 1219: Mr. KUCINICH, Ms. DEGETTE, Ms. KILPATRICK, Mr. BOUCHER, and Mr. MALONEY of Connecticut.
 H.R. 1248: Mr. BISHOP and Mr. WHITFIELD.
 H.R. 1263: Ms. KILPATRICK.
 H.R. 1285: Mr. SAM JOHNSON, Mr. MCCOLLUM, Ms. HARMAN, and Mr. MCINNIS.
 H.R. 1299: Mr. SHUSTER and Mrs. NORTHUP.
 H.R. 1315: Mr. ENGLISH of Pennsylvania, Mr. LIPINSKI, and Mr. FOX of Pennsylvania.
 H.R. 1323: Mr. QUINN.
 H.R. 1329: Ms. BROWN of Florida.
 H.R. 1333: Mr. SENSENBRENNER.
 H.R. 1348: Mr. HUNTER, Mr. COBLE, Mr. GILCHREST, Mr. WHITFIELD, Mr. CONDIT, Mr. PARKER, Mr. MORAN of Virginia, Mr. LEWIS of California, and Mr. CUNNINGHAM.
 H.R. 1353: Mr. PETERSON of Minnesota.
 H.R. 1362: Mr. SOLOMON, Mr. HOLDEN, Mr. SANDERS, Mr. METCALF, Mr. HINCHEY, Mr. WATTS of Oklahoma, Mr. LIPINSKI, Mr. BLUNT, Mr. GOODE, Mr. CLEMENT, and Mr. BLUMENAUER.
 H.R. 1367: Mr. THOMPSON.
 H.R. 1369: Mr. GRAHAM.
 H.R. 1375: Mr. DELLUMS.
 H.R. 1382: Ms. SLAUGHTER and Mr. BORSKI.
 H.R. 1383: Mr. EVANS, Ms. LOFGREN, Mr. SANDLIN, Ms. DELAURO, Mr. DOYLE, Ms. ESHOO, and Mr. RANGEL.
 H.R. 1395: Mr. LEWIS of Georgia.
 H.R. 1430: Mr. MCINTYRE.
 H.R. 1432: Ms. LOFGREN, Mr. FROST, Mr. ENGEL, Mr. FOX of Pennsylvania, and Mrs. MALONEY of New York.
 H.R. 1434: Mr. BUNNING of Kentucky, Mr. HOUGHTON, Mr. RAMSTAD, Mr. COLLINS, Mr. FROST, and Mr. HEFLEY.
 H.R. 1438: Mr. DELLUMS.
 H.R. 1441: Mr. BARCIA of Michigan.
 H.R. 1468: Mr. MATSUI, Mr. NEAL of Massachusetts, Mr. RAHALL, Mr. SAWYER, Mr. MEEHAN, Mr. FILNER, Mr. GONZALEZ, Mr. FROST, Ms. CHRISTIAN-GREEN, Mr. THOMPSON, and Mr. KENNEDY of Rhode Island.
 H.R. 1475: Mr. RAMSTAD and Mr. MILLER of Florida.
 H.R. 1492: Mr. LINDER.
 H.R. 1493: Mr. LIPINSKI.
 H.R. 1496: Mr. NETHERCUTT.
 H.R. 1503: Ms. GRANGER.

H.R. 1505: Mrs. THURMAN, Mr. NEY, Mr. WALSH, Mr. CAMPBELL, and Mr. YATES.
 H.R. 1506: Ms. CHRISTIAN-GREEN, Ms. RIVERS, Mr. FORD, Mr. FATTAH, Mr. MCGOVERN, and Mr. SCHUMER.
 H.R. 1526: Mr. BONO, Mr. GORDON, Mr. HOUGHTON, Mr. DOYLE, Mr. BONILLA, Mr. CLEMENT, Mrs. ROUKEMA, Mr. BOSWELL, and Mrs. TAUSCHER.
 H.R. 1532: Mr. LIPINSKI, Mr. BERRY, Mr. PASTOR, Mr. CLEMENT, Mr. KILDEE, Mr. KUCINICH, Mr. METCALF, Mr. CONDIT, and Mr. VISLOSKEY.
 H.R. 1543: Mr. COOK.
 H.R. 1549: Mr. HALL of Ohio.
 H.J. Res. 72: Mr. BOB SCHAFFER.
 H. Con. Res. 54: Mr. LIPINSKI.
 H. Con. Res. 65: Mr. DEFAZIO, Mr. MALONEY of Connecticut, Mr. VISLOSKEY, Mr. KUCINICH, Mr. PASTOR, Ms. CHRISTIAN-GREEN, Mr. JOHN, Mr. COOKSEY, and Mr. LOBIONDO.
 H. Con. Res. 75: Ms. KAPTUR and Mr. POSHARD.
 H. Res. 37: Mr. PORTER and Mr. SHAYS.
 H. Res. 61: Mr. LUTHER.
 H. Res. 103: Mr. ACKERMAN, Mr. WATTS of Oklahoma, Mr. MILLER of Florida, Mr. OXLEY, and Mr. WHITFIELD.
 H. Res. 111: Mr. BONO, Mr. LINDER, Mr. STUMP, and Mr. PACKARD.
 H. Res. 138: Ms. STABENOW.

¶45.32 PETITIONS, ETC.

Under clause 1 of rule XXII,

12. The SPEAKER presented a petition of the Mayor's Council of Guam, relative to Council Resolution No. 97-01, relative to expressing the sentiment of the mayors and vice mayors of Guam in welcoming the U.S.S. *Independence*; which was referred to the Committee on National Security.

MONDAY, MAY 12, 1997 (46)

The House was called to order by the SPEAKER.

¶46.1 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Thursday, May 8, 1997.

Pursuant to clause 1, rule I, the Journal was approved.

¶46.2 COMMUNICATIONS

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

3261. A letter from the Administrator, Agricultural Marketing Service, transmitting the Service's final rule—Revision of User Fees for 1997 Crop Cotton Classification Services to Growers [CN-97-001] received May 12, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3262. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Dimethomorph; Pesticide Tolerances for Emergency Exemptions [OPP-300483; FRL-5715-5] (RIN: 2070-AB78) received May 9, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3263. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Cymoxanil; Pesticide Tolerance for Emergency Exemptions [OPP-300485; FRL-5716-1] (RIN: 2070-AB78) received May 9, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.