

H.R. 274: Mr. BARCIA, Mr. SPRATT, Mr. BECERRA, Mr. DAVIS of Virginia, Mr. BOSWELL, Mr. CAPUANO, Mr. BROWN of Ohio, and Mr. FORD.

H.R. 275: Mr. BAKER and Mr. FROST.

H.R. 330: Mr. HEFLEY and Mr. BARR of Georgia.

H.R. 354: Mr. SHAW.

H.R. 382: Mr. EHLERS.

H.R. 405: Mr. OWENS, Mr. MCCOLLUM, Mr. DIAZ-BALART, and Mr. DAVIS of Florida.

H.R. 408: Mr. BEREUTER.

H.R. 423: Mr. KUYKENDALL.

H.R. 456: Mr. MCCOLLUM.

H.R. 483: Mr. GORDON.

H.R. 488: Mr. NEAL of Massachusetts and Mr. DAVIS of Illinois.

H.R. 534: Mr. ROTHMAN, Mr. GARY MILLER of California, and Mr. HUTCHINSON.

H.R. 546: Mr. TOWNS.

H.R. 566: Ms. SLAUGHTER.

H.R. 599: Mr. ROMERO-BARCELO.

H.R. 623: Mr. BALLENGER, Mr. BARCIA, Mr. BLUNT, Mr. CAMP, Mr. COBURN, Mr. COLLINS, Mr. CRAMER, Mr. DICKEY, Mrs. EMERSON, Mr. EVERETT, Mr. FRELINGHUYSEN, Mr. GOODLING, Mr. GUTKNECHT, Mr. HILLEARY, Mr. ISTOOK, Mr. JENKINS, Mr. JONES of North Carolina, Mr. KINGSTON, Mr. LATHAM, Mr. LINDER, Mr. HILL of Montana, Mr. MCCOLLUM, Mr. MCHUGH, Mr. MCINTOSH, Mr. MICA, Mr. MILLER of Florida, Mr. SCARBOROUGH, Mr. STUPAK, Mr. TERRY, Mr. THORNBERY, Mr. TURNER, Mr. WAMP, and Mr. YOUNG of Alaska.

H.R. 653: Mr. RYAN of Wisconsin.

H.R. 691: Mr. GILMAN.

H.R. 728: Mr. PRICE of North Carolina and Mr. RAHALL.

H.R. 730: Mr. PRICE of North Carolina.

H.R. 750: Mr. GONZALEZ.

H.R. 772: Mr. HILLIARD.

H.R. 777: Mr. ROMERO-BARCELO and Mr. BARRETT of Wisconsin.

H.R. 798: Mr. DIXON, Mr. FROST, Mr. GREEN of Texas, Mr. KIND, and Mr. DAVIS of Illinois.

H.R. 827: Mr. INSLEE and Mr. JEFFERSON.

H.R. 828: Mr. SAWYER.

H.R. 844: Mr. HOSTETTLER, Mr. PRICE of North Carolina, Mr. STUMP, Mr. CARDIN, Mr. MICA, Mr. HYDE, Mr. GREENWOOD, Mr. CAMP, Mr. CHAMBLISS, Mr. DEUTSCH, Mr. GOODE, Mr. ACKERMAN, Mr. SWENEY, Mr. SHOWS, Mr. DREIER, Mr. POMEROY, Mr. LATOURETTE, Mr. WEINER, Mr. NEY, Mr. PICKERING, and Mr. WATT of North Carolina.

H.R. 850: Mr. SAWYER.

H.R. 884: Mr. PALLONE.

H.R. 886: Mrs. MALONEY of New York.

H.R. 979: Mr. CLAY, Mr. GREEN of Wisconsin, Ms. DELAURO, Mr. HOEKSTRA, Mr. MCGOVERN, Mr. PASTOR, Ms. SLAUGHTER, Mr. LANTOS, Mr. GEJDENSON, and Mr. EVANS.

H.R. 997: Mr. BROWN of Ohio, Mr. CAPUANO, Mr. GIBBONS, Mr. BOSWELL, Ms. BALDWIN, Ms. NORTON, and Mr. FORD.

H.R. 1042: Mr. BLUNT.

H.R. 1070: Mr. SIMPSON.

H.R. 1096: Mr. GEJDENSON.

H.R. 1105: Mr. SANDLIN and Mrs. TAUSCHER.

H.R. 1109: Mrs. MALONEY of New York.

H.R. 1111: Mr. GORDON and Mr. DEUTSCH.

H.R. 1144: Mr. BARR of Georgia.

H.R. 1172: Mr. WICKER, Mr. BURTON of Indiana, Mr. FORBES, Mr. PICKETT, Mr. DUNCAN, Mr. SESSIONS, Mr. MCCREERY, Mr. SPRATT, Mr. STARK, Mr. MALONEY of Connecticut, Mr. PEASE, Mr. MCINTOSH, Mr. KINGSTON, Mr. BLUMENAUER, Mr. KUCINICH, Mr. LUCAS of Oklahoma, Mr. OBERSTAR, Mr. RUSH, Mr. LAFALCE, Ms. SLAUGHTER, Mr. CAMP, Mr. LEVIN, Mr. BARRETT of Nebraska, Mr. SIMPSON, Mr. LOBIONDO, and Mrs. NORTUP.

H.R. 1180: Mr. MORAN of Kansas.

H.R. 1193: Mr. BORSKI, Ms. STABENOW, Ms. RIVERS, Mr. KIND, Mr. SMITH of New Jersey, and Mr. NETHERCUTT.

H.R. 1200: Mr. OWENS.

H.R. 1215: Mr. WALDEN of Oregon.

H.R. 1221: Mr. LIPINSKI, Mr. BLUMENAUER, Mr. CANADY of Florida, Mrs. MALONEY of New York, and Mr. HOLT.

H.R. 1256: Mr. PAUL and Mr. REYNOLDS.

H.R. 1261: Mrs. NORTUP, Mr. NEY, and Mrs. FOWLER.

H.R. 1271: Mrs. MORELLA, Ms. MCKINNEY, Ms. WOOLSEY, Mrs. MEEK of Florida, Mr. FRANK of Massachusetts, Mrs. JONES of Ohio, Mr. HILLIARD, Mr. MEEHAN, Mr. ABERCROMBIE, Mr. STARK, Ms. PELOSI, Mr. OLVER, Ms. MALONEY of New York, Mr. SANDERS, and Ms. MILLENDER-MCDONALD.

H.R. 1275: Mr. DOOLEY of California, Ms. PRYCE of Ohio, Mr. PHELPS, Mr. METCALF, and Mr. THOMPSON of California.

H.R. 1287: Mr. BOEHLERT and Mr. MCHUGH.

H.R. 1291: Mr. GUTKNECHT, Mr. RUSH, Mr. SWENEY, Mr. SKELTON, and Mr. WEINER.

H.R. 1292: Mr. GARY MILLER of California, Mr. BRADY of Pennsylvania, and Mr. WEINER.

H.R. 1299: Mr. BONIOR.

H.R. 1337: Mr. PORTMAN and Mr. JEFFERSON.

H.R. 1344: Mr. CLYBURN, Mr. CRAMER, Mr. ADERHOLT, and Mr. NETHERCUTT.

H.R. 1358: Mr. EHLERS.

H.R. 1386: Mr. HAYES.

H.R. 1389: Mr. GOODLATTE, Mr. LATHAM, Mr. PHELPS, and Mr. BUYER.

H.R. 1429: Mr. MARKEY.

H.R. 1433: Mr. LAMPSON, Mr. RODRIGUEZ, Mr. DICKS, Mr. ORTIZ, Mr. REYES, Mr. HINOJOSA, Mr. TURNER, Mr. EDWARDS, Ms. JACKSON-LEE of Texas, Mr. SANDLIN, Ms. BROWN of Florida, Mrs. MEEK of Florida, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. BERKLEY, Mrs. THURMAN, and Mr. HASTINGS of Florida.

H.R. 1505: Mr. NORWOOD and Mr. PALLONE.

H.R. 1511: Mr. KUCINICH, Mr. WELDON of Florida, and Mr. BEREUTER.

H.R. 1535: Mr. SANDERS and Mr. THOMAS.

H.R. 1586: Mr. LUCAS of Oklahoma.

H.R. 1592: Mr. WALDEN of Oregon, Mr. BAKER, and Ms. STABENOW.

H.R. 1598: Mr. HYDE and Mr. GREEN of Texas.

H.R. 1600: Ms. MCKINNEY and Mr. KUCINICH.

H.R. 1614: Mr. BEREUTER.

H.R. 1621: Mr. WU, Mr. EVERETT, and Mr. FRANK of Massachusetts.

H.R. 1632: Mr. BARRETT of Wisconsin.

H.R. 1648: Ms. ESHOO, Mr. LANTOS, and Mr. SNYDER.

H.R. 1732: Ms. BERKLEY and Mr. MINGE.

H.R. 1775: Mr. WEYGAND, Mr. ROTHMAN, Mr. DAVIS of Florida, Mr. MEEHAN, Mr. PALLONE, Mr. FOSSELLA, and Mr. EHLERS.

H.R. 1777: Mr. THOMPSON of California and Mr. WALSH.

H.R. 1795: Mr. PRICE of North Carolina, Mr. BARTON of Texas, Mr. TRAFICANT, Mr. TAYLOR of North Carolina, and Mr. BACHUS.

H.R. 1841: Ms. ROS-LEHTINEN.

H.R. 1850: Mr. SMITH of New Jersey, Mr. RYAN of Wisconsin, and Mr. LOBIONDO.

H.R. 1874: Mr. BLUNT.

H.R. 1926: Mr. WYNN, Mr. SAXTON, Mr. BILIRAKIS, Mr. PETERSON of Minnesota, and Mr. PALLONE.

H.R. 1932: Mr. CAMP, Mr. BEREUTER, Mr. CHABOT, Mr. LATOURETTE, Mr. SHAYS, Mr. LIPINSKI, Mr. CAMPBELL, Mr. KNOLLENBERG, Mr. GRAHAM, Mr. MCKEON, Mr. PETRI, Mr. VENTO, Mr. SAXTON, Mr. OXLEY, Mr. HULSHOF, Mr. MCCREERY, Mr. WELDON of Pennsylvania, Mr. EHRlich, and Mr. VITTER.

H.R. 1941: Mrs. JONES of Ohio, Mr. MCGOVERN, Mr. JEFFERSON, Mr. ROEMER, and Mr. STARK.

H.R. 1993: Mr. SNYDER, Mr. LAFALCE, and Mr. JEFFERSON.

H.R. 2004: Mr. PALLONE.

H.R. 2014: Mr. PALLONE, Mr. ROTHMAN, Mr. PASCRELL, Mr. MALONEY of Connecticut, and Mr. SHAYS.

H.R. 2028: Mr. GARRY MILLER of California, Mr. ADERHOLT, Mr. BLILEY, Mr. BARTLETT of Maryland, Mr. BAKER, and Mr. BURTON of Indiana.

H.R. 2038: Mr. CAMP.

H.R. 2056: Mr. SALMON, Mr. MCINTOSH, and Mr. LAHOOD.

H.R. 2057: Mr. DEMINT.

H.R. 2091: Mr. MCGOVERN.

H.R. 2096: Mr. SANDERS and Mr. WEINER.

H.R. 2202: Mr. GILCHREST and Ms. DEGETTE.

H.J. Res. 2: Mr. GREEN of Wisconsin.

H.J. Res. 15: Mr. GREEN of Wisconsin.

H.J. Res. 21: Mr. PETERSON of Minnesota.

H.J. Res. 29: Mr. DEAL of Georgia.

H.J. Res. 55: Mr. BRADY of Texas, Mr. MCINTOSH, and Mr. CRANE.

H. Con. Res. 21: Mr. MEEKS of New York.

H. Con. Res. 58: Ms. ROS-LEHTINEN and Mr. STUPAK.

H. Con. Res. 60: Mr. MCGOVERN, Ms. SLAUGHTER, Ms. SANCHEZ, Mr. YOUNG of Alaska, and Mr. ETHERIDGE.

H. Con. Res. 119: Mr. SHERMAN and Mr. STUMP.

H. Con. Res. 128: Mr. INSLEE, Mr. KNOLLENBERG, Ms. MCKINNEY, Mr. EWING, Mr. McNULTY, Mr. HOLT, Mr. LOBIONDO, Mr. WEYGAND, Mr. HASTINGS of Florida, Mr. FOLEY, and Ms. LEE.

H. Con. Res. 130: Ms. DEGETTE, Ms. WATERS, Mrs. JONES of Ohio, Mr. CUMMINGS, Ms. JACKSON-LEE of Texas, Mr. ROMERO-BARCELO, Ms. KILPATRICK, and Mr. WEXLER.

H. Con. Res. 133: Mr. HASTINGS of Florida and Mr. SHOWS.

H. Res. 16: Mr. PETERSON of Minnesota.

H. Res. 41: Ms. EDDIE BERNICE JOHNSON of Texas.

H. Res. 94: Mr. INSLEE, Mr. DOYLE, Mr. CUMMINGS, Mr. GARY MILLER of California.

H. Res. 115: Mr. JEFFERSON.

H. Res. 183: Mr. GRAHAM.

## THURSDAY, JUNE 17, 1999 (66)

### ¶66.1 APPOINTMENT OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,

June 17, 1999.

I hereby appoint the Honorable HEATHER WILSON to act as Speaker pro tempore on this day.

J. DENNIS HASTERT,

*Speaker of the House of Representatives.*

### ¶66.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mrs. WILSON, announced she had examined and approved the Journal of the proceedings of Wednesday, June 16, 1999.

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

### ¶66.3 COMMUNICATIONS

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

2650. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Tebufenozide; Pesticide Tolerance [OPP-300828; FRL-6072-6] (RIN: 2070-AB78) received April 6, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2651. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Avermectin; Pesticide Tolerances for Emergency Exemptions [OPP-300825; FRL-6070-6] (RIN: 2070-AB78) received April 6, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2652. A letter from the Director, Regulations Policy and Management Staff, FDA,

Department of Health and Human Services, transmitting the Department's final rule—Direct Food Substances Affirmed as Generally Recognized as Safe: Cellulase Enzyme Preparation Derived From *Trichoderma Longibrachiatum* for Use in Processing Food [Docket No. 79G-0372] received May 28, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

2653. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Protection of Stratospheric Ozone: Incorporation of Montreal Protocol Adjustment for a 1999 Interim Reduction in Class I, Group VI Controlled Substances [FRL-6351-6] (RIN: 2060-A124) received May 26, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

2654. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of State Plans for Designated Facilities and Pollutants; South Dakota Control of Landfill Gas Emissions from Existing Municipal Solid Waste Landfills [SD-001-0003a and SD-001-0004a; FRL-6351-8] received May 26, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

2655. 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, Nevada State Implementation Plan Revision, Clark County [NV-034-0016; FRL-6350-5] received May 26, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

2656. 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; Texas; Revision to the State Implementation Plan (SIP) Addressing Sulfur Dioxide in Harris County [TX83-1-7340a; FRL-6349-9] received May 26, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

2657. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Acquisition Regulation: Incorporate solicitation notice for Agency protests [FRL-6320-1] received April 6, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

2658. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Texas; Final Full Program Adequacy Determination of State Municipal Solid Waste Permit Program [SW-FLR-6319-5] received April 6, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

2659. A letter from the Secretary, Division of Market Regulation, Securities and Exchange Commission, transmitting the Commission's final rule—Exemptions of the Securities of the Kingdom of Sweden under the Securities Exchange Act of 1934 for the Purposes of Trading Futures Contracts on Those Securities [Release No. 34-41453, International Series Release No. 1198, File No. S7-4-99] (RIN: 3235-AH68) received May 28, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

2660. A letter from the Acting Director, Defense Security Cooperation Agency, transmitting a series of reports in accordance with Section 36(a) of the Arms Export Control Act, pursuant to 22 U.S.C. 2776(a); to the Committee on International Relations.

2661. A letter from the Director, Resource Management and Planning Staff, Trade Development, International Trade Administration, Department of Commerce, transmitting

the Department's final rule—Market Development Cooperator Program [Docket No. 970424097-9097-04] (RIN: 0625-ZA05) received April 29, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on International Relations.

2662. A letter from the Alternate OSD Federal Register Liaison Officer, Department of Defense, transmitting the Department's final rule—OSD Privacy Program—received April 29, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

2663. A letter from the Director, Office of Surface Mining, Department of the Interior, transmitting the Department's final rule—Pennsylvania Regulatory Program [PA-125-FOR] received June 1, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

2664. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Group-Term Insurance; Uniform Premiums [TD 8821] (RIN:1545-AN54) received May 28, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

#### ¶66.4 MESSAGE FROM THE SENATE

A message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate had passed with amendment in which the concurrence of the House is requested a bill of the House of the following title:

H.R. 1905. An Act making appropriations for the Legislative Branch for the fiscal year ending September 30, 2000, and for other purposes.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 1905), "An Act making appropriations for the Legislative Branch for the fiscal year ending September 30, 2000, and for other purposes," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. BENNETT, Mr. STEVENS, Mr. CRAIG, Mr. COCHRAN, Mrs. FEINSTEIN, Mr. DURBIN, and Mr. BYRD, to be conferees on the part of the Senate.

The message also announced that the Senate disagrees to the amendment of the House to the bill (S. 1059), "An Act to authorize appropriations for fiscal year 2000 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. WARNER, Mr. THURMOND, Mr. MCCAIN, Mr. SMITH of New Hampshire, Mr. INHOFE, Mr. SANTORUM, Ms. SNOWE, Mr. ROBERTS, Mr. ALLARD, Mr. HUTCHINSON, Mr. SESSIONS, Mr. LEVIN, Mr. KENNEDY, Mr. BINGAMAN, Mr. BYRD, Mr. ROBB, Mr. LIEBERMAN, Mr. CLELAND, Ms. LANDRIEU, and Mr. REED, to be conferees on the part of the Senate.

The message also announced that the Senate has passed bills of the following titles, in which the concurrence of the House is requested:

S. 331. An Act to amend the Social Security Act to expand the availability of health care coverage for working individuals with disabilities, to establish a Ticket to Work

and Self-Sufficiency Program in the Social Security Administration to provide such individuals with meaningful opportunities to work, and for other purposes.

S. 559. An Act to designate the Federal building located at 300 East 8th Street in Austin, Texas, as the "J.J. 'Jake' Pickle Federal Building".

#### ¶66.5 CHILD SAFETY AND PROTECTION

The SPEAKER pro tempore, Mrs. WILSON, pursuant to House Resolution 209 and rule XVIII, 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. 1501) to provide grants to ensure increased accountability for juvenile offenders.

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

#### ¶66.6 RECORDED VOTE

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

Add at the end the following new title:

#### TITLE \_\_\_\_—RIGHTS TO RELIGIOUS LIBERTY

##### SEC. \_\_\_\_ FINDINGS.

The Congress finds the following:

(1) The Declaration of Independence declares that governments are instituted to secure certain unalienable rights, including life, liberty, and the pursuit of happiness, with which all human beings are endowed by their Creator and to which they are entitled by the laws of nature and of nature's God.

(2) The organic laws of the United States Code and the constitutions of every State, using various expressions, recognize God as the source of the blessings of liberty.

(3) The First Amendment to the Constitution of the United States secures rights against laws respecting an establishment of religion or prohibiting the free exercise thereof made by the United States Government.

(4) The rights secured under the First Amendment have been interpreted by courts of the United States Government to be included among the provisions of the Fourteenth Amendment.

(5) The Tenth Amendment reserves to the States respectively the powers not delegated to the United States Government nor prohibited to the States.

(6) Disputes and doubts have arisen with respect to public displays of the Ten Commandments and to other public expression of religious faith.

(7) Section 5 of the Fourteenth Amendment grants the Congress power to enforce the provisions of the said amendment.

(8) Article I, Section 8, grants the Congress power to constitute tribunals inferior to the Supreme Court, and Article III, Section 1, grants the Congress power to ordain and establish courts in which the judicial power of the United States Government shall be vested.

##### SEC. \_\_\_\_ RELIGIOUS LIBERTY RIGHTS DECLARED.

(a) DISPLAY OF TEN COMMANDMENTS.—The power to display the Ten Commandments on or within property owned or administered by the several States or political subdivisions thereof is hereby declared to be among the powers reserved to the States respectively.

(b) EXPRESSION OF RELIGIOUS FAITH.—The expression of religious faith by individual persons on or within property owned or ad-



Ose  
Owens  
Oxley  
Packard  
Pascrell  
Pastor  
Pease  
Peterson (MN)  
Peterson (PA)  
Petri  
Phelps  
Pickering  
Pitts  
Pombo  
Pomeroy  
Porter  
Portman  
Price (NC)  
Pryce (OH)  
Quinn  
Radanovich  
Rahall  
Ramstad  
Regula  
Reyes  
Reynolds  
Riley  
Rivers  
Rodriguez  
Roemer  
Rogan  
Rogers  
Rohrabacher  
Ros-Lehtinen  
Roukema  
Royce  
Ryan (WI)  
Ryan (KS)  
Sabo

Salmon  
Sanchez  
Sandlin  
Sanford  
Sawyer  
Saxton  
Scarborough  
Schaffer  
Sensenbrenner  
Sessions  
Shadegg  
Shaw  
Shays  
Sherman  
Sherwood  
Shimkus  
Shows  
Shuster  
Simpson  
Skeen  
Skelton  
Smith (MI)  
Smith (TX)  
Smith (WA)  
Snyder  
Souder  
Spence  
Spratt  
Stabenow  
Stearns  
Stenholm  
Strickland  
Stump  
Stupak  
Sununu  
Sweeney  
Talent  
Tancredo  
Tanner

Tauscher  
Tauzin  
Taylor (MS)  
Taylor (NC)  
Terry  
Thompson (CA)  
Thompson (MS)  
Thornberry  
Thune  
Thurman  
Tiahrt  
Toomey  
Towns  
Traficant  
Turner  
Udall (NM)  
Upton  
Visclosky  
Vitter  
Walden  
Walsh  
Wamp  
Watkins  
Watts (OK)  
Weiner  
Weldon (FL)  
Weldon (PA)  
Weller  
Wexler  
Weygand  
Whitfield  
Wicker  
Wilson  
Wise  
Wolf  
Wynn  
Young (AK)  
Young (FL)

NOES—83

Ackerman  
Allen  
Baldwin  
Berkley  
Blagojevich  
Blumenauer  
Brady (PA)  
Brown (OH)  
Cardin  
Clay  
Clayton  
Conyers  
Cummings  
Davis (IL)  
DeGette  
Dixon  
Doggett  
Edwards  
Engel  
Eshoo  
Evans  
Fattah  
Filner  
Gejdenson  
Gonzalez  
Gutierrez  
Hastings (FL)  
Hilliard

Hinchev  
Hoeffel  
Horn  
Jackson (IL)  
Johnson, E. B.  
Jones (OH)  
Kennedy  
Kilpatrick  
Kind (WI)  
Kucinich  
Lampson  
Lantos  
Lee  
Lewis (GA)  
Lowey  
Maloney (NY)  
Martinez  
McCarthy (NY)  
McDermott  
McNulty  
Meek (FL)  
Menendez  
Millender-  
McDonald  
Miller, George  
Mink  
Morella  
Nadler

Napolitano  
Oberstar  
Olver  
Pallone  
Paul  
Payne  
Pelosi  
Pickett  
Rangel  
Rothman  
Roybal-Allard  
Rush  
Sanders  
Schakowsky  
Scott  
Serrano  
Sisisky  
Slaughter  
Stark  
Tierney  
Udall (CO)  
Velazquez  
Vento  
Waters  
Watt (NC)  
Waxman  
Woolsey  
Wu

NOT VOTING—5

Brown (CA) Houghton Thomas  
Carson Smith (NJ)

So the amendment was agreed to.

¶66.10 RECORDED VOTE

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

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

SEC. 3. NONDISCRIMINATION BASED ON RELIGIOUS OR MORAL BELIEFS.

The Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5601 et seq.) is amended by inserting before title III the following:

“NONDISCRIMINATION BASED ON RELIGIOUS OR MORAL BELIEFS

“SEC. 299J. None of the funds appropriated to carry out this Act may be used, directly or indirectly, to discriminate against, deni-

grate, or otherwise undermine the religious or moral beliefs of juveniles who participate in programs for which financial assistance is provided under this Act or of the parents or legal guardians of such juveniles.”.

It was decided in the { Yeas ..... 210  
negative ..... } Nays ..... 216

¶66.11 [Roll No. 223]

AYES—210

Aderholt  
Archer  
Armey  
Bachus  
Baker  
Barcia  
Barr  
Barrett (NE)  
Bartlett  
Bartone  
Bass  
Bateman  
Bereuter  
Berry  
Bilirakis  
Bliley  
Blunt  
Boehner  
Bonilla  
Bono  
Boswell  
Boyd  
Brady (TX)  
Hunter  
Bryant  
Burr  
Burton  
Buyer  
Callahan  
Calvert  
Camp  
Campbell  
Canady  
Cannon  
Chabot  
Chambliss  
Chenoweth  
Clement  
Coble  
Coburn  
Collins  
Combust  
Condit  
Cook  
Costello  
Cox  
Cramer  
Crane  
Cunningham  
Danner  
Davis (VA)  
DeLay  
DeMint  
Diaz-Balart  
Dickey  
Dingell  
Doolittle  
Duncan  
Dunn  
Ehlers  
Ehrlich  
Emerson  
English  
Everett  
Fletcher  
Ford  
Fossella  
Fowler  
Franks (NJ)  
Gallegly  
Gekas

Gibbons  
Gillmor  
Goode  
Goodlatte  
Gordon  
Graham  
Granger  
Green (WI)  
Gutknecht  
Hall (TX)  
Hansen  
Hastings (WA)  
Hayes  
Hayworth  
Hefley  
Herger  
Hill (MT)  
Hilleary  
Hobson  
Hoekstra  
Hostettler  
Hulshof  
Hulshof  
Hunter  
Hutchinson  
Hyde  
Istook  
Jenkins  
John  
Johnson, Sam  
Jones (NC)  
Kasich  
King (NY)  
Kingston  
Knollenberg  
LaHood  
Largent  
Latham  
Lazio  
Lewis (KY)  
Lipinski  
LoBiondo  
Lucas (KY)  
Lucas (OK)  
Maloney (CT)  
Manzullo  
McCollum  
McCrery  
McHugh  
McInnis  
McIntosh  
McIntyre  
Metcaif  
Mica  
Miller, Gary  
Mollohan  
Moran (KS)  
Myrick  
Nethercutt  
Ney  
Norwood  
Nussle  
Ortiz  
Oxley  
Packard  
Paul  
Peterson (MN)  
Peterson (PA)  
Pickering  
Pitts  
Pombo

Pomeroy  
Porter  
Portman  
Quinn  
Radanovich  
Rahall  
Ramstad  
Reyes  
Reynolds  
Riley  
Rodriguez  
Roemer  
Rogan  
Rogers  
Rohrabacher  
Ros-Lehtinen  
Roukema  
Royce  
Ryan (WI)  
Ryun (KS)  
Salmon  
Sanford  
Saxton  
Scarborough  
Schaffer  
Sensenbrenner  
Sessions  
Shadegg  
Sherwood  
Shimkus  
Shows  
Simpson  
Skeen  
Skelton  
Souder  
Spence  
Spratt  
Stearns  
Stenholm  
Stump  
Sununu  
Sweeney  
Talent  
Tancredo  
Tanner  
Tauzin  
Taylor (MS)  
Taylor (NC)  
Terry  
Thornberry  
Thune  
Tiahrt  
Toomey  
Traficant  
Turner  
Upton  
Vitter  
Walden  
Walsh  
Wamp  
Watkins  
Watts (OK)  
Weldon (FL)  
Weldon (PA)  
Weller  
Whitfield  
Wicker  
Wise  
Wolf  
Young (FL)

NOES—216

Abercrombie  
Ackerman  
Allen  
Andrews  
Baird  
Baldacci  
Baldwin  
Ballenger  
Barrett (WI)  
Becerra  
Bentsen  
Berkley  
Berman  
Biggert  
Bibray  
Bishop

Blagojevich  
Blumenauer  
Boehler  
Bonior  
Borski  
Brady (PA)  
Brown (FL)  
Brown (OH)  
Capps  
Capuano  
Cardin  
Castle  
Clay  
Clayton  
Clyburn  
Conyers

Cooksey  
Coyne  
Crowley  
Cubin  
Cummings  
Davis (FL)  
Davis (IL)  
Deal  
DeFazio  
DeGette  
Delahunt  
DeLauro  
Deutsch  
Dicks  
Dixon  
Doggett

Dooley  
Doyle  
Dreier  
Edwards  
Engel  
Eshoo  
Etheridge  
Evans  
Ewing  
Farr  
Fattah  
Filner  
Foley  
Forbes  
Frank (MA)  
Frelinghuysen  
Frost  
Ganske  
Gejdenson  
Gephardt  
Gilchrest  
Gilman  
Gonzalez  
Goodling  
Goss  
Green (TX)  
Greenwood  
Gutierrez  
Hall (OH)  
Hastings (FL)  
Hill (IN)  
Hilliard  
Hinchey  
Hinojosa  
Hoeffel  
Holden  
Holt  
Hooley  
Horn  
Hoyer  
Inslee  
Isakson  
Jackson (IL)  
Jackson-Lee  
(TX)  
Jefferson  
Johanson (CT)  
Johnson, E. B.  
Jones (OH)  
Kanjorski  
Kaptur  
Kelly  
Kennedy  
Kildee  
Kilpatrick  
Kind (WI)  
Klecicka

Klink  
Kucinich  
Kuykendall  
LaFalce  
Lampson  
Lantos  
Larson  
LaTourette  
Leach  
Lee  
Levin  
Lewis (CA)  
Lewis (GA)  
Loftgren  
Lowey  
Luther  
Maloney (NY)  
Markey  
Martinez  
Mascara  
Matsui  
McCarthy (MO)  
McCarthy (NY)  
McDermott  
McGovern  
McKeon  
McKinney  
McNulty  
Meehan  
Meek (FL)  
Meeks (NY)  
Menendez  
Millender-  
McDonald  
Miller (FL)  
Miller, George  
Minge  
Mink  
Moakley  
Moore  
Moran (VA)  
Morella  
Murtha  
Nadler  
Napolitano  
Neal  
Northup  
Oberstar  
Obey  
Oliver  
Ose  
Owens  
Pallone  
Pascrell  
Pastor  
Payne  
Pease

Pelosi  
Petri  
Phelps  
Pickett  
Pryce (NC)  
Pryce (OH)  
Rangel  
Regula  
Rivers  
Rothman  
Roybal-Allard  
Rush  
Sabo  
Sanchez  
Sanders  
Sandlin  
Sawyer  
Schakowsky  
Scott  
Serrano  
Shaw  
Shays  
Sherman  
Shuster  
Sisisky  
Slaughter  
Smith (MI)  
Smith (TX)  
Smith (WA)  
Snyder  
Stabenow  
Stark  
Strickland  
Stupak  
Tauscher  
Thompson (CA)  
Thompson (MS)  
Thurman  
Tierney  
Towns  
Udall (CO)  
Udall (NM)  
Velazquez  
Vento  
Visclosky  
Waters  
Watt (NC)  
Waxman  
Weiner  
Wexler  
Weygand  
Wilson  
Woolsey  
Wu  
Wynn  
Young (AK)

NOT VOTING—8

Boucher Houghton Smith (NJ)  
Brown (CA) Kolbe Thomas  
Carson Linder

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

¶66.12 RECORDED VOTE

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

At the end of the bill insert the following:  
**SEC. 3. SYSTEM FOR LABELING VIOLENT CONTENT IN AUDIO AND VISUAL MEDIA PRODUCTS.**

(b) LABELING OF AUDIO AND VISUAL MEDIA PRODUCTS.—The Fair Packaging and Labeling Act is amended by adding at the end the following:

“LABELING OF AUDIO AND VISUAL MEDIA PRODUCTS

“SEC. 14. (a) It is the policy of Congress, and the purpose of this section, to provide for the establishment, use, and enforcement of a consistent and comprehensive system for labeling violent content in audio and visual media products (including labeling of such products in the advertisements for such products), whereby—

“(1) the public may be adequately informed of—

“(A) the nature, context, and intensity of depictions of violence in audio and visual media products; and

“(B) matters needed to judge the appropriateness of the purchase, viewing, listening to, use, or other consumption of audio and visual media products containing violent content by minors of various ages; and

“(2) the public may be assured of—  
“(A) the accuracy and consistency of the system in labeling the nature, context, and intensity of depictions of violence in audio and visual media products; and

“(B) the accuracy and consistency of the system in providing information on matters needed to judge the appropriateness of the purchase, viewing, listening to, use, or other consumption of audio and visual media products containing violent content by minors of various ages.

“(b)(1) Manufacturers and producers of interactive video game products and services, video program products, motion picture products, and sound recording products may submit to the Federal Trade Commission a joint proposal for a system for labeling the violent content in interactive video game products and services, video program products, motion picture products, and sound recording products.

“(2) The proposal under this subsection should, to the maximum extent practicable, meet the requirements set forth in subsection (c).

“(3)(A) The antitrust laws shall not apply to any joint discussion, consideration, review, action, or agreement between or among manufacturers and producers referred to in paragraph (1) for purposes of developing a joint proposal for a system for labeling referred to in that paragraph.

“(B) For purposes of this paragraph, the term ‘antitrust laws’ has the meaning given such term in the first section of the Clayton Act (15 U.S.C. 12) and includes section 5 of the Federal Trade Commission Act (15 U.S.C. 45).

“(c) A system for labeling the violent content in interactive video game products and services, video program products, motion picture products, and sound recording products under this section shall meet the following requirements:

“(1) The label of a product or service shall consist of a single label which—

“(A) takes into account the nature, context, and intensity of the depictions of violence in the product or service; and

“(B) assesses the totality of all depictions of violence in the product or service.

“(2) The label of a product or service shall specify a minimum age in years for the purchase, viewing, listening to, use, or consumption of the product or service in light of the totality of all depictions of violence in the product or service.

“(3) The format of the label for products and services shall—

“(A) incorporate each label provided for under paragraphs (1) and (2);

“(B) include a symbol or icon, and written text; and

“(C) be identical for each given label provided under paragraphs (1) and (2), regardless of the type of product or service involved.

“(4) In the case of a product or service sold in a box, carton, sleeve, or other container, the label shall appear on the box, carton, sleeve, or container in a conspicuous manner.

“(5) In the case of a product or service that is intended to be viewed, the label shall—

“(A) appear before the commencement of the product or service;

“(B) appear in both visual and audio form; and

“(C) appear in visual form for at least five seconds.

“(6) Any advertisement for a product or service shall include a label of the product or service in accordance with the applicable provisions of this subsection.

“(d)(1)(A) If the manufacturers and producers referred to in subsection (b) submit to the Federal Trade Commission a proposal for a labeling system referred to in that subsection not later than 180 days after the date of the enactment of this section, the Commission shall review the labeling system contained in the proposal to determine whether the labeling system meets the requirements set forth in subsection (c) in a manner that addresses fully the purposes set forth in subsection (a).

“(B) Not later than 180 days after commencing a review of the proposal for a labeling system under subparagraph (A), the Commission shall issue a labeling system for purposes of this section. The labeling system issued under this subparagraph may include such modifications of the proposal as the Commission considers appropriate in order to assure that the labeling system meets the requirements set forth in subsection (c) in a manner that addresses fully the purposes set forth in subsection (a).

“(2)(A) If the manufacturers and producers referred to in subsection (b) do not submit to the Commission a proposal for a labeling system referred to in that subsection within the time provided under paragraph (1)(A), the Commission shall prescribe regulations to establish a labeling system for purposes of this section that meets the requirements set forth in subsection (c).

“(B) Any regulations under subparagraph (A) shall be prescribed not later than one year after the date of the enactment of this section.

“(e) Commencing one year after the date of the enactment of this section, a person may not manufacture or produce for sale or distribution in commerce, package for sale or distribution in commerce, or sell or distribute in commerce any interactive video game product or service, video program product, motion picture product, or sound recording product unless the product or service bears a label in accordance with the labeling system issued or prescribed by the Federal Trade Commission under subsection (d) which—

“(1) is appropriate for the nature, context, and intensity of the depictions of violence in the product or service; and

“(2) specifies an appropriate minimum age in years for purchasers and consumers of the product or service.

“(f) Commencing one year after the date of the enactment of this section, a person may not sell in commerce an interactive video game product or service, video program product, motion picture product, or sound recording product to an individual whose age in years is less than the age specified as the minimum age in years for a purchaser and consumer of the product or service, as the case may be, under the labeling system issued or prescribed by the Federal Trade Commission under subsection (d).

“(g) The Federal Trade Commission shall have the authority to receive and investigate allegations that an interactive video game product or service, video program product, motion picture product, or sound recording product does not bear a label under the labeling system issued or prescribed by the Commission under subsection (d) that is appropriate for the product or service, as the case may be, given the nature, context, and intensity of the depictions of violence in the product or service.

“(h) Any person who violates subsection (e) or (f) shall be subject to a civil penalty in an amount not to exceed \$10,000 for each such violation. In the case of an interactive video game product or service, video program product, motion picture product, or sound recording product determined to violate subsection (e), each day from the date of the commencement of sale or distribution of the

product or service, as the case may be, to the date of the determination of the violation shall constitute a separate violation of subsection (e), and all such violations shall be aggregated together for purposes of determining the total liability of the manufacturer or producer of the product or service, as the case may be, for such violations under that subsection.

It was decided in the { Yeas ..... 161  
negative ..... } Nays ..... 266

¶66.13

[Roll No. 224]

AYES—161

Table with 3 columns: Aderholt, Bachus, Barcia, Bartlett, Bass, Bateman, Bereuter, Berry, Bilbray, Bilirakis, Blagojevich, Blunt, Boehlert, Brady (TX), Bryant, Burr, Callahan, Cannon, Cardin, Castle, Chambliss, Chenoweth, Coburn, Collins, Combest, Cook, Costello, Crane, Cubin, Danner, Deal, DeFazio, DeLay, DeMint, Dickey, Doyle, Duncan, Ehlers, Emerson, Etheridge, Everett, Ewing, Fletcher, Forbes, Franks (NJ), Frelinghuysen, Gekas, Gilchrest, Goode, Goodling, Graham, Granger, Green (WI), Greenwood, Gutknecht, Hall (OH), Hall (TX), Hansen, Hayes, Hayworth, Hefley, Hill (IN), Hill (MT), Hilleary, Holden, Holt, Horn, Hunter, Hyde, Jenkins, Jones (NC), Kaptur, Kelly, King (NY), Kleczka, LaHood, Largent, LaTourette, Leach, Lewis (KY), Lipinski, LoBiondo, Lucas (KY), Lucas (OK), Luther, Maloney (CT), Mascara, McCarthy (NY), McHugh, McIntosh, McIntyre, Mica, Miller, Gary, Minge, Myrick, Norwood, Nussle, Obey, Ortiz, Pascrell, Peterson (MN), Peterson (PA), Pickering, Pitts, Pomeroy, Porter, Price (NC), Pryce (OH), Radanovich, Ramstad, Regula, Riley, Rodriguez, Roemer, Rogers, Rothman, Roukema, Ryun (KS), Salmon, Saxton, Sessions, Shadegg, Shays, Shimkus, Shows, Shuster, Sisisky, Skeen, Skelton, Smith (MI), Smith (TX), Souder, Spence, Stabenow, Stearns, Stenholm, Stupak, Talent, Tancredo, Taylor (MS), Taylor (NC), Thompson (CA), Thornberry, Tiahrt, Traficant, Turner, Visclosky, Vitter, Walsh, Wamp, Watkins, Watts (OK), Weldon (FL), Weldon (PA), Wicker, Wilson, Wise, Wolf, Woolsey, Young (AK), Young (FL)

NOES—266

Table with 3 columns: Abercrombie, Ackerman, Allen, Andrews, Archer, Armey, Baird, Baker, Baldacci, Baldwin, Ballenger, Barr, Barrett (NE), Barrett (WI), Barton, Becerra, Bentsen, Berkley, Berman, Biggart, Bishop, Bliley, Blumenauer, Boehner, Bonilla, Bonior, Bono, Borski, Boswell, Boucher, Boyd, Brady (PA), Brown (FL), Brown (OH), Burton, Buyer, Calvert, Camp, Campbell, Canady, Capps, Capuano, Chabot, Clay, Clayton, Clement, Clyburn, Coble, Condit, Conyers, Cooksey, Cox, Coyne, Cramer, Crowley, Cummings, Cunningham, Davis (FL), Davis (LA), Davis (VA), DeGette, Delahunt, DeLauro, Deutsch, Diaz-Balart, Dicks, Dingell, Dixon, Doggett, Dooley, Doolittle, Dreier, Dunn, Edwards, Ehrlich, Engel, Conyers, English, Eshoo, Evans, Farr, Fattah

Filner	Lazio	Reyes
Foley	Lee	Reynolds
Ford	Levin	Rivers
Fossella	Lewis (CA)	Rogan
Fowler	Lewis (GA)	Rohrabacher
Frank (MA)	Linder	Ros-Lehtinen
Frost	Lofgren	Roybal-Allard
Gallegly	Lowey	Royce
Ganske	Maloney (NY)	Rush
Gejdenson	Manzullo	Ryan (WI)
Gephardt	Markey	Sabo
Gibbons	Martinez	Sanchez
Gillmor	Matsui	Sanders
Gilman	McCarthy (MO)	Sandlin
Gonzalez	McCollum	Sanford
Goodlatte	McCrery	Sawyer
Gordon	McDermott	Scarborough
Goss	McGovern	Schaffer
Green (TX)	McInnis	Schakowsky
Gutierrez	McKeon	Scott
Hastings (FL)	McKinney	Sensenbrenner
Hastings (WA)	McNulty	Serrano
Herger	Meehan	Shaw
Hilliard	Meek (FL)	Sherman
Hinchee	Meeks (NY)	Sherwood
Hinojosa	Menendez	Simpson
Hobson	Metcalfe	Slaughter
Hoefel	Millender-	Smith (WA)
Hoekstra	McDonald	Snyder
Hooley	Miller (FL)	Spratt
Hostettler	Miller, George	Stark
Hoyer	Mink	Strickland
Hulshof	Moakley	Stump
Hutchinson	Moore	Sununu
Inslie	Moran (KS)	Sweeney
Isakson	Moran (VA)	Tanner
Istook	Morella	Tauscher
Jackson (IL)	Murtha	Tauzin
Jackson-Lee	Nadler	Terry
(TX)	Napolitano	Thompson (MS)
Jefferson	Neal	Thune
John	Nethercutt	Thurman
Johnson (CT)	Ney	Tierney
Johnson, E. B.	Northup	Toomey
Johnson, Sam	Oberstar	Towns
Jones (OH)	Olver	Udall (CO)
Kanjorski	Ose	Udall (NM)
Kasich	Owens	Upton
Kennedy	Oxley	Velazquez
Kildee	Packard	Vento
Kilpatrick	Pallone	Walden
Kind (WI)	Pastor	Waters
Kingston	Paul	Watt (NC)
Klink	Payne	Waxman
Knollenberg	Pease	Weiner
Kolbe	Pelosi	Weller
Kucinich	Petri	Wexler
Kuykendall	Phelps	Weygand
LaFalce	Pickett	Whitfield
Lampson	Pombo	Wu
Lantos	Portman	Wynn
Larson	Quinn	
Latham	Rangel	

NOT VOTING—7

Brown (CA)	Mollohan	Thomas
Carson	Rahall	
Houghton	Smith (NJ)	

So the amendment was not agreed to.

¶66.14 RECORDED VOTE

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

Insert at the end the following new section:

**SEC. . SURGEON GENERAL REVIEW OF EFFECT ON JUVENILES OF VIOLENCE IN MEDIA.**

(a) FINDINGS.—The Congress finds the following:

(1) the tragic killings at a high school in Colorado remind us that violence in America continues to occur at unacceptable levels for a civilized society;

(2) the relationship of violent messages delivered through such popular media as television, radio, film, recordings, video games, advertising, the Internet, and other outlets of mass culture, to self-destructive or violent behavior by children or young adults towards themselves, such as suicide, or to violence directed at others, has been studied in-

tensely both by segments of the media industry itself and by academic institutions;

(3) the same media used to deliver messages which harm our children can also be used to deliver messages which promote positive behavior;

(4) much of this research has occurred in the 17 years since the last major review and report of the literature was assembled by the National Institute on Mental Health published in 1982;

(5) the Surgeon General of the United States last issued a comprehensive report on violence and the media in 1972; and

(6) the number, pervasiveness, and sophistication of technological avenues for delivering messages through the media to young people has expanded rapidly since these 2 reports.

(b) COMPREHENSIVE REVIEW REQUIRED.—The Surgeon General, in cooperation with the National Institute of Mental Health, and such other sources of expertise as the Surgeon General deems appropriate, shall undertake a comprehensive review of published research, analysis, studies, and other sources of reliable information concerning the impact on the health and welfare of children and young adults of violent messages delivered through such popular media as television, radio, recordings, video games, advertising, the Internet, and other outlets of mass culture.

(c) REPORT.—The Surgeon General shall issue a report based on the review required by subsection (b). Such report shall include, but not be limited to, findings and recommendations concerning what can be done to mitigate any harmful affects on children and young adults from the violent messages described in such subsection, and the identification of gaps in the research that should be filled.

(d) DEADLINES.—The review required by subsection (b) shall be completed in no more than 1 year, and the report required by subsection (c) shall be issued no later than 6 months following completion of the review.

It was decided in the { Yeas ..... 417  
affirmative ..... } Nays ..... 9

¶66.15 [Roll No. 225]  
AYES—417

Abercrombie	Boucher	Crane
Ackerman	Boyd	Crowley
Aderholt	Brady (PA)	Cubin
Allen	Brady (TX)	Cummings
Andrews	Brown (FL)	Cunningham
Archer	Brown (OH)	Danner
Armey	Bryant	Davis (FL)
Bachus	Burr	Davis (IL)
Baird	Burton	Davis (VA)
Baker	Buyer	Deal
Baldacci	Callahan	DeFazio
Baldwin	Calvert	DeGette
Ballenger	Camp	Delahunt
Barcia	Campbell	DeLauro
Barrett (NE)	Canady	DeLay
Barrett (WI)	Cannon	DeMint
Bartlett	Capps	Deutsch
Barton	Capuano	Diaz-Balart
Bass	Cardin	Dickey
Bateman	Castle	Dicks
Becerra	Chabot	Dingell
Bentsen	Chambliss	Dixon
Bereuter	Chenoweth	Doggett
Berman	Clay	Dooley
Berry	Clayton	Doolittle
Biggert	Clement	Doyle
Bilbray	Clyburn	Dreier
Bilirakis	Coble	Duncan
Bishop	Coburn	Dunn
Blagojevich	Collins	Edwards
Bliley	Combest	Ehlers
Blumenauer	Condit	Ehrlich
Blunt	Conyers	Emerson
Boehert	Cook	Engel
Boehner	Cooksey	English
Bonior	Costello	Eshoo
Bono	Cox	Etheridge
Borski	Coyne	Evans
Boswell	Cramer	Everett

Ewing	LaTourette	Roemer
Farr	Lazio	Rogan
Fattah	Leach	Rogers
Filner	Lee	Rohrabacher
Fletcher	Levin	Ros-Lehtinen
Foley	Lewis (CA)	Rothman
Forbes	Lewis (GA)	Roukema
Ford	Lewis (KY)	Roybal-Allard
Fossella	Linder	Royce
Fowler	Lipinski	Rush
Frank (MA)	LoBiondo	Ryan (WI)
Franks (NJ)	Loftgren	Ryun (KS)
Frelinghuysen	Lowey	Sabo
Frost	Lucas (KY)	Salmon
Gallegly	Lucas (OK)	Sanchez
Ganske	Luther	Sanders
Gejdenson	Maloney (CT)	Sandlin
Gekas	Maloney (NY)	Sanford
Gephardt	Manzullo	Sawyer
Gibbons	Markey	Saxton
Gilchrist	Martinez	Scarborough
Gillmor	Mascara	Schaffer
Gilman	Matsui	Schakowsky
Gonzalez	McCarthy (MO)	Scott
Goodlatte	McCarthy (NY)	Sensenbrenner
Goodling	McCollum	Serrano
Gordon	McCrery	Sessions
Goss	McDermott	Shaw
Graham	McGovern	Shays
Granger	McHugh	Sherman
Green (TX)	McInnis	Sherwood
Green (WI)	McIntosh	Shimkus
Greenwood	McIntyre	Shows
Gutierrez	McKeon	Shuster
Gutknecht	McKinney	Simpson
Hall (OH)	McNulty	Sisisky
Hall (TX)	Meehan	Skean
Hansen	Meek (FL)	Skelton
Hastings (FL)	Meeks (NY)	Slaughter
Hastings (WA)	Menendez	Smith (MI)
Hayes	Metcalfe	Smith (TX)
Hayworth	Mica	Smith (WA)
Hefley	Millender-	Snyder
Herger	McDonald	Souder
Hill (IN)	Miller (FL)	Spence
Hill (MT)	Miller, Gary	Spratt
Hilleary	Miller, George	Stabenow
Hilliard	Minge	Stark
Hinchee	Mink	Stearns
Hinojosa	Moakley	Stenholm
Hobson	Moore	Strickland
Hoefel	Moran (KS)	Stupak
Hoekstra	Moran (VA)	Sununu
Holden	Morella	Sweeney
Holt	Murtha	Talent
Hooley	Myrick	Tancredo
Horn	Nadler	Tanner
Hostettler	Napolitano	Tauscher
Hoyer	Neal	Tauzin
Hunter	Nethercutt	Taylor (MS)
Hutchinson	Ney	Taylor (NC)
Hyde	Northup	Terry
Inslie	Norwood	Thompson (CA)
Isakson	Oberstar	Thompson (MS)
Istook	Obey	Thornberry
Jackson (IL)	Olver	Thune
Jackson-Lee	Ortiz	Thurman
(TX)	Ose	Tiahrt
Jefferson	Owens	Tierney
Jenkins	Oxley	Toomey
John	Packard	Towns
Johnson (CT)	Pallone	Trafficant
Johnson, E. B.	Pascrell	Turner
Johnson, Sam	Pastor	Udall (CO)
Jones (OH)	Payne	Udall (NM)
Jones (NC)	Pease	Upton
Kanjorski	Pelosi	Velazquez
Kaptur	Peterson (PA)	Vento
Kasich	Petri	Visclosky
Kelly	Phelps	Vitter
Kennedy	Pickering	Walden
Kildee	Pickett	Walsh
Kilpatrick	Pitts	Wamp
Kind (WI)	Pombo	Waters
King (NY)	Pomeroy	Watkins
Kingston	Porter	Watt (NC)
Kleczka	Portman	Watts (OK)
Klink	Price (NC)	Waxman
Knollenberg	Pryce (OH)	Weiner
Kolbe	Quinn	Weldon (FL)
Kucinich	Radanovich	Weldon (PA)
Kuykendall	Ramstad	Weller
LaFalce	Rangel	Wexler
LaHood	Regula	Weygand
Lampson	Reyes	Whitfield
Lantos	Reynolds	Wicker
Largent	Riley	Wilson
Larson	Rivers	Wise
Latham	Rodriguez	

Wolf	Wu	Young (AK)
Woolsey	Wynn	Young (FL)

NOES—9

Barr	Goode	Peterson (MN)
Berkley	Hulshof	Shadegg
Bonilla	Paul	Stump

NOT VOTING—8

Brown (CA)	Mollohan	Smith (NJ)
Carson	Nussle	Thomas
Houghton	Rahall	

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

¶66.16 RECORDED VOTE

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

Page 1, after line 2, insert the following:

**SECTION 1. SHORT TITLE.**

This Act may be cited as the "Juvenile Justice Reform Act of 1999".

Page 1, strike line 3 and insert the following:

**TITLE I—CONSEQUENCES FOR JUVENILE OFFENDERS**

**SEC. 101. SHORT TITLE.**

Page 1, line 4, strike "Act" and insert "title".

Page 2, line 1, redesignate section 2 as section 102.

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

**TITLE II—JUVENILE CRIME CONTROL AND DELINQUENCY PREVENTION**

**SEC. 200. SHORT TITLE; TABLE OF CONTENTS.**

(a) **SHORT TITLE.**—This title may be cited as the "Juvenile Crime Control and Delinquency Prevention Act of 1999".

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

**TITLE II—JUVENILE CRIME CONTROL AND DELINQUENCY PREVENTION**

Sec. 200. Short title; table of contents.

**SUBTITLE A—AMENDMENTS TO JUVENILE JUSTICE AND DELINQUENCY PREVENTION ACT OF 1974**

- Sec. 201. Findings.
- Sec. 202. Purpose.
- Sec. 203. Definitions.
- Sec. 204. Name of office.
- Sec. 205. Concentration of Federal effort.
- Sec. 206. Coordinating Council on Juvenile Justice and Delinquency Prevention.
- Sec. 207. Annual report.
- Sec. 208. Allocation.
- Sec. 209. State plans.
- Sec. 210. Juvenile delinquency prevention block grant program.
- Sec. 211. Research; evaluation; technical assistance; training.
- Sec. 212. Demonstration projects.
- Sec. 213. Authorization of appropriations.
- Sec. 214. Administrative authority.
- Sec. 215. Use of funds.
- Sec. 216. Limitation on use of funds.
- Sec. 217. Rule of construction.
- Sec. 218. Leasing surplus Federal property.
- Sec. 219. Issuance of Rules.
- Sec. 220. Content of materials.
- Sec. 221. Technical and conforming amendments.
- Sec. 222. References.

**SUBTITLE B—AMENDMENTS TO THE RUNAWAY AND HOMELESS YOUTH ACT**

Sec. 231. Runaway and homeless youth.

**SUBTITLE C—REPEAL OF TITLE V RELATING TO INCENTIVE GRANTS FOR LOCAL DELINQUENCY PREVENTION PROGRAMS**

Sec. 241. Repealer.

**SUBTITLE D—AMENDMENTS TO THE MISSING CHILDREN'S ASSISTANCE ACT**

Sec. 251. National center for missing and exploited children.

**SUBTITLE E—STUDIES AND EVALUATIONS**

- Sec. 261. Study of school violence.
- Sec. 262. Study of mental health needs of juveniles in secure and nonsecure placements in the juvenile justice system.
- Sec. 263. Evaluation by General Accounting Office.
- Sec. 264. General Accounting Office Report.
- Sec. 265. Behavioral and social science research on youth violence.

**SUBTITLE F—GENERAL PROVISIONS**

Sec. 271. Effective date; application of amendments.

**Subtitle A—Amendments to Juvenile Justice and Delinquency Prevention Act of 1974**

**SEC. 201. FINDINGS.**

Section 101 of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5601) is amended to read as follows:

**"FINDINGS**

"SEC. 101. (a) The Congress finds the following:

"(1) There has been a dramatic increase in juvenile delinquency, particularly violent crime committed by juveniles. Weapons offenses and homicides are 2 of the fastest growing crimes committed by juveniles. More than 1/2 of juvenile victims are killed with a firearm. Approximately 1/3 of the individuals arrested for committing violent crime are less than 18 years of age. The increase in both the number of youth below the age of 15 and females arrested for violent crime is cause for concern.

"(2) This problem should be addressed through a 2-track common sense approach that addresses the needs of individual juveniles and society at large by promoting—

"(A) quality prevention programs that—

"(i) work with juveniles, their families, local public agencies, and community-based organizations, and take into consideration such factors as whether or not juveniles have been the victims of family violence (including child abuse and neglect); and

"(ii) are designed to reduce risks and develop competencies in at-risk juveniles that will prevent, and reduce the rate of, violent delinquent behavior; and

"(B) programs that assist in holding juveniles accountable for their actions, including a system of graduated sanctions to respond to each delinquent act, requiring juveniles to make restitution, or perform community service, for the damage caused by their delinquent acts, and methods for increasing victim satisfaction with respect to the penalties imposed on juveniles for their acts.

"(b) Congress must act now to reform this program by focusing on juvenile delinquency prevention programs, as well as programs that hold juveniles accountable for their acts. Without true reform, the criminal justice system will not be able to overcome the challenges it will face in the coming years when the number of juveniles is expected to increase by 30 percent."

**SEC. 202. PURPOSE.**

Section 102 of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5602) is amended to read as follows:

**"PURPOSES**

"SEC. 102. The purposes of this title and title II are—

"(1) to support State and local programs that prevent juvenile involvement in delinquent behavior;

"(2) to assist State and local governments in promoting public safety by encouraging accountability for acts of juvenile delinquency; and

"(3) to assist State and local governments in addressing juvenile crime through the provision of technical assistance, research, training, evaluation, and the dissemination

of information on effective programs for combating juvenile delinquency."

**SEC. 203. DEFINITIONS.**

Section 103 of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5603) is amended—

(1) in paragraph (3) by striking "to help prevent juvenile delinquency" and inserting "designed to reduce known risk factors for juvenile delinquent behavior, provides activities that build on protective factors for, and develop competencies in, juveniles to prevent, and reduce the rate of, delinquent juvenile behavior";

(2) in paragraph (4) by inserting "title I of" before "the Omnibus" each place it appears,

(3) in paragraph (7) by striking "the Trust Territory of the Pacific Islands,"

(4) in paragraph (9) by striking "justice" and inserting "crime control",

(5) in paragraph (12)(B) by striking ", of any nonoffender,"

(6) in paragraph (13)(B) by striking ", any non-offender,"

(7) in paragraph (14) by inserting "drug trafficking," after "assault,"

(8) in paragraph (16)—

(A) in subparagraph (A) by adding "and" at the end, and

(B) by striking subparagraph (C),

(9) by striking paragraph (17),

(10) in paragraph (22)—

(A) by redesignating subparagraphs (i), (ii), and (iii) as subparagraphs (A), (B), and (C), respectively, and

(B) by striking "and" at the end,

(11) in paragraph (23) by striking the period at the end and inserting a semicolon,

(12) by redesignating paragraphs (18), (19), (20), (21), (22), and (23) as paragraphs (17) through (22), respectively, and

(13) by adding at the end the following:

"(23) the term 'boot camp' means a residential facility (excluding a private residence) at which there are provided—

"(A) a highly regimented schedule of discipline, physical training, work, drill, and ceremony characteristic of military basic training.

"(B) regular, remedial, special, and vocational education; and

"(C) counseling and treatment for substance abuse and other health and mental health problems;

"(24) the term 'graduated sanctions' means an accountability-based, graduated series of sanctions (including incentives and services) applicable to juveniles within the juvenile justice system to hold such juveniles accountable for their actions and to protect communities from the effects of juvenile delinquency by providing appropriate sanctions for every act for which a juvenile is adjudicated delinquent, by inducing their law-abiding behavior, and by preventing their subsequent involvement with the juvenile justice system;

"(25) the term 'violent crime' means—

"(A) murder or nonnegligent manslaughter, forcible rape, or robbery, or

"(B) aggravated assault committed with the use of a firearm;

"(26) the term 'co-located facilities' means facilities that are located in the same building, or are part of a related complex of buildings located on the same grounds; and

"(27) the term 'related complex of buildings' means 2 or more buildings that share—

"(A) physical features, such as walls and fences, or services beyond mechanical services (heating, air conditioning, water and sewer); or

"(B) the specialized services that are allowable under section 31.303(e)(3)(i)(C)(3) of title 28 of the Code of Federal Regulations, as in effect on December 10, 1996."

**SEC. 204. NAME OF OFFICE.**

Title II of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5611 et seq.) is amended—

(1) by amending the heading of part A to read as follows:

“PART A—OFFICE OF JUVENILE CRIME CONTROL AND DELINQUENCY PREVENTION”,

(2) in section 201(a) by striking “Justice and Delinquency Prevention” and inserting “Crime Control and Delinquency Prevention”, and

(3) in subsections section 299A(c)(2) by striking “Justice and Delinquency Prevention” and inserting “Crime Control and Delinquency Prevention”.

**SEC. 205. CONCENTRATION OF FEDERAL EFFORT.**

Section 204 of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5614) is amended—

(1) in subsection (a)(1) by striking the last sentence,

(2) in subsection (b)—

(A) in paragraph (3) by striking “and of the prospective” and all that follows through “administered”,

(B) by striking paragraph (5), and

(C) by redesignating paragraphs (6) and (7) as paragraphs (5) and (6), respectively,

(3) in subsection (c) by striking “and reports” and all that follows through “this part”, and inserting “as may be appropriate to prevent the duplication of efforts, and to coordinate activities, related to the prevention of juvenile delinquency”,

(4) by striking subsection (i), and

(5) by redesignating subsection (h) as subsection (f).

**SEC. 206. COORDINATING COUNCIL ON JUVENILE JUSTICE AND DELINQUENCY PREVENTION.**

Section 206 of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5616) is repealed.

**SEC. 207. ANNUAL REPORT.**

Section 207 of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5617) is amended—

(1) in paragraph (2)—

(A) by inserting “and” after “priorities”, and

(B) by striking “, and recommendations of the Council”,

(2) by striking paragraphs (4) and (5), and inserting the following:

“(4) An evaluation of the programs funded under this title and their effectiveness in reducing the incidence of juvenile delinquency, particularly violent crime, committed by juveniles.”, and

(3) by redesignating such section as section 206.

**SEC. 208. ALLOCATION.**

Section 222 of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5632) is amended—

(1) in subsection (a)—

(A) in paragraph (2)—

(i) in subparagraph (A)—

(I) by striking “amount, up to \$400,000,” and inserting “amount up to \$400,000”,

(II) by inserting a comma after “1992” the 1st place it appears,

(III) by striking “the Trust Territory of the Pacific Islands.”, and

(IV) by striking “amount, up to \$100,000,” and inserting “amount up to \$100,000”,

(i) in subparagraph (B)—

(I) by striking “(other than part D)”,

(II) by striking “or such greater amount, up to \$600,000” and all that follows through “section 299(a) (1) and (3)”,

(III) by striking “the Trust Territory of the Pacific Islands.”,

(IV) by striking “amount, up to \$100,000,” and inserting “amount up to \$100,000”, and

(V) by inserting a comma after “1992”,

(B) in paragraph (3) by striking “allot” and inserting “allocate”, and

(2) in subsection (b) by striking “the Trust Territory of the Pacific Islands.”.

**SEC. 209. STATE PLANS.**

Section 223 of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5633) is amended—

(1) in subsection (a)—

(A) in the 2nd sentence by striking “challenge” and all that follows through “part E”, and inserting “, projects, and activities”,

(B) in paragraph (3)—

(i) by striking “, which—” and inserting “that—”,

(ii) in subparagraph (A)—

(I) by striking “not less” and all that follows through “33”, and inserting “the attorney general of the State or such other State official who has primary responsibility for overseeing the enforcement of State criminal laws, and”,

(II) by inserting “, in consultation with the attorney general of the State or such other State official who has primary responsibility for overseeing the enforcement of State criminal laws” after “State”,

(III) in clause (i) by striking “or the administration of juvenile justice” and inserting “, the administration of juvenile justice, or the reduction of juvenile delinquency”,

(IV) in clause (ii) by striking “include—” and all that follows through the semicolon at the end of subclause (VIII), and inserting the following:

“represent a multidisciplinary approach to addressing juvenile delinquency and may include—

“(I) individuals who represent units of general local government, law enforcement and juvenile justice agencies, public agencies concerned with the prevention and treatment of juvenile delinquency and with the adjudication of juveniles, representatives of juveniles, or nonprofit private organizations, particularly such organizations that serve juveniles; and

“(II) such other individuals as the chief executive officer considers to be appropriate; and”, and

(V) by striking clauses (iv) and (v),

(iii) in subparagraph (C) by striking “justice” and inserting “crime control”,

(iv) in subparagraph (D)—

(I) in clause (i) by inserting “and” at the end,

(II) in clause (ii) by striking “paragraphs” and all that follows through “part E”, and inserting “paragraphs (11), (12), and (13)”, and

(III) by striking clause (iii), and

(v) in subparagraph (E) by striking “title—” and all that follows through “(ii)” and inserting “title”,

(C) in paragraph (5)—

(i) in the matter preceding subparagraph (A) by striking “, other than” and inserting “reduced by the percentage (if any) specified by the State under the authority of paragraph (25) and excluding” after “section 222”, and

(ii) in subparagraph (C) by striking “paragraphs (12)(A), (13), and (14)” and inserting “paragraphs (11), (12), and (13)”,

(D) by striking paragraph (6),

(E) in paragraph (7) by inserting “, including in rural areas” before the semicolon at the end,

(F) in paragraph (8)—

(i) in subparagraph (A)—

(I) by striking “for (i)” and all that follows through “relevant jurisdiction”, and inserting “for an analysis of juvenile delinquency problems in, and the juvenile delinquency control and delinquency prevention needs (including educational needs) of, the State”,

(II) by striking “justice” the second place it appears and inserting “crime control”, and

(III) by striking “of the jurisdiction; (ii)” and all that follows through the semicolon at the end, and inserting “of the State; and”,

(ii) by amending subparagraph (B) to read as follows:

“(B) contain—

“(i) a plan for providing needed gender-specific services for the prevention and treatment of juvenile delinquency;

“(ii) a plan for providing needed services for the prevention and treatment of juvenile delinquency in rural areas; and

“(iii) a plan for providing needed mental health services to juveniles in the juvenile justice system, including information on how such plan is being implemented and how such services will be targeted to those juveniles in the such system who are in greatest need of such services services;”, and

(iii) by striking subparagraphs (C) and (D),

(G) by amending paragraph (9) to read as follows:

“(9) provide for the coordination and maximum utilization of existing juvenile delinquency programs, programs operated by public and private agencies and organizations, and other related programs (such as education, special education, recreation, health, and welfare programs) in the State;”,

(H) in paragraph (10)—

(i) in subparagraph (A)—

(I) by striking “, specifically” and inserting “including”,

(II) by striking clause (i), and

(III) redesignating clauses (ii) and (iii) as clauses (i) and (ii), respectively,

(ii) in subparagraph (C) by striking “juvenile justice” and inserting “juvenile crime control”,

(iv) by amending subparagraph (D) to read as follows:

“(D) programs that provide treatment to juvenile offenders who are victims of child abuse or neglect, and to their families, in order to reduce the likelihood that such juvenile offenders will commit subsequent violations of law;”,

(iv) in subparagraph (E)—

(I) by redesignating clause (ii) as clause (iii), and

(II) by striking “juveniles, provided” and all that follows through “provides; and”, and inserting the following:

“juveniles—

“(i) to encourage juveniles to remain in elementary and secondary schools or in alternative learning situations;

“(ii) to provide services to assist juveniles in making the transition to the world of work and self-sufficiency; and”,

(v) by amending subparagraph (F) to read as follows:

“(F) expanding the use of probation officers—

“(i) particularly for the purpose of permitting nonviolent juvenile offenders (including status offenders) to remain at home with their families as an alternative to incarceration or institutionalization; and

“(ii) to ensure that juveniles follow the terms of their probation;”,

(vi) by amending subparagraph (G) to read as follows:

“(G) one-on-one mentoring programs that are designed to link at-risk juveniles and juvenile offenders, particularly juveniles residing in high-crime areas and juveniles experiencing educational failure, with responsible adults (such as law enforcement officers, adults working with local businesses, and adults working with community-based organizations and agencies) who are properly screened and trained;”,

(vii) in subparagraph (H) by striking "handicapped youth" and inserting "juveniles with disabilities";

(viii) by amending subparagraph (K) to read as follows:

"(K) boot camps for juvenile offenders;";

(ix) by amending subparagraph (L) to read as follows:

"(L) community-based programs and services to work with juveniles, their parents, and other family members during and after incarceration in order to strengthen families so that such juveniles may be retained in their homes;";

(x) by amending subparagraph (N) to read as follows:

"(N) establishing policies and systems to incorporate relevant child protective services records into juvenile justice records for purposes of establishing treatment plans for juvenile offenders;";

(xi) in subparagraph (O)—

(I) in striking "cultural" and inserting "other"; and

(II) by striking the period at the end and inserting a semicolon; and

(xii) by adding at the end the following:

"(P) programs designed to prevent and to reduce hate crimes committed by juveniles; and

"(Q) after-school programs that provide at-risk juveniles and juveniles in the juvenile justice system with a range of age-appropriate activities, including tutoring, mentoring, and other educational and enrichment activities.";

(I) by amending paragraph (12) to read as follows:

"(12) shall, in accordance with rules issued by the Administrator, provide that—

"(A) juveniles who are charged with or who have committed an offense that would not be criminal if committed by an adult, excluding—

"(i) juveniles who are charged with or who have committed a violation of section 922(x)(2) of title 18, United States Code, or of a similar State law;

"(ii) juveniles who are charged with or who have committed a violation of a valid court order; and

"(iii) juveniles who are held in accordance with the Interstate Compact on Juveniles as enacted by the State;

shall not be placed in secure detention facilities or secure correctional facilities; and

"(B) juveniles—

"(i) who are not charged with any offense; and

"(ii) who are—

"(I) aliens; or

"(II) alleged to be dependent, neglected, or abused;

shall not be placed in secure detention facilities or secure correctional facilities;";

(J) by amending paragraph (13) to read as follows:

"(13) provide that—

"(A) juveniles alleged to be or found to be delinquent, and juveniles within the purview of paragraph (11), will not be detained or confined in any institution in which they have regular contact, or unsupervised incidental contact, with adults incarcerated because such adults have been convicted of a crime or are awaiting trial on criminal charges; and

"(B) there is in effect in the State a policy that requires individuals who work with both such juveniles and such adults in co-located facilities have been trained and certified to work with juveniles;";

(K) by amending paragraph (14) to read as follows:

"(14) provide that no juvenile will be detained or confined in any jail or lockup for adults except—

"(A) juveniles who are accused of non-status offenses and who are detained in such jail or lockup for a period not to exceed 6 hours—

"(i) for processing or release;

"(ii) while awaiting transfer to a juvenile facility; or

"(iii) in which period such juveniles make a court appearance;

"(B) juveniles who are accused of non-status offenses, who are awaiting an initial court appearance that will occur within 48 hours after being taken into custody (excluding Saturdays, Sundays, and legal holidays), and who are detained in a jail or lockup—

"(i) in which—

"(I) such juveniles do not have regular contact, or unsupervised incidental contact, with adults incarcerated because such adults have been convicted of a crime or are awaiting trial on criminal charges; and

"(II) there is in effect in the State a policy that requires individuals who work with both such juveniles and such adults in co-located facilities have been trained and certified to work with juveniles; and

"(ii) that—

"(I) is located outside a metropolitan statistical area (as defined by the Office of Management and Budget) and has no existing acceptable alternative placement available;

"(II) is located where conditions of distance to be traveled or the lack of highway, road, or transportation do not allow for court appearances within 48 hours (excluding Saturdays, Sundays, and legal holidays) so that a brief (not to exceed an additional 48 hours) delay is excusable; or

"(III) is located where conditions of safety exist (such as severe adverse, life-threatening weather conditions that do not allow for reasonably safe travel), in which case the time for an appearance may be delayed until 24 hours after the time that such conditions allow for reasonable safe travel;

"(C) juveniles who are accused of non-status offenses and who are detained in a jail or lockup that satisfies the requirements of subparagraph (B)(i) if—

"(i) such jail or lockup—

"(I) is located outside a metropolitan statistical area (as defined by the Office of Management and Budget); and

"(II) has no existing acceptable alternative placement available;

"(ii) a parent or other legal guardian (or guardian ad litem) of the juvenile involved, in consultation with the counsel representing the juvenile, consents to detaining such juvenile in accordance with this subparagraph and has the right to revoke such consent at any time;

"(iii) the juvenile has counsel, and the counsel representing such juvenile—

"(I) consults with the parents of the juvenile to determine the appropriate placement of the juvenile; and

"(II) has an opportunity to present the juvenile's position regarding the detention involved to the court before the court approves such detention;";

"(iv) the court has an opportunity to hear from the juvenile before court approval of such placement; and

"(v) detaining such juvenile in accordance with this subparagraph is—

"(I) approved in advance by a court with competent jurisdiction that has determined that such placement is in the best interest of such juvenile;

"(II) required to be reviewed periodically and in the presence of the juvenile, at intervals of not more than 5 days (excluding Saturdays, Sundays, and legal holidays), by such court for the duration of detention; and

"(III) for a period preceding the sentencing (if any) of such juvenile, but not to exceed a 20-day period;";

(L) in paragraph (15)—

(i) by striking "paragraph (12)(A), paragraph (13), and paragraph (14)" and inserting "paragraphs (11), (12), and (13)"; and

(ii) by striking "paragraph (12)(A) and paragraph (13)" and inserting "paragraphs (11) and (12)";

(M) in paragraph (16) by striking "mentally, emotionally, or physically handicapping conditions" and inserting "disability";

(N) by amending paragraph (19) to read as follows:

"(19) provide assurances that—

"(A) any assistance provided under this Act will not cause the displacement (including a partial displacement, such as a reduction in the hours of nonovertime work, wages, or employment benefits) of any currently employed employee;

"(B) activities assisted under this Act will not impair an existing collective bargaining relationship, contract for services, or collective bargaining agreement; and

"(C) no such activity that would be inconsistent with the terms of a collective bargaining agreement shall be undertaken without the written concurrence of the labor organization involved;";

(O) in paragraph (22) by inserting before the semicolon, the following:

"and that the State will not expend funds to carry out a program referred to in subparagraph (A), (B), or (C) of paragraph (5) if the recipient of funds who carried out such program during the preceding 2-year period fails to demonstrate, before the expiration of such 2-year period, that such program achieved substantial success in achieving the goals specified in the application submitted such recipient to the State agency";

(P) by amending paragraph (23) to read as follows:

"(23) address juvenile delinquency prevention efforts and system improvement efforts designed to reduce, without establishing or requiring numerical standards or quotas, the disproportionate number of juvenile members of minority groups, who come into contact with the juvenile justice system;";

(Q) by amending paragraph (24) to read as follows:

"(24) provide that if a juvenile is taken into custody for violating a valid court order issued for committing a status offense—

"(A) an appropriate public agency shall be promptly notified that such juvenile is held in custody for violating such order;

"(B) not later than 24 hours during which such juvenile is so held, an authorized representative of such agency shall interview, in person, such juvenile; and

"(C) not later than 48 hours during which such juvenile is so held—

"(i) such representative shall submit an assessment to the court that issued such order, regarding the immediate needs of such juvenile; and

"(ii) such court shall conduct a hearing to determine—

"(I) whether there is reasonable cause to believe that such juvenile violated such order; and

"(II) the appropriate placement of such juvenile pending disposition of the violation alleged;";

(R) in paragraph (25) by striking the period at the end and inserting a semicolon,

(S) by redesignating paragraphs (7) through (25) as paragraphs (6) through (24), respectively, and

(T) by adding at the end the following:

"(25) specify a percentage (if any), not to exceed 5 percent, of funds received by the State under section 222 (other than funds made available to the state advisory group under section 222(d)) that the State will reserve for expenditure by the State to provide incentive grants to units of general local

government that reduce the caseload of probation officers within such units, and

“(26) provide that the State, to the maximum extent practicable, will implement a system to ensure that if a juvenile is before a court in the juvenile justice system, public child welfare records (including child protective services records) relating to such juvenile that are on file in the geographical area under the jurisdiction of such court will be made known to such court.”, and

(2) by amending subsection (c) to read as follows:

“(c) If a State fails to comply with any of the applicable requirements of paragraphs (11), (12), (13), and (23) of subsection (a) in any fiscal year beginning after September 30, 1999, then the amount allocated to such State for the subsequent fiscal year shall be reduced by not to exceed 12.5 percent for each such paragraph with respect to which the failure occurs, unless the Administrator determines that the State—

“(1) has achieved substantial compliance with such applicable requirements with respect to which the State was not in compliance; and

“(2) has made, through appropriate executive or legislative action, an unequivocal commitment to achieving full compliance with such applicable requirements within a reasonable time.”, and

(3) in subsection (d)—

(A) by striking “allotment” and inserting “allocation”, and

(B) by striking “subsection (a) (12)(A), (13), (14) and (23)” each place it appears and inserting “paragraphs (11), (12), (13), and (23) of subsection (a)”.

**SEC. 210. JUVENILE DELINQUENCY PREVENTION BLOCK GRANT PROGRAM.**

Title II of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5611 et seq.) is amended—

(1) by striking parts C, D, E, F, G, and H,

(2) by striking the 1st part I,

(3) by redesignating the 2nd part I as part F, and

(4) by inserting after part B the following:

**“PART C—JUVENILE DELINQUENCY PREVENTION BLOCK GRANT PROGRAM**

**“SEC. 241. AUTHORITY TO MAKE GRANTS.**

“The Administrator may make grants to eligible States, from funds allocated under section 242, for the purpose of providing financial assistance to eligible entities to carry out projects designed to prevent juvenile delinquency, including—

“(1) projects that provide treatment (including treatment for mental health problems) to juvenile offenders, and juveniles who are at risk of becoming juvenile offenders, who are victims of child abuse or neglect or who have experienced violence in their homes, at school, or in the community, and to their families, in order to reduce the likelihood that such juveniles will commit violations of law;

“(2) educational projects or supportive services for delinquent or other juveniles—

“(A) to encourage juveniles to remain in elementary and secondary schools or in alternative learning situations in educational settings;

“(B) to provide services to assist juveniles in making the transition to the world of work and self-sufficiency;

“(C) to assist in identifying learning difficulties (including learning disabilities);

“(D) to prevent unwarranted and arbitrary suspensions and expulsions;

“(E) to encourage new approaches and techniques with respect to the prevention of school violence and vandalism;

“(F) which assist law enforcement personnel and juvenile justice personnel to more effectively recognize and provide for learning-disabled and other juveniles with disabilities;

“(G) which develop locally coordinated policies and programs among education, juvenile justice, and social service agencies; or

“(H) to provide services to juvenile with serious mental and emotional disturbances (SED) in need of mental health services;

“(3) projects which expand the use of probation officers—

“(A) particularly for the purpose of permitting nonviolent juvenile offenders (including status offenders) to remain at home with their families as an alternative to incarceration or institutionalization; and

“(B) to ensure that juveniles follow the terms of their probation;

“(4) one-on-one mentoring projects that are designed to link at-risk juveniles and juvenile offenders who did not commit serious crime, particularly juveniles residing in high-crime areas and juveniles experiencing educational failure, with responsible adults (such as law enforcement officers, adults working with local businesses, and adults working for community-based organizations and agencies) who are properly screened and trained;

“(5) community-based projects and services (including literacy and social service programs) which work with juvenile offenders and juveniles who are at risk of becoming juvenile offenders, including those from families with limited English-speaking proficiency, their parents, their siblings, and other family members during and after incarceration of the juvenile offenders, in order to strengthen families, to allow juvenile offenders to be retained in their homes, and to prevent the involvement of other juvenile family members in delinquent activities;

“(6) projects designed to provide for the treatment (including mental health services) of juveniles for dependence on or abuse of alcohol, drugs, or other harmful substances;

“(7) projects which leverage funds to provide scholarships for postsecondary education and training for low-income juveniles who reside in neighborhoods with high rates of poverty, violence, and drug-related crimes;

“(8) projects which provide for an initial intake screening of each juvenile taken into custody—

“(A) to determine the likelihood that such juvenile will commit a subsequent offense; and

“(B) to provide appropriate interventions (including mental health services) to prevent such juvenile from committing subsequent offenses;

“(9) projects (including school- or community-based projects) that are designed to prevent, and reduce the rate of, the participation of juveniles in gangs that commit crimes (particularly violent crimes), that unlawfully use firearms and other weapons, or that unlawfully traffic in drugs and that involve, to the extent practicable, families and other community members (including law enforcement personnel and members of the business community) in the activities conducted under such projects;

“(10) comprehensive juvenile justice and delinquency prevention projects that meet the needs of juveniles through the collaboration of the many local service systems juveniles encounter, including schools, courts, law enforcement agencies, child protection agencies, mental health agencies, welfare services, health care agencies, private non-profit agencies, and public recreation agencies offering services to juveniles;

“(11) to develop, implement, and support, in conjunction with public and private agencies, organizations, and businesses, projects for the employment of juveniles and referral to job training programs (including referral to Federal job training programs);

“(12) delinquency prevention activities which involve youth clubs, sports, recreation and parks, peer counseling and teaching, the arts, leadership development, community service, volunteer service, before- and after-school programs, violence prevention activities, mediation skills training, camping, environmental education, ethnic or cultural enrichment, tutoring, and academic enrichment;

“(13) to establish policies and systems to incorporate relevant child protective services records into juvenile justice records for purposes of establishing treatment plans for juvenile offenders;

“(14) programs that encourage social competencies, problem-solving skills, and communication skills, youth leadership, and civic involvement;

“(15) programs that focus on the needs of young girls at-risk of delinquency or status offenses;

“(16) projects which provide for—

“(A) an assessment by a qualified mental health professional of incarcerated juveniles who are suspected to be in need of mental health services;

“(B) the development of an individualized treatment plan for those incarcerated juveniles determined to be in need of such services;

“(C) the inclusion of a discharge plan for incarcerated juveniles receiving mental health services that addresses aftercare services; and

“(D) all juveniles receiving psychotropic medications to be under the care of a licensed mental health professional;

“(17) after-school programs that provide at-risk juveniles and juveniles in the juvenile justice system with a range of age-appropriate activities, including tutoring, mentoring, and other educational and enrichment activities;

“(18) programs related to the establishment and maintenance of a school violence hotline, based on a public-private partnership, that students and parents can use to report suspicious, violent, or threatening behavior to local school and law enforcement authorities;

“(19) programs (excluding programs to purchase guns from juveniles) designed to reduce the unlawful acquisition and illegal use of guns by juveniles, including partnerships between law enforcement agencies, health professionals, school officials, firearms manufacturers, consumer groups, faith-based groups and community organizations; and

“(20) other activities that are likely to prevent juvenile delinquency.

**“SEC. 242. ALLOCATION.**

“Funds appropriated to carry out this part shall be allocated among eligible States proportionately based on the population that is less than 18 years of age in the eligible States.

**“SEC. 243. ELIGIBILITY OF STATES.**

“(a) APPLICATION.—To be eligible to receive a grant under section 241, a State shall submit to the Administrator an application that contains the following:

“(1) An assurance that the State will use—

“(A) not more than 5 percent of such grant, in the aggregate, for—

“(i) the costs incurred by the State to carry out this part; and

“(ii) to evaluate, and provide technical assistance relating to, projects and activities carried out with funds provided under this part; and

“(B) the remainder of such grant to make grants under section 244.

“(2) An assurance that, and a detailed description of how, such grant will support, and not supplant State and local efforts to prevent juvenile delinquency.

“(3) An assurance that such application was prepared after consultation with and

participation by community-based organizations, and organizations in the local juvenile justice system, that carry out programs, projects, or activities to prevent juvenile delinquency.

“(4) An assurance that each eligible entity described in section 244 that receives an initial grant under section 244 to carry out a project or activity shall also receive an assurance from the State that such entity will receive from the State, for the subsequent fiscal year to carry out such project or activity, a grant under such section in an amount that is proportional, based on such initial grant and on the amount of the grant received under section 241 by the State for such subsequent fiscal year, but that does not exceed the amount specified for such subsequent fiscal year in such application as approved by the State.

“(5) Such other information and assurances as the Administrator may reasonably require by rule.

“(b) APPROVAL OF APPLICATIONS.—

“(1) APPROVAL REQUIRED.—Subject to paragraph (2), the Administrator shall approve an application, and amendments to such application submitted in subsequent fiscal years, that satisfy the requirements of subsection (a).

“(2) LIMITATION.—The Administrator may not approve such application (including amendments to such application) for a fiscal year unless—

“(A)(i) the State submitted a plan under section 223 for such fiscal year; and

“(ii) such plan is approved by the Administrator for such fiscal year; or

“(B) the Administrator waives the application of subparagraph (A) to such State for such fiscal year, after finding good cause for such a waiver.

“SEC. 244. GRANTS FOR LOCAL PROJECTS.

“(a) GRANTS BY STATES.—Using a grant received under section 241, a State may make grants to eligible entities whose applications are received by the State to carry out projects and activities described in section 241.

“(b) SPECIAL CONSIDERATION.—For purposes of making grants under subsection (a), the State shall give special consideration to eligible entities that—

“(1) propose to carry out such projects in geographical areas in which there is—

“(A) a disproportionately high level of serious crime committed by juveniles; or

“(B) a recent rapid increase in the number of nonstatus offenses committed by juveniles;

“(2)(A) agreed to carry out such projects or activities that are multidisciplinary and involve more than 2 private nonprofit agencies, organizations, and institutions that have experience dealing with juveniles; or

“(B) represent communities that have a comprehensive plan designed to identify at-risk juveniles and to prevent or reduce the rate of juvenile delinquency, and that involve other entities operated by individuals who have a demonstrated history of involvement in activities designed to prevent juvenile delinquency; and

“(3) the amount of resources (in cash or in kind) such entities will provide to carry out such projects and activities.

“SEC. 245. ELIGIBILITY OF ENTITIES.

“(a) ELIGIBILITY.—Except as provided in subsection (b), to be eligible to receive a grant under section 244, a unit of general purpose local government, acting jointly with not fewer than 2 private nonprofit agencies, organizations, and institutions that have experience dealing with juveniles, shall submit to the State an application that contains the following:

“(1) An assurance that such applicant will use such grant, and each such grant received

for the subsequent fiscal year, to carry out throughout a 2-year period a project or activity described in reasonable detail, and of a kind described in one or more of paragraphs (1) through (14) of section 241 as specified in, such application.

“(2) A statement of the particular goals such project or activity is designed to achieve, and the methods such entity will use to achieve, and assess the achievement of, each of such goals.

“(3) A statement identifying the research (if any) such entity relied on in preparing such application.

“(b) LIMITATION.—If an eligible entity that receives a grant under section 244 to carry out a project or activity for a 2-year period, and receives technical assistance from the State or the Administrator after requesting such technical assistance (if any), fails to demonstrate, before the expiration of such 2-year period, that such project or such activity has achieved substantial success in achieving the goals specified in the application submitted by such entity to receive such grants, then such entity shall not be eligible to receive any subsequent grant under such section to continue to carry out such project or activity.”.

SEC. 211. RESEARCH; EVALUATION; TECHNICAL ASSISTANCE; TRAINING.

Title II of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5611 et seq.) is amended by inserting after part C, as added by section 110, the following:

“PART D—RESEARCH; EVALUATION; TECHNICAL ASSISTANCE; TRAINING

“SEC. 251. RESEARCH AND EVALUATION; STATISTICAL ANALYSES; INFORMATION DISSEMINATION

“(a) RESEARCH AND EVALUATION.—(1) The Administrator may—

“(A) plan and identify, after consultation with the Director of the National Institute of Justice, the purposes and goals of all agreements carried out with funds provided under this subsection; and

“(B) make agreements with the National Institute of Justice or, subject to the approval of the Assistant Attorney General for the Office of Justice Programs, with another Federal agency authorized by law to conduct research or evaluation in juvenile justice matters, for the purpose of providing research and evaluation relating to—

“(i) the prevention, reduction, and control of juvenile delinquency and serious crime committed by juveniles;

“(ii) the link between juvenile delinquency and the incarceration of members of the families of juveniles;

“(iii) successful efforts to prevent first-time minor offenders from committing subsequent involvement in serious crime;

“(iv) successful efforts to prevent recidivism;

“(v) the juvenile justice system;

“(vi) juvenile violence;

“(vii) appropriate mental health services for juveniles and youth at risk of participating in delinquent activities;

“(viii) reducing the proportion of juveniles detained or confined in secure detention facilities, secure correctional facilities, jails, and lockups who are members of minority groups; and

“(ix) other purposes consistent with the purposes of this title and title I.

“(2) The Administrator shall ensure that an equitable amount of funds available to carry out paragraph (1)(B) is used for research and evaluation relating to the prevention of juvenile delinquency.

“(b) STATISTICAL ANALYSES.—The Administrator may—

“(1) plan and identify, after consultation with the Director of the Bureau of Justice Statistics, the purposes and goals of all

agreements carried out with funds provided under this subsection; and

“(2) make agreements with the Bureau of Justice Statistics, or subject to the approval of the Assistant Attorney General for the Office of Justice Programs, with another Federal agency authorized by law to undertake statistical work in juvenile justice matters, for the purpose of providing for the collection, analysis, and dissemination of statistical data and information relating to juvenile delinquency and serious crimes committed by juveniles, to the juvenile justice system, to juvenile violence, and to other purposes consist with the purposes of this title and title I.

“(c) COMPETITIVE SELECTION PROCESS.—The Administrator shall use a competitive process, established by rule by the Administrator, to carry out subsections (a) and (b).

“(d) IMPLEMENTATION OF AGREEMENTS.—A Federal agency that makes an agreement under subsections (a)(1)(B) and (b)(2) with the Administrator may carry out such agreement directly or by making grants to or contracts with public and private agencies, institutions, and organizations.

“(e) INFORMATION DISSEMINATION.—The Administrator may—

“(1) review reports and data relating to the juvenile justice system in the United States and in foreign nations (as appropriate), collect data and information from studies and research into all aspects of juvenile delinquency (including the causes, prevention, and treatment of juvenile delinquency) and serious crimes committed by juveniles;

“(2) establish and operate, directly or by contract, a clearinghouse and information center for the preparation, publication, and dissemination of information relating to juvenile delinquency, including State and local prevention and treatment programs, plans, resources, and training and technical assistance programs; and

“(3) make grants and contracts with public and private agencies, institutions, and organizations, for the purpose of disseminating information to representatives and personnel of public and private agencies, including practitioners in juvenile justice, law enforcement, the courts, corrections, schools, and related services, in the establishment, implementation, and operation of projects and activities for which financial assistance is provided under this title.

“SEC. 252. TRAINING AND TECHNICAL ASSISTANCE.

“(a) TRAINING.—The Administrator may—

“(1) develop and carry out projects for the purpose of training representatives and personnel of public and private agencies, including practitioners in juvenile justice, law enforcement, courts, corrections, schools, and related services, to carry out the purposes specified in section 102; and

“(2) make grants to and contracts with public and private agencies, institutions, and organizations for the purpose of training representatives and personnel of public and private agencies, including practitioners in juvenile justice, law enforcement, courts, corrections, schools, and related services, to carry out the purposes specified in section 102.

“(b) TECHNICAL ASSISTANCE.—The Administrator may—

“(1) develop and implement projects for the purpose of providing technical assistance to representatives and personnel of public and private agencies and organizations, including practitioners in juvenile justice, law enforcement, courts, corrections, schools, and related services, in the establishment, implementation, and operation of programs, projects, and activities for which financial assistance is provided under this title; and

“(2) make grants to and contracts with public and private agencies, institutions, and

organizations, for the purpose of providing technical assistance to representatives and personnel of public and private agencies, including practitioners in juvenile justice, law enforcement, courts, corrections, schools, and related services, in the establishment, implementation, and operation of programs, projects, and activities for which financial assistance is provided under this title.

“(c) TRAINING AND TECHNICAL ASSISTANCE TO MENTAL HEALTH PROFESSIONALS AND LAW ENFORCEMENT PERSONNEL.—The Administrator shall provide training and technical assistance to mental health professionals and law enforcement personnel (including public defenders, police officers, probation officers, judges, parole officials, and correctional officers) to address or to promote the development, testing, or demonstration of promising or innovative models, programs, or delivery systems that address the needs of juveniles who are alleged or adjudicated delinquent and who, as a result of such status, are placed in secure detention or confinement or in nonsecure residential placements.”

**SEC. 212. DEMONSTRATION PROJECTS.**

Title II of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5611 et seq.) is amended by inserting after part D, as added by section 111, the following:

**“PART E—DEVELOPING, TESTING, AND DEMONSTRATING PROMISING NEW INITIATIVES AND PROGRAMS**

**“SEC. 261. GRANTS AND PROJECTS.**

“(a) AUTHORITY TO MAKE GRANTS.—The Administrator may make grants to and contracts with States, units of general local government, Indian tribal governments, public and private agencies, organizations, and individuals, or combinations thereof, to carry out projects for the development, testing, and demonstration of promising initiatives and programs for the prevention, control, or reduction of juvenile delinquency. The Administrator shall ensure that, to the extent reasonable and practicable, such grants are made to achieve an equitable geographical distribution of such projects throughout the United States.

“(b) USE OF GRANTS.—A grant made under subsection (a) may be used to pay all or part of the cost of the project for which such grant is made.

**“SEC. 262. GRANTS FOR TECHNICAL ASSISTANCE.**

“The Administrator may make grants to and contracts with public and private agencies, organizations, and individuals to provide technical assistance to States, units of general local government, Indian tribal governments, local private entities or agencies, or any combination thereof, to carry out the projects for which grants are made under section 261.

**“SEC. 263. ELIGIBILITY.**

“To be eligible to receive a grant made under this part, a public or private agency, Indian tribal government, organization, institution, individual, or combination thereof shall submit an application to the Administrator at such time, in such form, and containing such information as the Administrator may reasonably require by rule.

**“SEC. 264. REPORTS.**

“Recipients of grants made under this part shall submit to the Administrator such reports as may be reasonably requested by the Administrator to describe progress achieved in carrying the projects for which such grants are made.”

**SEC. 213. AUTHORIZATION OF APPROPRIATIONS.**

Section 299 of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5671) is amended—

- (1) by striking subsection (e), and
- (2) by striking subsections (a), (b), and (c), and inserting the following:

“(a) AUTHORIZATION OF APPROPRIATIONS

FOR TITLE II (EXCLUDING PARTS C AND E).—(1) There are authorized to be appropriated to carry out this title such sums as may be appropriate for fiscal years 2000, 2001, 2002, and 2003.

“(2) Of such sums as are appropriated for a fiscal year to carry out this title (other than parts C and E)—

“(A) not more than 5 percent shall be available to carry out part A;

“(B) not less than 80 percent shall be available to carry out part B; and

“(C) not more than 15 percent shall be available to carry out part D.

“(b) AUTHORIZATION OF APPROPRIATIONS FOR PART C.—There are authorized to be appropriated to carry out part C such sums as may be necessary for fiscal years 2000, 2001, 2002, and 2003.

“(c) AUTHORIZATION OF APPROPRIATIONS FOR PART E.—There are authorized to be appropriated to carry out part E, and authorized to remain available until expended, such sums as may be necessary for fiscal years 2000, 2001, 2002, and 2003.”

**SEC. 214. ADMINISTRATIVE AUTHORITY.**

Section 299A of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5672) is amended—

(1) in subsection (d) by striking “as are consistent with the purpose of this Act” and inserting “only to the extent necessary to ensure that there is compliance with the specific requirements of this title or to respond to requests for clarification and guidance relating to such compliance”, and

(2) by adding at the end the following:

“(e) If a State requires by law compliance with the requirements described in paragraphs (1), (12), and (13) of section 223(a), then for the period such law is in effect in such State such State shall be rebuttably presumed to satisfy such requirements.”

**SEC. 215. USE OF FUNDS.**

Section 299C of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5674) is amended—

(1) in subsection (a)—

(A) by striking “may be used for”,

(B) in paragraph (1) by inserting “may be used for” after “(1)”, and

(C) by amending paragraph (2) to read as follows:

“(2) may not be used for the cost of construction of any facility, except not more than 15 percent of the funds received under this title by a State for a fiscal year may be used for the purpose of renovating or replacing juvenile facilities.”

(2) by striking subsection (b), and

(3) by redesignating subsection (c) as subsection (b).

**SEC. 216. LIMITATION ON USE OF FUNDS.**

Part F of title II of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5671 et seq.), as so redesignated by section 210, is amended adding at the end the following:

**“SEC. 299F. LIMITATION ON USE OF FUNDS.**

“None of the funds made available to carry out this title may be used to advocate for, or support, the unsecured release of juveniles who are charged with a violent crime.”

**SEC. 217. RULES OF CONSTRUCTION.**

Part F of title II of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5671 et seq.), as so redesignated by section 210 and amended by section 216, is amended adding at the end the following:

**“SEC. 299G. RULES OF CONSTRUCTION.**

“Nothing in this title or title I shall be construed—

“(1) to prevent financial assistance from being awarded through grants under this title to any otherwise eligible organization; or

“(2) to modify or affect any Federal or State law relating to collective bargaining rights of employees.”

**SEC. 218. LEASING SURPLUS FEDERAL PROPERTY.**

Part F of title II of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5671 et seq.), as so redesignated by section 210 and amended by sections 216 and 217, is amended adding at the end the following:

**“SEC. 299H. LEASING SURPLUS FEDERAL PROPERTY.**

“The Administrator may receive surplus Federal property (including facilities) and may lease such property to States and units of general local government for use in or as facilities for juvenile offenders, or for use in or as facilities for delinquency prevention and treatment activities.”

**SEC. 219. ISSUANCE OF RULES.**

Part F of title II of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5671 et seq.), as so redesignated by section 210 and amended by sections 216, 217, and 218, is amended adding at the end the following:

**“SEC. 299I. ISSUANCE OF RULES.**

“The Administrator shall issue rules to carry out this title, including rules that establish procedures and methods for making grants and contracts, and distributing funds available, to carry out this title.”

**SEC. 220. CONTENT OF MATERIALS.**

Part F of title II of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5671 et seq.), as so redesignated by section 210 and amended by sections 216, 217, 218, and 219, is amended by adding at the end the following:

**“SEC. 299J. CONTENT OF MATERIALS.**

“Materials produced, procured, or distributed using funds appropriated to carry out this Act, for the purpose of preventing hate crimes should be respectful of the diversity of deeply held religious beliefs and shall make it clear that for most people religious faith is not associated with prejudice and intolerance.”

**SEC. 221. TECHNICAL AND CONFORMING AMENDMENTS.**

(a) TECHNICAL AMENDMENTS.—The Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5601 et seq.) is amended—

(1) in section 202(b) by striking “prescribed for GS-18 of the General Schedule by section 5332” and inserting “payable under section 5376”;

(2) in section 221(b)(2) by striking the last sentence,

(3) in section 299D by striking subsection (d), and

(4) by striking titles IV and V, as originally enacted by Public Law 93-415 (88 Stat. 1132-1143).

(b) CONFORMING AMENDMENTS.—(1) Section 5315 of title 5 of the United States Code is amended by striking “Office of Juvenile Justice and Delinquency Prevention” and inserting “Office of Juvenile Crime Control and Delinquency Prevention”.

(2) Section 4351(b) of title 18 of the United States Code is amended by striking “Office of Juvenile Justice and Delinquency Prevention” and inserting “Office of Juvenile Crime Control and Delinquency Prevention”.

(3) Subsections (a)(1) and (c) of section 3220 of title 39 of the United States Code is amended by striking “Office of Juvenile Justice and Delinquency Prevention” each place it appears and inserting “Office of Juvenile Crime Control and Delinquency Prevention”.

(4) Section 463(f) of the Social Security Act (42 U.S.C. 663(f)) is amended by striking “Office of Juvenile Justice and Delinquency Prevention” and inserting “Office of Juvenile Crime Control and Delinquency Prevention”.

(5) Sections 801(a), 804, 805, and 813 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3712(a), 3782, 3785, 3786, 3789i) are amended by striking "Office of Juvenile Justice and Delinquency Prevention" each place it appears and inserting "Office of Juvenile Crime Control and Delinquency Prevention".

(6) The Victims of Child Abuse Act of 1990 (42 U.S.C. 13001 et seq.) is amended—

(A) in section 214(b)(1) by striking "262, 293, and 296 of subpart II of title II" and inserting "299B and 299E".

(B) in section 214A(c)(1) by striking "262, 293, and 296 of subpart II of title II" and inserting "299B and 299E".

(C) in sections 217 and 222 by striking "Office of Juvenile Justice and Delinquency Prevention" each place it appears and inserting "Office of Juvenile Crime Control and Delinquency Prevention", and

(D) in section 223(c) by striking "section 262, 293, and 296" and inserting "sections 262, 299B, and 299E".

(7) The Missing Children's Assistance Act (42 U.S.C. 5771 et seq.) is amended—

(A) in section 403(2) by striking "Justice and Delinquency Prevention" and inserting "Crime Control and Delinquency Prevention", and

(B) in subsections (a)(5)(E) and (b)(1)(B) of section 404 by striking "section 313" and inserting "section 331".

(8) The Crime Control Act of 1990 (42 U.S.C. 13001 et seq.) is amended—

(A) in section 217(c)(1) by striking "sections 262, 293, and 296 of subpart II of title II" and inserting "sections 299B and 299E", and

(B) in section 223(c) by striking "section 262, 293, and 296 of title II" and inserting "sections 299B and 299E".

**SEC. 222. REFERENCES.**

In any Federal law (excluding this title and the Acts amended by this title), Executive order, rule, regulation, order, delegation of authority, grant, contract, suit, or document—

(1) a reference to the Office of Juvenile Justice and Delinquency Prevention shall be deemed to include a reference to the Office of Juvenile Crime Control and Delinquency Prevention, and

(2) a reference to the National Institute for Juvenile Justice and Delinquency Prevention shall be deemed to include a reference to Office of Juvenile Crime Control and Delinquency Prevention.

**Subtitle B—Amendments to the Runaway and Homeless Youth Act**

**SEC. 231. RUNAWAY AND HOMELESS YOUTH.**

(a) FINDINGS.—Section 302 of the Runaway and Homeless Youth Act (42 U.S.C. 5701) is amended—

(1) in paragraph (5), by striking "accurate reporting of the problem nationally and to develop" and inserting "an accurate national reporting system to report the problem, and to assist in the development of"; and

(2) by striking paragraph (8) and inserting the following:

"(8) services for runaway and homeless youth are needed in urban, suburban, and rural areas;"

(b) AUTHORITY TO MAKE GRANTS FOR CENTERS AND SERVICES.—Section 311 of the Runaway and Homeless Youth Act (42 U.S.C. 5711) is amended—

(1) by striking subsection (a) and inserting the following:

"(a) GRANTS FOR CENTERS AND SERVICES.—

"(1) IN GENERAL.—The Secretary shall make grants to public and nonprofit private entities (and combinations of such entities) to establish and operate (including renovation) local centers to provide services for runaway and homeless youth and for the families of such youth.

"(2) SERVICES PROVIDED.—Services provided under paragraph (1)—

"(A) shall be provided as an alternative to involving runaway and homeless youth in the law enforcement, child welfare, mental health, and juvenile justice systems;

"(B) shall include—

"(i) safe and appropriate shelter; and

"(ii) individual, family, and group counseling, as appropriate; and

"(C) may include—

"(i) street-based services;

"(ii) home-based services for families with youth at risk of separation from the family; and

"(iii) drug abuse education and prevention services.";

(2) in subsection (b)(2), by striking "the Trust Territory of the Pacific Islands,"; and

(3) by striking subsections (c) and (d).

(c) ELIGIBILITY.—Section 312 of the Runaway and Homeless Youth Act (42 U.S.C. 5712) is amended—

(1) in subsection (b)—

(A) in paragraph (8), by striking "paragraph (6)" and inserting "paragraph (7)";

(B) in paragraph (10), by striking "and" at the end;

(C) in paragraph (11), by striking the period at the end and inserting "; and"; and

(D) by adding at the end the following:

"(12) shall submit to the Secretary an annual report that includes, with respect to the year for which the report is submitted—

"(A) information regarding the activities carried out under this part;

"(B) the achievements of the project under this part carried out by the applicant; and

"(C) statistical summaries describing—

"(i) the number and the characteristics of the runaway and homeless youth, and youth at risk of family separation, who participate in the project; and

"(ii) the services provided to such youth by the project."; and

(2) by striking subsections (c) and (d) and inserting the following:

"(c) APPLICANTS PROVIDING STREET-BASED SERVICES.—To be eligible to use assistance under section 311(a)(2)(C)(i) to provide street-based services, the applicant shall include in the plan required by subsection (b) assurances that in providing such services the applicant will—

"(1) provide qualified supervision of staff, including on-street supervision by appropriately trained staff;

"(2) provide backup personnel for on-street staff;

"(3) provide initial and periodic training of staff who provide such services; and

"(4) conduct outreach activities for runaway and homeless youth, and street youth.

"(d) APPLICANTS PROVIDING HOME-BASED SERVICES.—To be eligible to use assistance under section 311(a) to provide home-based services described in section 311(a)(2)(C)(ii), an applicant shall include in the plan required by subsection (b) assurances that in providing such services the applicant will—

"(1) provide counseling and information to youth and the families (including unrelated individuals in the family households) of such youth, including services relating to basic life skills, interpersonal skill building, educational advancement, job attainment skills, mental and physical health care, parenting skills, financial planning, and referral to sources of other needed services;

"(2) provide directly, or through an arrangement made by the applicant, 24-hour service to respond to family crises (including immediate access to temporary shelter for runaway and homeless youth, and youth at risk of separation from the family);

"(3) establish, in partnership with the families of runaway and homeless youth, and youth at risk of separation from the family, objectives and measures of success to be achieved as a result of receiving home-based services;

"(4) provide initial and periodic training of staff who provide home-based services; and

"(5) ensure that—

"(A) caseloads will remain sufficiently low to allow for intensive (5 to 20 hours per week) involvement with each family receiving such services; and

"(B) staff providing such services will receive qualified supervision.

"(e) APPLICANTS PROVIDING DRUG ABUSE EDUCATION AND PREVENTION SERVICES.—To be eligible to use assistance under section 311(a)(2)(C)(iii) to provide drug abuse education and prevention services, an applicant shall include in the plan required by subsection (b)—

"(1) a description of—

"(A) the types of such services that the applicant proposes to provide;

"(B) the objectives of such services; and

"(C) the types of information and training to be provided to individuals providing such services to runaway and homeless youth; and

"(2) an assurance that in providing such services the applicant shall conduct outreach activities for runaway and homeless youth.".

(d) APPROVAL OF APPLICATIONS.—Section 313 of the Runaway and Homeless Youth Act (42 U.S.C. 5713) is amended to read as follows:

**"SEC. 313. APPROVAL OF APPLICATIONS.**

"(a) IN GENERAL.—An application by a public or private entity for a grant under section 311(a) may be approved by the Secretary after taking into consideration, with respect to the State in which such entity proposes to provide services under this part—

"(1) the geographical distribution in such State of the proposed services under this part for which all grant applicants request approval; and

"(2) which areas of such State have the greatest need for such services.

"(b) PRIORITY.—In selecting applications for grants under section 311(a), the Secretary shall give priority to—

"(1) eligible applicants who have demonstrated experience in providing services to runaway and homeless youth; and

"(2) eligible applicants that request grants of less than \$200,000.".

(e) AUTHORITY FOR TRANSITIONAL LIVING GRANT PROGRAM.—Section 321 of the Runaway and Homeless Youth Act (42 U.S.C. 5714-1) is amended—

(1) in the section heading, by striking "PURPOSE AND";

(2) in subsection (a), by striking "(a)"; and

(3) by striking subsection (b).

(f) ELIGIBILITY.—Section 322(a)(9) of the Runaway and Homeless Youth Act (42 U.S.C. 5714-2(a)(9)) is amended by inserting ", and the services provided to such youth by such project," after "such project".

(g) COORDINATION.—Section 341 of the Runaway and Homeless Youth Act (42 U.S.C. 5714-21) is amended to read as follows:

**"SEC. 341. COORDINATION.**

"With respect to matters relating to the health, education, employment, and housing of runaway and homeless youth, the Secretary—

"(1) in conjunction with the Attorney General, shall coordinate the activities of agencies of the Department of Health and Human Services with activities under any other Federal juvenile crime control, prevention, and juvenile offender accountability program and with the activities of other Federal entities; and

"(2) shall coordinate the activities of agencies of the Department of Health and Human Services with the activities of other Federal entities and with the activities of entities that are eligible to receive grants under this title.".

(h) AUTHORITY TO MAKE GRANTS FOR RESEARCH, EVALUATION, DEMONSTRATION, AND SERVICE PROJECTS.—Section 343 of the Run-

away and Homeless Youth Act (42 U.S.C. 5714-23) is amended—

(1) in the section heading, by inserting "EVALUATION," after "RESEARCH,";

(2) in subsection (a), by inserting "evaluation," after "research,"; and

(3) in subsection (b)—

(A) by striking paragraph (2); and

(B) by redesignating paragraphs (3) through (10) as paragraphs (2) through (9), respectively.

(i) STUDY.—Part D of the Runaway and Homeless Youth Act (42 U.S.C. 5731 et seq.) is amended by adding after section 344 the following:

**"SEC. 345. STUDY**

"The Secretary shall conduct a study of a representative sample of runaways to determine the percent who leave home because of sexual abuse. The report on the study shall include—

"(1) in the case of sexual abuse, the relationship of the assaulter to the runaway; and

"(2) recommendations on how Federal laws may be changed to reduce sexual assaults on children.

The study shall be completed to enable the Secretary to make a report to the committees of Congress with jurisdiction over this Act, and to make such report available to the public, within one year of the date of the enactment of this section."

(j) ASSISTANCE TO POTENTIAL GRANTEEES.—Section 371 of the Runaway and Homeless Youth Act (42 U.S.C. 5714a) is amended by striking the last sentence.

(k) REPORTS.—Section 381 of the Runaway and Homeless Youth Act (42 U.S.C. 5715) is amended to read as follows:

**"SEC. 381. REPORTS.**

"(a) IN GENERAL.—Not later than April 1, 2000, and biennially thereafter, the Secretary shall submit, to the Committee on Education and the Workforce of the House of Representatives and the Committee on the Judiciary of the Senate, a report on the status, activities, and accomplishments of entities that receive grants under parts A, B, C, D, and E, with particular attention to—

"(1) in the case of centers funded under part A, the ability or effectiveness of such centers in—

"(A) alleviating the problems of runaway and homeless youth;

"(B) if applicable or appropriate, reuniting such youth with their families and encouraging the resolution of intrafamily problems through counseling and other services;

"(C) strengthening family relationships and encouraging stable living conditions for such youth; and

"(D) assisting such youth to decide upon a future course of action; and

"(2) in the case of projects funded under part B—

"(A) the number and characteristics of homeless youth served by such projects;

"(B) the types of activities carried out by such projects;

"(C) the effectiveness of such projects in alleviating the problems of homeless youth;

"(D) the effectiveness of such projects in preparing homeless youth for self-sufficiency;

"(E) the effectiveness of such projects in assisting homeless youth to decide upon future education, employment, and independent living;

"(F) the ability of such projects to encourage the resolution of intrafamily problems through counseling and development of self-sufficient living skills; and

"(G) activities and programs planned by such projects for the following fiscal year.

"(b) CONTENTS OF REPORTS.—The Secretary shall include in each report submitted under subsection (a), summaries of—

"(1) the evaluations performed by the Secretary under section 386; and

"(2) descriptions of the qualifications of, and training provided to, individuals involved in carrying out such evaluations."

(l) EVALUATION.—Section 384 of the Runaway and Homeless Youth Act (42 U.S.C. 5732) is amended to read as follows:

**"SEC. 386. EVALUATION AND INFORMATION.**

"(a) IN GENERAL.—If a grantee receives grants for 3 consecutive fiscal years under part A, B, C, D, or E (in the alternative), then the Secretary shall evaluate such grantee on-site, not less frequently than once in the period of such 3 consecutive fiscal years, for purposes of—

"(1) determining whether such grants are being used for the purposes for which such grants are made by the Secretary;

"(2) collecting additional information for the report required by section 384; and

"(3) providing such information and assistance to such grantee as will enable such grantee to improve the operation of the centers, projects, and activities for which such grants are made.

"(b) COOPERATION.—Recipients of grants under this title shall cooperate with the Secretary's efforts to carry out evaluations, and to collect information, under this title."

(m) AUTHORIZATION OF APPROPRIATIONS.—Section 385 of the Runaway and Homeless Youth Act (42 U.S.C. 5751) is amended to read as follows:

**"SEC. 388. AUTHORIZATION OF APPROPRIATIONS.**

"(a) IN GENERAL.—

"(1) AUTHORIZATION.—There is authorized to be appropriated to carry out this title (other than part E) such sums as may be necessary for fiscal years 2000, 2001, 2002, and 2003.

"(2) ALLOCATION.—

"(A) PARTS A AND B.—From the amount appropriated under paragraph (1) for a fiscal year, the Secretary shall reserve not less than 90 percent to carry out parts A and B.

"(B) PART B.—Of the amount reserved under subparagraph (A), not less than 20 percent, and not more than 30 percent, shall be reserved to carry out part B.

"(3) PARTS C AND D.—In each fiscal year, after reserving the amounts required by paragraph (2), the Secretary shall use the remaining amount (if any) to carry out parts C and D.

"(b) SEPARATE IDENTIFICATION REQUIRED.—No funds appropriated to carry out this title may be combined with funds appropriated under any other Act if the purpose of combining such funds is to make a single discretionary grant, or a single discretionary payment, unless such funds are separately identified in all grants and contracts and are used for the purposes specified in this title."

(n) SEXUAL ABUSE PREVENTION PROGRAM.—

(1) AUTHORITY FOR PROGRAM.—The Runaway and Homeless Youth Act (42 U.S.C. 5701 et seq.) is amended—

(A) by striking the heading for part F;

(B) by redesignating part E as part F; and

(C) by inserting after part D the following:

**"PART E—SEXUAL ABUSE PREVENTION PROGRAM**

**"SEC. 351. AUTHORITY TO MAKE GRANTS.**

"(a) IN GENERAL.—The Secretary may make grants to nonprofit private agencies for the purpose of providing street-based services to runaway and homeless, and street youth, who have been subjected to, or are at risk of being subjected to, sexual abuse, prostitution, or sexual exploitation.

"(b) PRIORITY.—In selecting applicants to receive grants under subsection (a), the Secretary shall give priority to nonprofit private agencies that have experience in providing services to runaway and homeless, and street youth."

(2) AUTHORIZATION OF APPROPRIATIONS.—Section 388(a) of the Runaway and Homeless

Youth Act (42 U.S.C. 5751), as amended by subsection (m) of this section, is amended by adding at the end the following:

"(4) PART E.—There is authorized to be appropriated to carry out part E such sums as may be necessary for fiscal years 2000, 2001, 2002, and 2003."

(o) CONSOLIDATED REVIEW OF APPLICATIONS.—The Runaway and Homeless Youth Act (42 U.S.C. 5701 et seq.) is amended by inserting after section 383 the following:

**"SEC. 385. CONSOLIDATED REVIEW OF APPLICATIONS.**

"With respect to funds available to carry out parts A, B, C, D, and E, nothing in this title shall be construed to prohibit the Secretary from—

"(1) announcing, in a single announcement, the availability of funds for grants under 2 or more of such parts; and

"(2) reviewing applications for grants under 2 or more of such parts in a single, consolidated application review process."

(p) DEFINITIONS.—The Runaway and Homeless Youth Act (42 U.S.C. 5701 et seq.) is amended by inserting after section 386, as amended by subsection (l) of this section, the following:

**"SEC. 387. DEFINITIONS.**

"In this title:

"(1) DRUG ABUSE EDUCATION AND PREVENTION SERVICES.—The term 'drug abuse education and prevention services'—

"(A) means services to runaway and homeless youth to prevent or reduce the illicit use of drugs by such youth; and

"(B) may include—

"(i) individual, family, group, and peer counseling;

"(ii) drop-in services;

"(iii) assistance to runaway and homeless youth in rural areas (including the development of community support groups);

"(iv) information and training relating to the illicit use of drugs by runaway and homeless youth, to individuals involved in providing services to such youth; and

"(v) activities to improve the availability of local drug abuse prevention services to runaway and homeless youth.

"(2) HOME-BASED SERVICES.—The term 'home-based services'—

"(A) means services provided to youth and their families for the purpose of—

"(i) preventing such youth from running away, or otherwise becoming separated, from their families; and

"(ii) assisting runaway youth to return to their families; and

"(B) includes services that are provided in the residences of families (to the extent practicable), including—

"(i) intensive individual and family counseling; and

"(ii) training relating to life skills and parenting.

"(3) HOMELESS YOUTH.—The term 'homeless youth' means an individual—

"(A) who is—

"(i) not more than 21 years of age; and

"(ii) for the purposes of part B, not less than 16 years of age;

"(B) for whom it is not possible to live in a safe environment with a relative; and

"(C) who has no other safe alternative living arrangement.

"(4) STREET-BASED SERVICES.—The term 'street-based services'—

"(A) means services provided to runaway and homeless youth, and street youth, in areas where they congregate, designed to assist such youth in making healthy personal choices regarding where they live and how they behave; and

"(B) may include—

"(i) identification of and outreach to runaway and homeless youth, and street youth;

"(ii) crisis intervention and counseling;

“(iii) information and referral for housing;  
 “(iv) information and referral for transitional living and health care services;  
 “(v) advocacy, education, and prevention services related to—

“(I) alcohol and drug abuse;  
 “(II) sexual exploitation;  
 “(III) sexually transmitted diseases, including human immunodeficiency virus (HIV); and  
 “(IV) physical and sexual assault.

“(5) STREET YOUTH.—The term ‘street youth’ means an individual who—

“(A) is—  
 “(i) a runaway youth; or  
 “(ii) indefinitely or intermittently a homeless youth; and  
 “(B) spends a significant amount of time on the street or in other areas that increase the risk to such youth for sexual abuse, sexual exploitation, prostitution, or drug abuse.

“(6) TRANSITIONAL LIVING YOUTH PROJECT.—The term ‘transitional living youth project’ means a project that provides shelter and services designed to promote a transition to self-sufficient living and to prevent long-term dependency on social services.

“(7) YOUTH AT RISK OF SEPARATION FROM THE FAMILY.—The term ‘youth at risk of separation from the family’ means an individual—

“(A) who is less than 18 years of age; and  
 “(B)(i) who has a history of running away from the family of such individual;  
 “(ii) whose parent, guardian, or custodian is not willing to provide for the basic needs of such individual; or  
 “(iii) who is at risk of entering the child welfare system or juvenile justice system as a result of the lack of services available to the family to meet such needs.”.

(q) REDESIGNATION OF SECTIONS.—Sections 371, 372, 381, 382, and 383 of the Runaway and Homeless Youth Act (42 U.S.C. 5714b–5851 et seq.), as amended by this title, are redesignated as sections 380, 381, 382, 383, and 384, respectively.

(r) TECHNICAL AMENDMENTS.—The Runaway and Homeless Youth Act (42 U.S.C. 5701 et seq.) is amended—

(1) in section 331, in the first sentence, by striking “With” and all that follows through “the Secretary”, and inserting “The Secretary”; and

(2) in section 344(a)(1), by striking “With” and all that follows through “the Secretary”, and inserting “The Secretary”.

**Subtitle C—Repeal of Title V Relating to Incentive Grants for Local Delinquency Prevention Programs**

**SEC. 241. REPEALER.**

Title V of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5681 et seq.), as added by Public Law 102–586, is repealed.

**Subtitle D—Amendments to the Missing Children’s Assistance Act**

**SEC. 251. NATIONAL CENTER FOR MISSING AND EXPLOITED CHILDREN.**

(a) FINDINGS.—Section 402 of the Missing Children’s Assistance Act (42 U.S.C. 5771) is amended—

(1) in paragraph (7), by striking “and” at the end;

(2) in paragraph (8), by striking the period at the end and inserting a semicolon; and

(3) by adding at the end the following:

“(9) for 14 years, the National Center for Missing and Exploited Children has—

“(A) served as the national resource center and clearinghouse congressionally mandated under the provisions of the Missing Children’s Assistance Act of 1984; and

“(B) worked in partnership with the Department of Justice, the Federal Bureau of Investigation, the Department of the Treasury, the Department of State, and many

other agencies in the effort to find missing children and prevent child victimization;

“(10) Congress has given the Center, which is a private non-profit corporation, access to the National Crime Information Center of the Federal Bureau of Investigation, and the National Law Enforcement Telecommunications System;

“(11) since 1987, the Center has operated the National Child Pornography Tipline, in conjunction with the United States Customs Service and the United States Postal Inspection Service and, beginning this year, the Center established a new CyberTipline on child exploitation, thus becoming ‘the 911 for the Internet’;

“(12) in light of statistics that time is of the essence in cases of child abduction, the Director of the Federal Bureau of Investigation in February of 1997 created a new NCIC child abduction (‘CA’) flag to provide the Center immediate notification in the most serious cases, resulting in 642 ‘CA’ notifications to the Center and helping the Center to have its highest recovery rate in history;

“(13) the Center has established a national and increasingly worldwide network, linking the Center online with each of the missing children clearinghouses operated by the 50 States, the District of Columbia, and Puerto Rico, as well as with Scotland Yard in the United Kingdom, the Royal Canadian Mounted Police, INTERPOL headquarters in Lyon, France, and others, which has enabled the Center to transmit images and information regarding missing children to law enforcement across the United States and around the world instantly;

“(14) from its inception in 1984 through March 31, 1998, the Center has—

“(A) handled 1,203,974 calls through its 24-hour toll-free hotline (1-800-THE-LOST) and currently averages 700 calls per day;

“(B) trained 146,284 law enforcement, criminal and juvenile justice, and healthcare professionals in child sexual exploitation and missing child case detection, identification, investigation, and prevention;

“(C) disseminated 15,491,344 free publications to citizens and professionals; and

“(D) worked with law enforcement on the cases of 59,481 missing children, resulting in the recovery of 40,180 children;

“(15) the demand for the services of the Center is growing dramatically, as evidenced by the fact that in 1997, the Center handled 129,100 calls, an all-time record, and by the fact that its new Internet website (www.missingkids.com) receives 1,500,000 ‘hits’ every day, and is linked with hundreds of other websites to provide real-time images of breaking cases of missing children;

“(16) in 1997, the Center provided policy training to 256 police chiefs and sheriffs from 50 States and Guam at its new Jimmy Ryce Law Enforcement Training Center;

“(17) the programs of the Center have had a remarkable impact, such as in the fight against infant abductions in partnership with the healthcare industry, during which the Center has performed 668 onsite hospital walk-throughs and inspections, and trained 45,065 hospital administrators, nurses, and security personnel, and thereby helped to reduce infant abductions in the United States by 82 percent;

“(18) the Center is now playing a significant role in international child abduction cases, serving as a representative of the Department of State at cases under The Hague Convention, and successfully resolving the cases of 343 international child abductions, and providing greater support to parents in the United States;

“(19) the Center is a model of public/private partnership, raising private sector funds to match congressional appropriations and receiving extensive private in-kind support, including advanced technology provided by

the computer industry such as imaging technology used to age the photographs of long-term missing children and to reconstruct facial images of unidentified deceased children;

“(20) the Center was 1 of only 10 of 300 major national charities given an A+ grade in 1997 by the American Institute of Philanthropy; and

“(21) the Center has been redesignated as the Nation’s missing children clearinghouse and resource center once every 3 years through a competitive selection process conducted by the Office of Juvenile Justice and Delinquency Prevention of the Department of Justice, and has received grants from that Office to conduct the crucial purposes of the Center.”.

(b) DEFINITIONS.—Section 403 of the Missing Children’s Assistance Act (42 U.S.C. 5772) is amended—

(1) in paragraph (1), by striking “and” at the end;

(2) in paragraph (2), by striking the period at the end and inserting “; and”; and

(3) by adding at the end the following:

“(3) the term ‘Center’ means the National Center for Missing and Exploited Children.”.

(c) DUTIES AND FUNCTIONS OF THE ADMINISTRATOR.—Section 404 of the Missing Children’s Assistance Act (42 U.S.C. 5773) is amended—

(1) by redesignating subsection (c) as subsection (d); and

(2) by striking subsection (b) and inserting the following:

“(b) ANNUAL GRANT TO NATIONAL CENTER FOR MISSING AND EXPLOITED CHILDREN.—

“(1) IN GENERAL.—The Administrator shall annually make a grant to the Center, which shall be used to—

“(A)(i) operate a national 24-hour toll-free telephone line by which individuals may report information regarding the location of any missing child, or other child 13 years of age or younger whose whereabouts are unknown to such child’s legal custodian, and request information pertaining to procedures necessary to reunite such child with such child’s legal custodian; and  
 “(ii) coordinate the operation of such telephone line with the operation of the national communications system referred to in part C of the Runaway and Homeless Youth Act (42 U.S.C. 5714–11);

“(B) operate the official national resource center and information clearinghouse for missing and exploited children;

“(C) provide to State and local governments, public and private nonprofit agencies, and individuals, information regarding—

“(i) free or low-cost legal, restaurant, lodging, and transportation services that are available for the benefit of missing and exploited children and their families; and

“(ii) the existence and nature of programs being carried out by Federal agencies to assist missing and exploited children and their families;

“(D) coordinate public and private programs that locate, recover, or reunite missing children with their families;

“(E) disseminate, on a national basis, information relating to innovative and model programs, services, and legislation that benefit missing and exploited children;

“(F) provide technical assistance and training to law enforcement agencies, State and local governments, elements of the criminal justice system, public and private nonprofit agencies, and individuals in the prevention, investigation, prosecution, and treatment of cases involving missing and exploited children; and

“(G) provide assistance to families and law enforcement agencies in locating and recovering missing and exploited children, both nationally and internationally.

“(2) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Administrator to carry out this subsection, \$10,000,000 for each of fiscal years 2000, 2001, 2002, and 2003.

“(c) NATIONAL INCIDENCE STUDIES.—The Administrator, either by making grants to or entering into contracts with public agencies or nonprofit private agencies, shall—

“(1) periodically conduct national incidence studies to determine for a given year the actual number of children reported missing each year, the number of children who are victims of abduction by strangers, the number of children who are the victims of parental kidnappings, and the number of children who are recovered each year; and

“(2) provide to State and local governments, public and private nonprofit agencies, and individuals information to facilitate the lawful use of school records and birth certificates to identify and locate missing children.”

(d) NATIONAL CENTER FOR MISSING AND EXPLOITED CHILDREN.—Section 405(a) of the Missing Children’s Assistance Act (42 U.S.C. 5775(a)) is amended by inserting “the Center and with” before “public agencies”.

(e) AUTHORIZATION OF APPROPRIATIONS.—Section 408 of the Missing Children’s Assistance Act (42 U.S.C. 5777) is amended by striking “1997 through 2001” and inserting “2000 through 2003”.

#### Subtitle E—Studies and Evaluations

##### SEC. 261. STUDY OF SCHOOL VIOLENCE.

(a) CONTRACT FOR STUDY.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Education shall enter into a contract with the National Academy of Sciences for the purposes of conducting a study regarding the antecedents of school violence in urban, suburban, and rural schools, including the incidents of school violence that occurred in Pearl, Mississippi; Paducah, Kentucky; Jonesboro, Arkansas; Springfield, Oregon; Edinboro, Pennsylvania; Fayetteville, Tennessee; Littleton, Colorado; and Conyers, Georgia. Under the terms of such contract, the National Academy of Sciences shall appoint a panel that will—

(1) review the relevant research about adolescent violence in general and school violence in particular, including the existing longitudinal and cross-sectional studies on youth that are relevant to examining violent behavior,

(2) relate what can be learned from past and current research and surveys to specific incidents of school shootings,

(3) interview relevant individuals, if possible, such as the perpetrators of such incidents, their families, their friends, their teachers, mental health providers, and others, and

(4) give particular attention to such issues as—

(A) the perpetrators’ early development, the relationship with their families, community and school experiences, and utilization of mental health services,

(B) the relationship between perpetrators and their victims,

(C) how the perpetrators gained access to firearms,

(D) the impact of cultural influences and exposure to the media, video games, and the Internet, and

(E) such other issues as the panel deems important or relevant to the purpose of the study.

The National Academy of Sciences shall utilize professionals with expertise in such issues, including psychiatrists, social workers, behavioral and social scientists, practitioners, epidemiologists, statisticians, and methodologists.

(b) REPORT.—The National Academy of Sciences shall submit a report containing

the results of the study required by subsection (a), to the Speaker of the House of Representatives, the President pro tempore of the Senate, the Chair and ranking minority Member of the Committee on Education and the Workforce of the House of Representatives, and the Chair and ranking minority Member of the Committee on Health, Education, Labor, and Pensions of the Senate, not later than January 1, 2001, or 18 months after entering into the contract required by such subsection, whichever is earlier.

(c) APPROPRIATION.—Of the funds made available under Public Law 105-277 for the Department of Education, \$2.1 million shall be made available to carry out this section.

##### SEC. 262. STUDY OF THE MENTAL HEALTH NEEDS OF JUVENILES IN SECURE OR NON-SECURE PLACEMENTS IN THE JUVENILE JUSTICE SYSTEM.

(a) STUDY.—The Administrator of the Office of Juvenile Crime Control and Delinquency Prevention, in collaboration with the National Institute of Mental Health, shall conduct a study that includes, but is not limited to, all of the following:

(1) Identification of the scope and nature of the mental health problems or disorders of—

(A) juveniles who are alleged to be or adjudicated delinquent and who, as a result of such status, have been placed in secure detention or confinement or in nonsecure residential placements, and

(B) juveniles on probation after having been adjudicated delinquent and having received a disposition as delinquent.

(2) A comprehensive survey of the types of mental health services that are currently being provided to such juveniles by States and units of local government.

(3) Identification of governmental entities that have developed or implemented model or promising screening, assessment, or treatment programs or innovative mental health delivery or coordination systems, that address and meet the mental health needs of such juveniles.

(4) A review of the literature that analyzes the mental health problems and needs of juveniles in the juvenile justice system and that documents innovative and promising models and programs that address such needs.

(b) REPORT.—Not later than 18 months after the date of enactment of this Act, the Administrator shall submit to the Congress, and broadly disseminate to individuals and entities engaged in fields that provide services for the benefit of juveniles or that make policy relating to juveniles, a report containing the results of the study conducted under subsection (a) and documentation identifying promising or innovative models or programs referred to in such subsection.

##### SEC. 263. EVALUATION BY GENERAL ACCOUNTING OFFICE.

(a) EVALUATION.—Not later than October 1, 2002, the Comptroller General of the United States shall conduct a comprehensive analysis and evaluation regarding the performance of the Office of Juvenile Justice Delinquency and Prevention, its functions, its programs, and its grants under specified criteria, and shall submit the report required by subsection (b). In conducting the analysis and evaluation, the Comptroller General shall take into consideration the following factors to document the efficiency and public benefit of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5601 et seq.), excluding the Runaway and Homeless Youth Act (42 U.S.C. 5701 et seq.) and the Missing Children’s Assistance Act (42 U.S.C. 5771 et seq.):

(1) The extent to which the agency has complied with the provisions contained in the Government Performance and Results Act of 1993 (Pub. Law 103-62; 107 Stat. 285).

(2) The outcome and results of the programs carried out by the Office of Juvenile Justice and Delinquency Prevention and those administered through grants by Office of Juvenile Justice and Delinquency Prevention.

(3) Whether the agency has acted outside the scope of its original authority, and whether the original objectives of the agency have been achieved.

(4) Whether less restrictive or alternative methods exists to carry out the functions of the agency. Whether present functions or operations are impeded or enhanced by existing statutes, rules, and procedures.

(5) The extent to which the jurisdiction of, and the programs administered by, the agency duplicate or conflict with the jurisdiction and programs of other agencies.

(6) The potential benefits of consolidating programs administered by the agency with similar or duplicative programs of other agencies, and the potential for consolidating such programs.

(7) The number and types of beneficiaries or persons served by programs carried out under the Act.

(8) The extent to which any trends, developments, or emerging conditions that are likely to affect the future nature and the extent of the problems or needs the programs carried out by the Act are intended to address.

(9) The manner with which the agency seeks public input and input from State and local governments on the performance of the functions of the agency.

(10) Whether the agency has worked to enact changes in the law intended to benefit the public as a whole rather than the specific businesses, institutions, or individuals the agency regulates or funds.

(11) The extent to which the agency grants have encouraged participation by the public as a whole in making its rules and decisions rather than encouraging participation solely by those it regulates.

(12) The extent to which the agency complies with section 552 of title 5, United States Code (commonly known as the “Freedom of Information Act”).

(13) The impact of any regulatory, privacy, and paperwork concerns resulting from the programs carried out by the agency.

(14) The extent to which the agency has coordinated with state and local governments in performing the functions of the agency.

(15) The extent to which changes are necessary in the authorizing statutes of the agency in order that the functions of the agency can be performed in a more efficient and effective manner.

(16) Whether greater oversight is needed of programs developed with grants made by the Office of Juvenile Justice and Delinquency Prevention.

(b) REPORT.—The report required by subsection (a) shall—

(1) include recommendations for legislative changes, as appropriate, based on the evaluation conducted under subsection (a), to be made to the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5601 et seq.), excluding the Runaway and Homeless Youth Act (42 U.S.C. 5701 et seq.) and the Missing Children’s Assistance Act (42 U.S.C. 5771 et seq.), and

(2) shall be submitted, together with supporting materials, to the Speaker of the House of Representatives and the President pro tempore of the Senate, and made available to the public.

##### SEC. 264. GENERAL ACCOUNTING OFFICE REPORT.

Not later than 1 year after the date of the enactment of this Act, the General Accounting Office shall transmit to Congress a report containing the following:

(1) For each State, a description of the types of after-school programs that are available for students in kindergarten through grade 12, including programs sponsored by the Boys and Girls Clubs of America, the Boy Scouts of America, the Girl Scouts of America, YMCAs, and athletic and other programs operated by public schools and other State and local agencies.

(2) For 15 communities selected to represent a variety of regional, population, and demographic profiles, a detailed analysis of all of the after-school programs that are available for students in kindergarten through grade 12, including programs sponsored by the Boys and Girls Clubs of America, the Boy Scouts of America, the Girl Scouts of America, YMCAs, mentoring programs, athletic programs, and programs operated by public schools, churches, day care centers, parks, recreation centers, family day care, community organizations, law enforcement agencies, service providers, and for-profit and nonprofit organizations.

(3) For each State, a description of significant areas of unmet need in the quality and availability of after-school programs.

(4) For each State, a description of barriers which prevent or deter the participation of children in after-school programs.

(5) For each State, a description of barriers to improving the quality and availability of after-school programs.

(6) A list of activities, other than after-school programs, in which students in kindergarten through grade 12 participate when not in school, including jobs, volunteer opportunities, and other non-school affiliated programs.

(7) An analysis of the value of the activities listed pursuant to paragraph (6) to the well-being and educational development of students in kindergarten through grade 12.

SEC. 265. BEHAVIORAL AND SOCIAL SCIENCE RESEARCH ON YOUTH VIOLENCE.

(a) NIH RESEARCH.—The National Institutes of Health, acting through the Office of Behavioral and Social Sciences Research, shall carry out a coordinated, multi-year course of behavioral and social science research on the causes and prevention of youth violence.

(b) NATURE OF RESEARCH.—Funds made available to the National Institutes of Health pursuant to this section shall be utilized to conduct, support, coordinate, and disseminate basic and applied behavioral and social science research with respect to youth violence, including research on 1 or more of the following subjects:

- (1) The etiology of youth violence.
(2) Risk factors for youth violence.
(3) Childhood precursors to antisocial violent behavior.
(4) The role of peer pressure in inciting youth violence.
(5) The processes by which children develop patterns of thought and behavior, including beliefs about the value of human life.

(6) Science-based strategies for preventing youth violence, including school and community-based programs.

(7) Other subjects that the Director of the Office of Behavioral and Social Sciences Research deems appropriate.

(c) ROLE OF THE OFFICE OF BEHAVIORAL AND SOCIAL SCIENCES RESEARCH.—Pursuant to this section and section 404A of the Public Health Service Act (42 U.S.C. 283c), the Director of the Office of Behavioral and Social Sciences Research shall—

- (1) coordinate research on youth violence conducted or supported by the agencies of the National Institutes of Health;
(2) identify youth violence research projects that should be conducted or supported by the research institutes, and develop such projects in cooperation with such

institutes and in consultation with State and Federal law enforcement agencies;

(3) take steps to further cooperation and collaboration between the National Institutes of Health and the Centers for Disease Control and Prevention, the Substance Abuse and Mental Health Services Administration, the agencies of the Department of Justice, and other governmental and non-governmental agencies with respect to youth violence research conducted or supported by such agencies;

(4) establish a clearinghouse for information about youth violence research conducted by governmental and nongovernmental entities; and

(5) periodically report to Congress on the state of youth violence research and make recommendations to Congress regarding such research.

(d) FUNDING.—There is authorized to be appropriated, \$5,000,000 for each of fiscal years 2000 through 2004 to carry out this section. If amount are not separately appropriated to carry out this section, the Director of the National Institutes of Health shall carry out this section using funds appropriated generally to the National Institutes of Health, except that funds expended for under this section shall supplement and not supplant existing funding for behavioral research activities at the National Institutes of Health.

Subtitle F—General Provisions

SEC. 271. EFFECTIVE DATE; APPLICATION OF AMENDMENTS.

(a) EFFECTIVE DATE.—Except as provided in subsection (b), this title and the amendments made by this title shall take effect on the date of the enactment of this Act.

(b) APPLICATION OF AMENDMENTS.—The amendments made by this title shall apply only with respect to fiscal years beginning after September 30, 1999.

Amend the title so as to read: "A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to provide grants to ensure increased accountability for juvenile offenders; to amend the Juvenile Justice and Delinquency Prevention Act of 1974 to provide quality prevention programs and accountability programs relating to juvenile delinquency; and for other purposes."

It was decided in the { Yeas ..... 424
affirmative ..... } { Nays ..... 2

- Doggett Kilpatrick Pickett
Dooley Kind (WI) Pitts
Doolittle King (NY) Pombo
Doyle Kingston Pomeroy
Dreier Kleczka Porter
Duncan Klink Portman
Dunn Knollenberg Price (NC)
Edwards Kolbe Pryce (OH)
Ehlers Kucinich Quinn
Ehrlich Kuykendall Radanovich
Emerson LaFalce Rahall
Engel LaHood Ramstad
English Lampson Rangel
Eshoo Lantos Regula
Etheridge Largent Reyes
Everett Larson Reynolds
Ewing Latham Riley
Farr LaTourette Rivers
Fattah Lazio Rodriguez
Filner Leach Roemer
Fletcher Lee Rogan
Foley Levin Rogers
Forbes Lewis (CA) Rohrabacher
Ford Lewis (GA) Ros-Lehtinen
Fossella Lewis (KY) Rothman
Fowler Linder Roukema
Frank (MA) Lipinski Roybal-Allard
Franks (NJ) LoBiondo Royce
Frelinghuysen Lofgren Rush
Frost Lowey Ryan (WI)
Gallegly Lucas (KY) Ryun (KS)
Ganske Lucas (OK) Sabo
Gejdenson Luther Salmon
Gekas Maloney (CT) Sanchez
Gephardt Maloney (NY) Sanders
Gibbons Manzullo Sandlin
Gilchrest Markey Sanford
Gillmor Martinez Sawyer
Gilman Mascara Saxton
Gonzalez Matsui Scarborough
Goode McCarthy (MO) Schaffer
Goodlatte McCarthy (NY) Schakowsky
Goodling McCollum Scott
Gordon McCrery Sensenbrenner
Goss McDermott Serrano
Graham McGovern Sessions
Granger McHugh Shadegg
Green (TX) McInnis Shaw
Green (WI) McIntosh Sherman
Greenwood McIntyre Sherwood
Gutierrez McKeon Shimkus
Gutknecht McKinney Shows
Hall (OH) McNulty Shuster
Hall (TX) Meehan Simpson
Hansen Meek (FL) Sisisky
Hastings (FL) Meeks (NY) Skeen
Hastings (WA) Menendez Skelton
Hayes Metcalfe Slaughter
Hayworth Mica Smith (MI)
Hefley Millender Smith (NJ)
Herger McDonald Smith (TX)
Hill (IN) Miller (FL) Smith (WA)
Hill (MT) Miller, George Snyder
Hilleary Minge Souder
Hilliard Mink Spence
Hinches Moakley Spratt
Hinojosa Mollohan Stabenow
Hobson Moore Stark
Hoefel Moran (KS) Stearns
Hoekstra Moran (VA) Stenholm
Holden Morella Strickland
Holt Murtha Stump
Hooley Myrick Stupak
Horn Nadler Sununu
Hostettler Napolitano Sweeney
Hoyer Neal Talent
Hulshof Nethercutt Tancredo
Hunter Ney Tanner
Hutchinson Northup Tauscher
Hyde Norwood Tauzin
Inslee Nussle Taylor (MS)
Isakson Oberstar Taylor (NC)
Istook Obey Terry
Jackson (IL) Olver Thompson (CA)
Jackson-Lee Ortiz Thompson (MS)
(TX) Ose Thornberry
Jefferson Owens Thune
Jenkins Oxley Thurman
John Packard Tiahrt
Johnson (CT) Pallone Tierney
Johnson, E. B. Pascrell Toomey
Johnson, Sam Pastor Towns
Jones (NC) Payne Trafficant
Jones (OH) Pease Turner
Kanjorski Pelosi Udall (CO)
Kaptur Peterson (MN) Udall (NM)
Kasich Peterson (PA) Upton
Kelly Petri Velazquez
Kennedy Phelps Vento
Kildee Pickering Vislosky

¶66.17

[Roll No. 226]

AYES—424

- Abercrombie Boehlert Coble
Ackerman Boehner Coburn
Aderholt Bonilla Collins
Allen Bonior Combest
Andrews Bono Condit
Archer Borski Conyers
Armey Boswell Cook
Bachus Boucher Cooksey
Baird Boyd Costello
Baker Brady (PA) Cox
Baldacci Brady (TX) Coyne
Baldwin Brown (FL) Cramer
Ballenger Brown (OH) Crane
Barcia Bryant Crowley
Barr Burr Cubin
Barrett (NE) Burton Cummings
Barrett (WI) Buyer Cunningham
Bartlett Callahan Danner
Barton Calvert Davis (FL)
Bass Camp Davis (IL)
Bateman Campbell Davis (VA)
Becerra Canady Deal
Bentsen Cannon DeFazio
Berkley Capps DeGette
Berman Capuano Delahunt
Berry Cardin DeLauro
Biggart Castle DeLay
Bilbray Chabot DeMint
Bilirakis Chambliss Deutsch
Bishop Chenoweth Diaz-Balart
Blagojevich Clay Dickey
Bilely Clayton Dicks
Blumenauer Clement Dingell
Blunt Clyburn Dixon

Vitter	Weiner	Wilson
Walden	Weldon (FL)	Wise
Walsh	Weldon (PA)	Wolf
Wamp	Weller	Woolsey
Waters	Wexler	Wu
Watkins	Weygand	Wynn
Watt (NC)	Whitfield	Young (AK)
Watts (OK)	Wicker	Young (FL)

NOES—2

Bereuter

Paul

NOT VOTING—8

Brown (CA)	Houghton	Thomas
Carson	Miller, Gary	Waxman
Evans	Shays	

Houghton	Thomas
Miller, Gary	Waxman
Shays	

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

¶66.18 RECORDED VOTE

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

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

SEC. \_\_\_\_ AMENDMENTS TO THE INDIVIDUALS WITH DISABILITIES EDUCATION ACT.

(a) PLACEMENT IN ALTERNATIVE EDUCATIONAL SETTING.—Section 615(k) of the Individuals with Disabilities Education Act (20 U.S.C. 1415(k)) is amended—

(1) by redesignating paragraph (10) as paragraph (11); and

(2) by inserting after paragraph (9) the following:

“(10) DISCIPLINE WITH REGARD TO WEAPONS.—

“(A) AUTHORITY OF SCHOOL PERSONNEL.—Notwithstanding any other provision of this Act, school personnel may discipline (including expel or suspend) a child with a disability who carries or possesses a weapon to or at a school, on school premises, or to or at a school function, under the jurisdiction of a State or a local educational agency, in the same manner in which such personnel may discipline a child without a disability. Such personnel may modify the disciplinary action on a case-by-case basis.

“(B) RULE OF CONSTRUCTION.—Nothing in subparagraph (A) shall be construed to prevent a child with a disability who is disciplined pursuant to the authority provided under subparagraph (A) from asserting a defense that the carrying or possession of the weapon was unintentional or innocent.

“(C) FREE APPROPRIATE PUBLIC EDUCATION.—

“(i) CEASING TO PROVIDE EDUCATION.—Notwithstanding section 612(a)(1)(A), a child expelled or suspended under subparagraph (A) shall not be entitled to continue educational services, including a free appropriate public education, under this title, during the term of such expulsion or suspension, if the State in which the local educational agency responsible for providing educational services to such child does not require a child without a disability to receive educational services after being expelled or suspended.

“(ii) PROVIDING EDUCATION.—Notwithstanding clause (i), the local educational agency responsible for providing educational services to a child with a disability who is expelled or suspended under subparagraph (A) may choose to continue to provide educational services to such child. If the local educational agency so chooses to continue to provide the services—

“(I) nothing in this title shall require the local educational agency to provide such child with a free appropriate public education, or any particular level of service; and

“(II) the location where the local educational agency provides the services shall be left to the discretion of the local educational agency.

“(D) RELATIONSHIP TO OTHER REQUIREMENTS.—

“(i) PLAN REQUIREMENTS.—No agency shall be considered to be in violation of section 612 or 613 because the agency has provided discipline, services, or assistance in accordance with this paragraph.

“(ii) PROCEDURE.—Actions taken pursuant to this paragraph shall not be subject to the provisions of this section, other than this paragraph.”.

(b) CONFORMING AMENDMENTS.—(1) Section 615(f)(1) of the Individuals with Disabilities Education Act (20 U.S.C. 1415(f)(1)) is amended by striking “Whenever” and inserting the following: “Except as provided in section 615(k)(10), whenever”.

(2) Section 615(k)(1)(A)(ii) of the Individuals with Disabilities Education Act (20 U.S.C. 1415(k)(1)(A)(ii)) is amended by striking “but for not more than 45 days if—” and all that follows through “(II) the child knowingly possesses or uses illegal drugs” and inserting “but for not more than 45 days if the child knowingly possesses or uses illegal drugs”.

It was decided in the { Yeas ..... 300 affirmative ..... } Nays ..... 128

¶66.19

[Roll No. 227]

AYES—300

Aderholt	Crane	Hostettler
Allen	Cubin	Hulshof
Andrews	Cunningham	Hunter
Archer	Danner	Hutchinson
Armey	Davis (VA)	Hyde
Bachus	Deal	Inslee
Baird	DeLay	Isakson
Baker	DeMint	Istook
Baldacci	Dickey	Jefferson
Ballenger	Dicks	Jenkins
Barcia	Dingell	John
Barr	Dooley	Johnson (CT)
Barrett (NE)	Doolittle	Johnson, E. B.
Bartlett	Doyle	Johnson, Sam
Barton	Dreier	Jones (NC)
Bass	Duncan	Kanjorski
Bateman	Dunn	Kaptur
Bentsen	Edwards	Kasich
Bereuter	Ehlers	Kelly
Berkley	Ehrlich	Kildee
Berry	Emerson	Kind (WI)
Biggart	English	King (NY)
Bilbray	Etheridge	Kingston
Bilirakis	Everett	Kleczka
Bishop	Ewing	Klink
Bliley	Fletcher	Kolbe
Blumenauer	Foley	Kucinich
Blunt	Forbes	Kuykendall
Boehlert	Fossella	LaFalce
Boehner	Fowler	LaHood
Bonilla	Franks (NJ)	Largent
Bonior	Frost	Larson
Bono	Galleghy	Latham
Borski	Ganske	LaTourette
Boswell	Gekas	Lazio
Boucher	Gibbons	Leach
Boyd	Gilchrest	Levin
Brady (TX)	Gillmor	Lewis (CA)
Bryant	Goode	Lewis (KY)
Burr	Goodlatte	Linder
Burton	Gordon	Lipinski
Buyer	Goss	LoBiondo
Callahan	Graham	Lofgren
Calvert	Granger	Lucas (KY)
Camp	Green (WI)	Lucas (OK)
Campbell	Greenwood	Maloney (CT)
Canady	Gutknecht	Manzullo
Cannon	Hall (OH)	Mascara
Capuano	Hall (TX)	McCollum
Castle	Hansen	McCrery
Chabot	Hastings (WA)	McHugh
Chambless	Hayes	McInnis
Chenoweth	Hayworth	McIntosh
Clement	Hefley	McIntyre
Coble	Herger	McKee
Coburn	Hill (IN)	Menendez
Collins	Hill (MT)	Metcalf
Combest	Hilleary	Mica
Condit	Hobson	Miller (FL)
Cook	Hoekstra	Miller, Gary
Cooksey	Holden	Minge
Costello	Holt	Mollohan
Cox	Hooley	Moore
Cramer	Horn	Moran (KS)

Hostettler	Abercrombie	Gutierrez
Hulshof	Ackerman	Hastings (FL)
Hunter	Baldwin	Hilliard
Hutchinson	Barrett (WI)	Hinchee
Hyde	Becerra	Hinojosa
Inslee	Berman	Hoeffel
Isakson	Blagojevich	Hoyer
Istook	Brady (PA)	Jackson (IL)
Jefferson	Brown (FL)	Jackson-Lee
Jenkins	Brown (OH)	(TX)
John	Capps	Jones (OH)
Johnson (CT)	Cardin	Kennedy
Johnson, E. B.	Clay	Kilpatrick
Johnson, Sam	Clayton	Knollenberg
Jones (NC)	Clyburn	Lampson
Kanjorski	Coyne	Lantos
Kaptur	Crowley	Lee
Kasich	Cummings	Lewis (GA)
Kelly	Davis (FL)	Lowe
Kildee	Davis (IL)	Luther
Kind (WI)	DeFazio	Maloney (NY)
King (NY)	DeGette	Markey
Kingston	Delahunt	Martinez
Kleczka	DeLauro	Matsui
Klink	Diaz-Balart	McCarthy (MO)
Kolbe	Dixon	McCarthy (NY)
Kucinich	Doggett	McDermott
Kuykendall	Engel	McGovern
LaFalce	Eshoo	McKinney
LaHood	Evans	McNulty
Largent	Farr	Meehan
Larson	Fattah	Meek (FL)
Latham	Filner	Meeks (NY)
LaTourette	Ford	Millender-
Lazio	Frank (MA)	McDonald
Leach	Frelinghuysen	Miller, George
Levin	Gejdenson	Mink
Lewis (CA)	Gephardt	Moakley
Lewis (KY)	Gilman	Morella
Linder	Gonzalez	Murtha
Lipinski	Goodling	Nadler
Lofgren	Green (TX)	Napolitano
LoBiondo	Brown (CA)	Neal
Lucas (KY)	Carson	Oliver
Lucas (OK)		
Maloney (CT)		
Manzullo		
Mascara		
McCollum		
McCrery		
McHugh		
McInnis		
McIntosh		
McIntyre		
McKee		
Menendez		
Metcalf		
Mica		
Miller (FL)		
Miller, Gary		
Minge		
Mollohan		
Moore		
Moran (KS)		

NOES—128

Abercrombie	Gutierrez	Owens
Ackerman	Hastings (FL)	Pallone
Baldwin	Hilliard	Pascrell
Barrett (WI)	Hinchee	Pastor
Becerra	Hinojosa	Payne
Berman	Hoeffel	Pelosi
Blagojevich	Hoyer	Rahall
Brady (PA)	Jackson (IL)	Rangel
Brown (FL)	Jackson-Lee	Reyes
Brown (OH)	(TX)	Rivers
Capps	Jones (OH)	Rodriguez
Cardin	Kennedy	Ros-Lehtinen
Clay	Kilpatrick	Rosybal-Allard
Clayton	Knollenberg	Rush
Clyburn	Lampson	Sanchez
Coyne	Lantos	Sanders
Crowley	Lee	Sandlin
Cummings	Lewis (GA)	Sawyer
Davis (FL)	Lowe	Schakowsky
Davis (IL)	Luther	Scott
DeFazio	Maloney (NY)	Serrano
DeGette	Markey	Sessions
Delahunt	Martinez	Slaughter
DeLauro	Matsui	Souder
Diaz-Balart	McCarthy (MO)	Stabenow
Dixon	McCarthy (NY)	Stark
Doggett	McDermott	Strickland
Engel	McGovern	Stupak
Eshoo	McKinney	Thompson (CA)
Evans	McNulty	Thompson (MS)
Farr	Meehan	Tierney
Fattah	Meek (FL)	Towns
Filner	Meeks (NY)	Udall (NM)
Ford	Millender-	Velazquez
Frank (MA)	McDonald	Walsh
Frelinghuysen	Miller, George	Waters
Gejdenson	Mink	Watt (NC)
Gephardt	Moakley	Waxman
Gilman	Morella	Weiner
Gonzalez	Murtha	Wexler
Goodling	Nadler	Weygand
Green (TX)	Napolitano	Woolsey
	Neal	
	Oliver	

NOT VOTING—6

Brown (CA)	Houghton	Shays
Carson	Salmon	Thomas

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

¶66.20 RECORDED VOTE

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

Page 4, line 18, strike, “and”.

Page 4, line 21, strike the period and insert a semicolon.

Page 4, after line 21, insert the following:
“(14) establishing partnerships between State educational agencies and local educational agencies for the design and implementation of character education and training programs that reflect the values of parents, teachers, and local communities, and incorporate elements of good character, including honesty, citizenship, courage, justice, respect, personal responsibility, and trustworthiness; and

“(15) implementing other activities that foster strong character development in at-risk juveniles and juveniles in the juvenile justice system.

It was decided in the affirmative { Yeas ..... 422 Nays ..... 1

¶66.21 [Roll No. 228] AYES—422

- Abercrombie, Ackerman, Aderholt, Allen, Andrews, Archer, Arney, Bachus, Baird, Baker, Baldacci, Baldwin, Ballenger, Barr, Barrett (NE), Barrett (WI), Bartlett, Barton, Bass, Bateman, Becerra, Bentsen, Bereuter, Berkley, Berman, Berry, Biggart, Bilbray, Bilirakis, Bishop, Blagojevich, Biley, Blumenauer, Blunt, Boehlert, Boehner, Bonilla, Bonior, Bono, Bosksi, Boswell, Boucher, Boyd, Brady (PA), Brady (TX), Brown (FL), Brown (OH), Bryant, Burr, Burton, Buyer, Callahan, Calvert, Camp, Campbell, Canady, Cannon, Capps, Cardin, Castle, Chabot, Chambliss, Chenoweth, Clay, Clayton, Clement, Clyburn, Coble, Coburn, Collins, Combest, Condit, Conyers, Cook, Cooksey, Costello, Cox, Coyne, Cramer, Crane, Crowley, Cubin, Cummings, Cunningham, Danner, Davis (FL), Davis (IL), Davis (VA), Deal, DeFazio, DeGette, Delahunt, DeLauro, DeLay, DeMint, Deutsch, Diaz-Balart, Dickey, Dicks, Dingell, Dixon, Dorgan, Doggett, Dooley, Doolittle, Doyle, Dreier, Duncan, Dunn, Edwards, Ehlers, Ehrlich, Emerson, Engel, English, Eshoo, Etheridge, Evans, Everett, Ewing, Farr, Fattah, Filner, Fletcher, Foley, Forbes, Ford, Fossella, Fowler, Frank (MA), Franks (NJ), Frelinghuysen, Frost, Gallegly, Ganske, Gejdenson, Gekas, Gephardt, Gibbons, Gilchrest, Gillmor, Gilman, Gonzalez, Goode, Goodlatte, Goodling, Gordon, Goss, Graham, Granger, Green (TX), Green (WI), Greenwood, Gutierrez, Gutknecht, Hall (OH), Hall (TX), Hansen, Hastings (FL), Hastings (WA), Hayes, Hayworth, Hefley, Herger, Hill (IN), Hill (MT), Hilleary, Hilliard, Hinchey, Hinojosa, Hobson, Hoeffel, Hoekstra, Holden, Holt, Hooley, Horn, Hostettler, Hoyer, Hulshof, Hunter, Hutchinson, Hyde, Inslee, Isakson, Istook, Jackson (IL), Jackson-Lee (TX), Jefferson, Jenkins, John, Johnson (CT), Johnson, E. B., Jones (NC), Jones (OH), Kanjorski, Kaptur, Kasich, Kelly, Kennedy, Kildee, Kilpatrick, Kind (WI), King (NY), Kingston, Kleczka, Klink, Knollenberg, Kolbe, Kucinich, Kuykendall, LaFalce, LaHood, Lampton, Lantons, Largent, Larson, Latham, LaTourette, Lazio, Leach, Lee, Levin, Lewis (CA), Lewis (GA), Lewis (KY), Linder, Lipinski, LoBiondo, Lofgren, Lowey, Lucas (KY), Lucas (OK), Luther, Maloney (CT), Maloney (NY), Manzullo, Markey, Martinez, Mascara, Matsui, McCarthy (MO), McCarthy (NY), McCollum, McCreery, McDermott, McGovern, McHugh, McInnis, McIntosh, McIntyre, McKeon, McKinney, McNulty, Meehan, Meek (FL), Meeks (NY), Menendez, Metcalf, Mica, Millender-McDonald, Miller (FL), Miller, Gary, Miller, George, Mink, Moakley, Mollohan, Moore, Moran (KS), Moran (VA), Morella, Murtha, Myrick, Nadler, Napolitano, Neal, Nethercutt, Ney, Norwood, Nussle, Oberstar, Obey, Olver, Ortiz, Ose, Owens, Oxley, Packard, Pallone, Pascrell, Pastor, Paul, Payne, Pease, Pelosi, Peterson (MN), Peterson (PA), Petri, Phelps, Pickering, Pickett, Pitts, Pombo, Pomeroy, Porter, Portman, Price (NC), Pryce (OH), Quinn, Rahall, Ramstad, Rangel, Regula, Reyes, Reynolds, Riley, Rivers, Rodriguez, Roemer, Rogan, Rogers, Rohrabacher, Ros-Lehtinen, Rothman, Roukema, Roybal-Allard, Royce, Rush, Ryan (WI), Ryun (KS), Sabo, Sanchez, Sanders, Sandlin, Sanford, Sawyer, Saxton, Scarborough, Schaffer, Schakowsky, Scott, Sensenbrenner, Serrano, Sessions, Shadegg, Shaw, Sherman, Sherwood, Shimkus, Shows, Shuster, Simpson, Siskisky, Skeen, Skelton, Slaughter, Smith (MI), Smith (NJ), Smith (TX), Smith (WA), Snyder, Souder, Spence, Spratt, Stabenow, Stark, Stearns, Stenholm, Strickland, Stump, Stupak, Sununu, Sweeney, Talent, Tancredo, Tanner, Tauscher, Tauzin, Taylor (MS), Taylor (NC), Terry, Thompson (CA), Thompson (MS), Thornberry, Thune, Thurman, Tiahrt, Tierney, Toomey, Towns, Traficant, Turner, Udall (CO), Udall (NM), Upton, Velazquez, Vento, Visclosky, Vitter, Walden, Walsh, Wamp, Waters, Watkins, Watt (NC), Watts (OK), Waxman, Weiner, Weldon (FL), Weldon (PA), Weller, Waxler, Weygand, Whitfield, Wicker, Wilson, Wise, Wolf, Woolsey, Wu, Wynn, Young (AK), Young (FL)

- Lucas (KY), Lucas (OK), Luther, Maloney (CT), Maloney (NY), Manzullo, Markey, Martinez, Mascara, Matsui, McCarthy (MO), McCarthy (NY), McCollum, McCreery, McDermott, McGovern, McHugh, McInnis, McIntosh, McIntyre, McKeon, McKinney, McNulty, Meehan, Meek (FL), Meeks (NY), Menendez, Metcalf, Mica, Millender-McDonald, Miller (FL), Miller, Gary, Miller, George, Mink, Moakley, Mollohan, Moore, Moran (KS), Moran (VA), Morella, Murtha, Myrick, Nadler, Napolitano, Neal, Nethercutt, Ney, Norwood, Nussle, Oberstar, Obey, Olver, Ortiz, Ose, Owens, Oxley, Packard, Pallone, Pascrell, Pastor, Paul, Payne, Pease, Pelosi, Peterson (MN), Peterson (PA), Petri, Phelps, Pickering, Pickett, Pitts, Pombo, Pomeroy, Porter, Portman, Price (NC), Pryce (OH), Quinn, Rahall, Ramstad, Rangel, Regula, Reyes, Reynolds, Riley, Rivers, Rodriguez, Roemer, Rogan, Rogers, Rohrabacher, Ros-Lehtinen, Rothman, Roukema, Roybal-Allard, Royce, Rush, Ryan (WI), Ryun (KS), Sabo, Sanchez, Sanders, Sandlin, Sanford, Sawyer, Saxton, Scarborough, Schaffer, Schakowsky, Scott, Sensenbrenner, Serrano, Sessions, Shadegg, Shaw, Sherman, Sherwood, Shimkus, Shows, Shuster, Simpson, Siskisky, Skeen, Skelton, Slaughter, Smith (MI), Smith (NJ), Smith (TX), Smith (WA), Snyder, Souder, Spence, Spratt, Stabenow, Stark, Stearns, Stenholm, Strickland, Stump, Stupak, Sununu, Sweeney, Talent, Tancredo, Tanner, Tauscher, Tauzin, Taylor (MS), Taylor (NC), Terry, Thompson (CA), Thompson (MS), Thornberry, Thune, Thurman, Tiahrt, Tierney, Toomey, Towns, Traficant, Turner, Udall (CO), Udall (NM), Upton, Velazquez, Vento, Visclosky, Vitter, Walden, Walsh, Wamp, Waters, Watkins, Watt (NC), Watts (OK), Waxman, Weiner, Weldon (FL), Weldon (PA), Weller, Waxler, Weygand, Whitfield, Wicker, Wilson, Wise, Wolf, Woolsey, Wu, Wynn, Young (AK), Young (FL)

NOES—1

Capuano

NOT VOTING—11

- Barcia, Brown (CA), Carson, Houghton, Johnson, Sam, Minge, Northup, Radanovich, Salmon, Shays, Thomas

So the amendment was agreed to.

¶66.22 RECORDED VOTE

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

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

TITLE —TEACHER LIABILITY PROTECTION

SEC. 01. SHORT TITLE.

This title may be cited as the “Teacher Liability Protection Act of 1999”.

SEC. 02. FINDINGS AND PURPOSE.

(a) FINDINGS.—Congress makes the following findings:

(1) The ability of teachers, principals and other school professionals to teach, inspire and shape the intellect of our Nation’s ele-

mentary and secondary school students is deterred and hindered by frivolous lawsuits and litigation.

(2) Each year more and more teachers, principals and other school professionals face lawsuits for actions undertaken as part of their duties to provide millions of school children quality educational opportunities.

(3) Too many teachers, principals and other school professionals face increasingly severe and random acts of violence in the classroom and in schools.

(4) Providing teachers, principals and other school professionals a safe and secure environment is an important part of the effort to improve and expand educational opportunities.

(5) Clarifying and limiting the liability of teachers, principals and other school professionals who undertake reasonable actions to maintain order, discipline and an appropriate educational environment is an appropriate subject of Federal legislation because—

(A) the scope of the problems created by the legitimate fears of teachers, principals and other school professionals about frivolous, arbitrary or capricious lawsuits against teachers is of national importance; and

(B) millions of children and their families across the Nation depend on teachers, principals and other school professionals for the intellectual development of children.

(b) PURPOSE.—The purpose of this title is to provide teachers, principals and other school professionals the tools they need to undertake reasonable actions to maintain order, discipline and an appropriate educational environment.

SEC. 03. PREEMPTION AND ELECTION OF STATE NONAPPLICABILITY.

(a) PREEMPTION.—This title preempts the laws of any State to the extent that such laws are inconsistent with this title, except that this title shall not preempt any State law that provides additional protection from liability relating to teachers.

(b) ELECTION OF STATE REGARDING NON-APPLICABILITY.—This title shall not apply to any civil action in a State court against a teacher in which all parties are citizens of the State if such State enacts a statute in accordance with State requirements for enacting legislation—

- (1) citing the authority of this subsection; (2) declaring the election of such State that this title shall not apply, as of a date certain, to such civil action in the State; and (3) containing no other provisions.

SEC. 04. LIMITATION ON LIABILITY FOR TEACHERS.

(a) LIABILITY PROTECTION FOR TEACHERS.—Except as provided in subsections (b) and (c), no teacher in a school shall be liable for harm caused by an act or omission of the teacher on behalf of the school if—

(1) the teacher was acting within the scope of the teacher’s employment or responsibilities related to providing educational services;

(2) the actions of the teacher were carried out in conformity with local, state, or federal laws, rules or regulations in furtherance of efforts to control, discipline, expel, or suspend a student or maintain order or control in the classroom or school;

(3) if appropriate or required, the teacher was properly licensed, certified, or authorized by the appropriate authorities for the activities or practice in the State in which the harm occurred, where the activities were or practice was undertaken within the scope of the teacher’s responsibilities;

(4) the harm was not caused by willful or criminal misconduct, gross negligence, reckless misconduct, or a conscious, flagrant indifference to the rights or safety of the individual harmed by the teacher; and

(5) the harm was not caused by the teacher operating a motor vehicle, vessel, aircraft, or other vehicle for which the State requires the operator or the owner of the vehicle, craft, or vessel to—

- (A) possess an operator's license; or
(B) maintain insurance.

(b) CONCERNING RESPONSIBILITY OF TEACHERS TO SCHOOLS AND GOVERNMENTAL ENTITIES.—Nothing in this section shall be construed to affect any civil action brought by any school or any governmental entity against any teacher of such school.

(c) EXCEPTIONS TO TEACHER LIABILITY PROTECTION.—If the laws of a State limit teacher liability subject to one or more of the following conditions, such conditions shall not be construed as inconsistent with this section:

- (1) A State law that requires a school or governmental entity to adhere to risk management procedures, including mandatory training of teachers.
(2) A State law that makes the school or governmental entity liable for the acts or omissions of its teachers to the same extent as an employer is liable for the acts or omissions of its employees.

(3) A State law that makes a limitation of liability inapplicable if the civil action was brought by an officer of a State or local government pursuant to State or local law.

(d) LIMITATION ON PUNITIVE DAMAGES BASED ON THE ACTIONS OF TEACHERS.—

(1) GENERAL RULE.—Punitive damages may not be awarded against a teacher in an action brought for harm based on the action of a teacher acting within the scope of the teacher's responsibilities to a school or governmental entity unless the claimant establishes by clear and convincing evidence that the harm was proximately caused by an action of such teacher which constitutes willful or criminal misconduct, or a conscious, flagrant indifference to the rights or safety of the individual harmed.

(2) CONSTRUCTION.—Paragraph (1) does not create a cause of action for punitive damages and does not preempt or supersede any Federal or State law to the extent that such law would further limit the award of punitive damages.

(e) EXCEPTIONS TO LIMITATIONS ON LIABILITY.—

(1) IN GENERAL.—The limitations on the liability of a teacher under this title shall not apply to any misconduct that—

(A) constitutes a crime of violence (as that term is defined in section 16 of title 18, United States Code) or act of international terrorism (as that term is defined in section 2331 of title 18, United States Code) for which the defendant has been convicted in any court;

(B) involves a sexual offense, as defined by applicable State law, for which the defendant has been convicted in any court;

(C) involves misconduct for which the defendant has been found to have violated a Federal or State civil rights law; or

(D) where the defendant was under the influence (as determined pursuant to applicable State law) of intoxicating alcohol or any drug at the time of the misconduct.

(2) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to effect subsection (a)(3) or (d).

SEC. 05. LIABILITY FOR NONECONOMIC LOSS.

(a) GENERAL RULE.—In any civil action against a teacher, based on an action of a teacher acting within the scope of the teacher's responsibilities to a school or governmental entity, the liability of the teacher for noneconomic loss shall be determined in accordance with subsection (b).

(b) AMOUNT OF LIABILITY.—

(1) IN GENERAL.—Each defendant who is a teacher, shall be liable only for the amount

of noneconomic loss allocated to that defendant in direct proportion to the percentage of responsibility of that defendant (determined in accordance with paragraph (2)) for the harm to the claimant with respect to which that defendant is liable. The court shall render a separate judgment against each defendant in an amount determined pursuant to the preceding sentence.

(2) PERCENTAGE OF RESPONSIBILITY.—For purposes of determining the amount of noneconomic loss allocated to a defendant who is a teacher under this section, the trier of fact shall determine the percentage of responsibility of that defendant for the claimant's harm.

SEC. 06. DEFINITIONS.

For purposes of this title:

(1) ECONOMIC LOSS.—The term "economic loss" means any pecuniary loss resulting from harm (including the loss of earnings or other benefits related to employment, medical expense loss, replacement services loss, loss due to death, burial costs, and loss of business or employment opportunities) to the extent recovery for such loss is allowed under applicable State law.

(2) HARM.—The term "harm" includes physical, nonphysical, economic, and noneconomic losses.

(3) NONECONOMIC LOSSES.—The term "noneconomic losses" means losses for physical and emotional pain, suffering, inconvenience, physical impairment, mental anguish, disfigurement, loss of enjoyment of life, loss of society and companionship, loss of consortium (other than loss of domestic service), hedonic damages, injury to reputation and all other nonpecuniary losses of any kind or nature.

(4) SCHOOL.—The term "school" means a public or private kindergarten, a public or private elementary school or secondary school (as defined in section 14101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 8801)), or a home school.

(5) STATE.—The term "State" means each of the several States of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, any other territory or possession of the United States, or any political subdivision of any such State, territory, or possession.

(6) TEACHER.—The term "teacher" means a teacher, instructor, principal, administrator, or other educational professional that works in a school, a local school board and any member of such board, and a local educational agency and any employee of such agency.

SEC. 07. EFFECTIVE DATE.

(a) IN GENERAL.—This title shall take effect 90 days after the date of enactment of this Act.

(b) APPLICATION.—This title applies to any claim for harm caused by an act or omission of a teacher where that claim is filed on or after the effective date of this Act, without regard to whether the harm that is the subject of the claim or the conduct that caused the harm occurred before such effective date.

It was decided in the { Yeas ..... 300 affirmative ..... } { Nays ..... 126

Table listing names of representatives: Bryant, Hobson, Portman, Burr, Hoekstra, Price (NC), Burton, Holden, Pryce (OH), Buyer, Hooley, Quinn, Callahan, Horn, Radanovich, Calvert, Hostettler, Rahall, Camp, Hulshof, Ramstad, Canady, Hunter, Regula, Cannon, Hutchinson, Reyes, Cardin, Hyde, Reynolds, Castle, Inslee, Riley, Chabot, Isakson, Rodriguez, Chambliss, Istook, Roemer, Chenoweth, Jefferson, Rogan, Clement, Jenkins, Rogers, Clyburn, John, Rohrabacher, Coble, Johnson (CT), Ros-Lehtinen, Coburn, Jones (NC), Roukema, Collins, Kanjorski, Royce, Combest, Kaptur, Ryan (WI), Condit, Kasich, Ryun (KS), Cook, Kelly, Sabo, Cooksey, Kildee, Sanchez, Costello, Kind (WI), Sandin, Cox, King (NY), Sanford, Cramer, Kingston, Sawyer, Crane, Klink, Saxton, Cubin, Knollenberg, Schaffer, Cunningham, Kolbe, Sensenbrenner, Danner, Kuykendall, Sessions, Davis (VA), Lampson, Shadegg, Deal, Lantos, Shaw, DeFazio, Largent, Sherwood, DeLay, Larson, Shimkus, DeMint, Latham, Shows, Dickey, LaTourette, Shuster, Dicks, Lazio, Simpson, Dooley, Leach, Siskiy, Doyle, Lewis (CA), Skeen, Dreier, Lewis (KY), Skelton, Duncan, Linder, Smith (MI), Dunn, Lipinski, Smith (NJ), Edwards, LoBiondo, Smith (TX), Ehlers, Lucas (KY), Smith (WA), Emerson, Lucas (OK), Souder, Engel, Luther, Spence, English, Martinez, Spratt, Etheridge, Mascara, Stabenow, Evans, Matsui, Stearns, Everett, McCarthy (MO), Stenholm, Ewing, McCarthy (NY), Stump, Fletcher, McCollum, Stupak, Forbes, McHugh, Sununu, Fossella, McInnis, Sweeney, Fowler, McIntosh, Talent, Franks (NJ), McIntyre, Tancredo, Frelinghuysen, McKeon, Tanner, Frost, McKinney, Tauscher, Gallegly, McNulty, Tauzin, Ganske, Metcalf, Taylor (MS), Gekas, Mica, Taylor (NC), Gephardt, Miller (FL), Terry, Gibbons, Miller, Gary, Thompson (MS), Gilchrest, Mollohan, Thornberry, Gillmor, Moore, Thune, Goode, Moran (KS), Thurman, Goodlatte, Moran (VA), Tiahrt, Goodling, Murtha, Toomey, Gordon, Myrick, Towns, Goss, Nethercutt, Traficant, Graham, Ney, Turner, Granger, Northup, Upton, Green (TX), Norwood, Viscolsky, Green (WI), Nussle, Walden, Greenwood, Oberstar, Walsh, Gutknecht, Obey, Wamp, Hall (OH), Ortiz, Watkins, Hall (TX), Ose, Waits (OK), Hansen, Oxley, Weldon (FL), Hastings (WA), Packard, Weldon (PA), Hayes, Pascrell, Weller, Hayworth, Pease, Whitfield, Hefley, Peterson (MN), Wicker, Herger, Peterson (PA), Wilson, Hill (IN), Petri, Wise, Hill (MT), Phelps, Wolf, Hilleary, Pickering, Wu, Hilliard, Pitts, Wynn, Hinchey, Pombo, Young (AK), Hinojosa, Pomeroy, Young (FL)

66.23

[Roll No. 229]

AYES—300

Table listing names of representatives: Aderholt, Bartlett, Blumenauer, Archer, Barton, Blunt, Armye, Bass, Boehlert, Bachus, Bentzen, Boehner, Baird, Bereuter, Bonilla, Baker, Berry, Borski, Ballenger, Bilbray, Boswell, Barcia, Billrakis, Boucher, Barr, Bishop, Boyd, Barrett (NE), Bliley, Brady (TX)

NOES—126

Table listing names of representatives: Abercrombie, Becerra, Brown (FL), Ackerman, Berkley, Brown (OH), Allen, Berman, Campbell, Andrews, Biggert, Capps, Baldacci, Blagojevich, Capuano, Baldwin, Bonior, Clay, Barrett (WI), Bono, Clayton, Bateman, Brady (PA), Conyers

Coyne	Kennedy	Paul
Crowley	Kilpatrick	Payne
Cummings	Kleccka	Pelosi
Davis (FL)	Kucinich	Pickett
Davis (IL)	LaFalce	Porter
DeGette	LaHood	Rangel
DeLauro	Lee	Rivers
DeLauro	Levin	Rothman
Deutsch	Lewis (GA)	Roybal-Allard
Diaz-Balart	Lofgren	Rush
Dingell	Lowe	Sanders
Dixon	Maloney (CT)	Scarborough
Doggett	Maloney (NY)	Schakowsky
Doolittle	Manzullo	Scott
Ehrlich	Markey	Serrano
Eshoo	McCrery	Sherman
Farr	McDermott	Slaughter
Fattah	McGovern	Snyder
Finer	Meehan	Stark
Foley	Meek (FL)	Strickland
Ford	Meeks (NY)	Thompson (CA)
Frank (MA)	Menendez	Tierney
Gejdenson	Millender	Udall (CO)
Gilman	McDonald	Udall (NM)
Gonzalez	Miller, George	Velazquez
Gutierrez	Mink	Vento
Hastings (FL)	Moakley	Vitter
Hoeffel	Morella	Waters
Holt	Nadler	Watt (NC)
Hoyer	Napolitano	Waxman
Jackson (IL)	Neal	Weiner
Jackson-Lee	Olver	Wexler
(TX)	Owens	Weygand
Johnson, E. B.	Pallone	Woolsey
Jones (OH)	Pastor	

NOT VOTING—8

Brown (CA)	Johnson, Sam	Shays
Carson	Minge	Thomas
Houghton	Salmon	

So the amendment was agreed to.

¶66.24 RECORDED VOTE

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

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

**SEC. 3. EVALUATION BY GENERAL ACCOUNTING OFFICE.**

(a) EVALUATION.—Not later than October 1, 2002, the Comptroller General of the United States shall conduct a comprehensive analysis and evaluation regarding the performance of the Office of Juvenile Justice Delinquency and Prevention, its functions, its programs, and its grants under specified criteria, and shall submit the report required by subsection (b). In conducting the analysis and evaluation, the Comptroller General shall take into consideration the following factors to document the efficiency and public benefit of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5601 et seq.), excluding the Runaway and Homeless Youth Act (42 U.S.C. 5701 et seq.) and the Missing Children's Assistance Act (42 U.S.C. 5771 et seq.):

(1) The outcome and results of the programs carried out by the Office of Juvenile Justice and Delinquency Prevention and those administered through grants by Office of Juvenile Justice and Delinquency Prevention.

(2) The extent to which the agency has complied with the provisions contained in the Government Performance and Results Act of 1993 (Pub. Law 103-62; 107 Stat. 285).

(3) The extent to which the jurisdiction of, and the programs administered by, the agency duplicate or conflict with the jurisdiction and programs of other agencies.

(4) The potential benefits of consolidating programs administered by the agency with similar or duplicative programs of other agencies, and the potential for consolidating such programs.

(5) Whether the agency has acted outside the scope of its original authority, and

whether the original objectives of the agency have been achieved.

(6) Whether less restrictive or alternative methods exists to carry out the functions of the agency. Whether present functions or operations are impeded or enhanced by existing, statutes, rules, and procedures.

(7) The number and types of beneficiaries or persons served by programs carried out under the Act.

(8) The extent to which any trends or emerging conditions that are likely to affect the future nature and the extent of the problems or needs the programs carried out by the Act are intended to address.

(9) The manner with which the agency seeks public input and input from State and local governments on the performance of the functions of the agency.

(10) Whether the agency has worked to enact changes in the law intended to benefit the public as a whole rather than the specific businesses, institutions, or individuals the agency regulates or funds.

(11) The extent to which the agency grants have encouraged participation by the public as a whole in making its rules and decisions rather than encouraging participation solely by those it regulates.

(12) The extent to which the agency complies with section 552 of title 5, United States Code (commonly known as the "Freedom of Information Act").

(13) The impact of any regulatory, privacy, and paperwork concerns resulting from the programs carried out by the agency.

(14) The extent to which the agency has coordinated with state and local governments in performing the functions of the agency.

(15) Whether greater oversight is needed of programs developed with grants made by the Office of Juvenile Justice and Delinquency Prevention.

(16) The extent to which changes are necessary in the authorizing statutes of the agency in order that the functions of the agency can be performed in a more efficient and effective manner.

(b) REPORT.—The report required by subsection (a) shall—

(1) include recommendations for legislative changes, as appropriate, based on the evaluation conducted under subsection (a), to be made to the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5601 et seq.), excluding the Runaway and Homeless Youth Act (42 U.S.C. 5701 et seq.) and the Missing Children's Assistance Act (42 U.S.C. 5771 et seq.), and

(2) shall be submitted, together with supporting materials, to the Speaker of the House of Representatives and the President pro tempore of the Senate, and made available to the public, not later than October 1, 2003.

**SEC. 4. CONTINGENT WIND-DOWN AND REPEAL OF JUVENILE JUSTICE AND DELINQUENCY PREVENTION ACT OF 1974.**

If funds are not authorized before October 1, 2004, to be appropriated to carry out title II of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5611–5676) for fiscal year 2005, then—

(1) effective October 1, 2004—

(A) sections 205, 206, and 299, and

(B) parts B, C, D, E, F, G, H, and I,

of the Juvenile Justice and Delinquency Prevention Act of 1974 are repealed, and

(2) effective October 1, 2005—

(A) the 1st section, and

(B) titles I and II,

of the Juvenile Justice and Delinquency Prevention Act of 1974 are repealed.

It was decided in the affirmative ..... { Yeas ..... 364 Nays ..... 60

¶66.25 [Roll No. 230]

AYES—364

Abercrombie	Dreier	Latham
Aderholt	Duncan	LaTourette
Andrews	Dunn	Lazio
Archer	Edwards	Leach
Armey	Ehlers	Lewis (CA)
Bachus	Ehrlich	Lewis (KY)
Baird	Emerson	Linder
Baker	Engel	Lipinski
Baldacci	English	LoBiondo
Baldwin	Etheridge	Lofgren
Ballenger	Evans	Lucas (KY)
Barcia	Everett	Luther
Barr	Ewing	Maloney (NY)
Barrett (NE)	Fletcher	Manzullo
Barrett (WI)	Foley	Markey
Bartlett	Forbes	Martinez
Barton	Ford	Mascara
Bass	Fossella	Matsui
Bateman	Fowler	McCarthy (MO)
Bentsen	Franks (NJ)	McCarthy (NY)
Bereuter	Frelinghuysen	McCollum
Berkley	Frost	McCrery
Berry	Galleghy	McDermott
Biggett	Ganske	McGovern
Bilbray	Gejdenson	McHugh
Bilirakis	Gekas	McInnis
Bishop	Gephardt	McIntosh
Blagojevich	Gibbons	McIntyre
Bliley	Gilchrest	McKeon
Blumenauer	Gillmor	McKinney
Blunt	Goode	McNulty
Boehner	Goodlatte	Meehan
Bonilla	Goodling	Metcalf
Bonior	Gordon	Mica
Bono	Goss	Miller (FL)
Borski	Graham	Miller, Gary
Boswell	Granger	Moakley
Boucher	Green (TX)	Mollohan
Boyd	Green (WI)	Moore
Brady (PA)	Gutierrez	Moran (KS)
Brady (TX)	Gutknecht	Moran (VA)
Brown (FL)	Hall (OH)	Murtha
Brown (OH)	Hall (TX)	Myrick
Bryant	Hansen	Napolitano
Burr	Hastings (WA)	Neal
Burton	Hayes	Nethercutt
Buyer	Hayworth	Ney
Callahan	Hefley	Northup
Calvert	Herger	Norwood
Camp	Hill (IN)	Nussle
Campbell	Hill (MT)	Oberstar
Canady	Hilleary	Obey
Cannon	Hilliard	Ortiz
Capps	Hinojosa	Ose
Capuano	Hobson	Oxley
Cardin	Hoeffel	Packard
Chabot	Hoekstra	Pascarell
Chambliss	Holden	Pastor
Chenoweth	Holt	Paul
Clayton	Hooley	Pease
Clement	Horn	Peterson (MN)
Clyburn	Hostettler	Peterson (PA)
Coble	Hoyer	Petri
Coburn	Hulshof	Phelps
Collins	Hunter	Pickering
Combest	Huthinson	Pickett
Condit	Hyde	Pitts
Cook	Inslee	Pombo
Cooksey	Isakson	Pomeroy
Costello	Istook	Portman
Cox	Jefferson	Price (NC)
Cramer	Jenkins	Pryce (OH)
Crane	John	Quinn
Crowley	Johnson (CT)	Radanovich
Cubin	Johnson, E. B.	Rahall
Cunningham	Jones (NC)	Ramstad
Danner	Kanjorski	Rangel
Davis (FL)	Kaptur	Regula
Davis (VA)	Kasich	Reyes
Deal	Kelly	Reynolds
DeFazio	Kildee	Riley
DeGette	Kind (WI)	Rivers
DeLauro	King (NY)	Rodriguez
DeLay	Kingston	Roemer
DeMint	Kleccka	Rogan
Diaz-Balart	Knollenberg	Rogers
Dickey	Kolbe	Rohrabacher
Dicks	Kuykendall	Ros-Lehtinen
Dixon	LaFalce	Rothman
Doggett	LaHood	Roukema
Dooley	Lampson	Royce
Doolittle	Lantos	Ryan (WI)
Doyle	Largent	Ryun (KS)
	Larson	Sabo

Sanders	Souder	Udall (CO)
Sandlin	Spence	Udall (NM)
Sanford	Spratt	Upton
Sawyer	Stearns	Velazquez
Saxton	Stenholm	Vento
Scarborough	Strickland	Visclosky
Schaffer	Stump	Vitter
Schakowsky	Stupak	Walden
Sensenbrenner	Sununu	Walsh
Serrano	Sweeney	Wamp
Sessions	Talent	Watkins
Shadegg	Tancredo	Watts (OK)
Shaw	Tanner	Weldon (FL)
Sherman	Tauscher	Weldon (PA)
Sherwood	Tauzin	Weller
Shimkus	Taylor (MS)	Weygand
Shows	Taylor (NC)	Whitfield
Shuster	Terry	Wicker
Simpson	Thompson (CA)	Wilson
Sisisky	Thompson (MS)	Wise
Skeen	Thornberry	Wolf
Skelton	Thune	Woolsey
Slaughter	Thurman	Wu
Smith (MI)	Tiahrt	Wynn
Smith (NJ)	Tierney	Young (AK)
Smith (TX)	Toomey	Young (FL)
Smith (WA)	Trafficant	
Snyder	Turner	

NOES—60

Ackerman	Hastings (FL)	Morella
Allen	Hinchee	Nadler
Becerra	Jackson (IL)	Olver
Berman	Jackson-Lee	Owens
Boehlert	(TX)	Pallone
Castle	Jones (OH)	Payne
Clay	Kennedy	Pelosi
Conyers	Kilpatrick	Porter
Coyne	Klink	Roybal-Allard
Cummings	Kucinich	Rush
Davis (IL)	Lee	Sanchez
Deutsch	Levin	Scott
Dingell	Lewis (GA)	Stabenow
Eshoo	Lowey	Stark
Farr	Maloney (CT)	Towns
Fattah	Meeke (FL)	Waters
Filner	Meeks (NY)	Watt (NC)
Frank (MA)	Millender-	Waxman
Gilman	McDonald	Weiner
Gonzalez	Miller, George	Wexler
Greenwood	Mink	

NOT VOTING—10

Brown (CA)	Lucas (OK)	Shays
Carson	Menendez	Thomas
Houghton	Minge	
Johnson, Sam	Salmon	

So the amendment was agreed to. The SPEAKER pro tempore, Mr. LAHOOD, assumed the Chair. When Mr. THORNBERRY, Chairman, pursuant to House Resolution 209, reported the bill back to the House with sundry amendments adopted by the Committee. The previous question having been ordered by said resolution. Mr. COBURN demanded a separate vote on the amendment at the end of the bill (the EMERSON amendment). The following remaining amendments, reported from the Committee of the Whole House on the state of the Union were then agreed to:

Page 3, strike lines 23 and 24, and insert the following:  
 “(9) establishing and maintaining an automated system of records relating to any adjudication of juveniles less than 18 years of age who are adjudicated delinquent for conduct that would be a violent crime if committed by an adult, that—  
 “(A) is equivalent to the system of records that would be kept of adults arrested for such conduct, including fingerprint records and photograph records;  
 “(B) provides for submitting such juvenile records to the Federal Bureau of Investigation in the same manner as adult criminal records are so submitted;  
 “(C) requires the retention of juvenile records for a period of time that is equal to

the period of time for which adult criminal records are retained; and  
 “(D) makes available, on an expedited basis, to law enforcement agencies, to courts, and to school officials who shall be subject to the same standards and penalties that apply under Federal and State law to law enforcement and juvenile justice personnel with respect to handling such records and disclosing information contained in such records;

Page 4, after line 21, insert the following:  
 (14) establishing and maintaining restorative justice programs.

(c) DEFINITION.—For purposes of this section, the term “restorative justice program” means a program that emphasizes the moral accountability of an offender toward the victim and the affected community, and may include community reparations boards, restitution, and mediation between victim and offender.”

Page 4, line 11, strike the period and insert the following: “, and accountability-based, proactive programs, including anti-gang programs, developed by law enforcement agencies to combat juvenile crime;”.

Page 3, after line 10, insert the following (and redesignate any subsequent paragraphs accordingly):

“(6) providing funding to prosecutors for the purpose of establishing and maintaining juvenile witness assistance programs;”.

Page 4, line 18, strike “and” at the end. Page 4, line 21, strike the period at the end and insert a semicolon.

Page 4, after line 21, insert the following (and make such technical and conforming changes as may be appropriate):

“(14) supporting the independent State development and operation of confidential, toll-free telephone hotlines that will operate 7 days per week, 24 hours per day, in order to provide students, school officials, and other individuals with the opportunity to report specific threats of imminent school violence or to report other suspicious or criminal conduct by juveniles to appropriate State and local law enforcement entities for investigation;

“(15) ensuring proper State training of personnel who answer and respond to telephone calls to hotlines described in paragraph (14);

“(16) assisting in the acquisition of technology necessary to enhance the effectiveness of hotlines described in paragraph (14), including the utilization of Internet webpages or resources;

“(17) enhancing State efforts to offer appropriate counseling services to individuals who call a hotline described in paragraph (14) threatening to do harm to themselves or others; and

“(18) furthering State efforts to publicize the services offered by the hotlines described in paragraph (14) and to encourage individuals to utilize those services.

Page 1, beginning on line 4, strike “Consequences for Juvenile Offenders” and insert “Child Safety and Youth Violence Prevention”.

Page 1, after line 5, insert the following:

SEC. 2. TABLE OF CONTENTS.

The table of contents of this Act is as follows:

- Sec. 1. Short title.
- Sec. 2. Table of contents.

TITLE I—CONSEQUENCES FOR JUVENILE OFFENDERS ACT OF 1999

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

TITLE II—JUVENILE JUSTICE REFORM

- Sec. 201. Delinquency proceedings or criminal prosecutions in district courts.
- Sec. 202. Custody prior to appearance before judicial officer.

- Sec. 203. Technical and conforming amendments to section 5034.
- Sec. 204. Detention prior to disposition or sentencing.
- Sec. 205. Speedy trial.
- Sec. 206. Disposition; availability of increased detention, fines and supervised release for juvenile offenders.
- Sec. 207. Juvenile records and fingerprinting.
- Sec. 208. Technical amendments of sections 5031 and 5034.
- Sec. 209. Clerical amendments to table of sections for chapter 403.

TITLE III—EFFECTIVE ENFORCEMENT OF FEDERAL FIREARMS LAWS

- Sec. 301. Armed criminal apprehension program.
- Sec. 302. Annual reports.
- Sec. 303. Authorization of appropriations.
- Sec. 304. Cross-designation of Federal prosecutors.

TITLE IV—LIMITING JUVENILE ACCESS TO FIREARMS AND EXPLOSIVES

- Sec. 401. Increased penalties for unlawful juvenile possession of firearms.
- Sec. 402. Increased penalties and mandatory minimum sentence for unlawful transfer of firearm to juvenile.
- Sec. 403. Prohibiting possession of explosives by juveniles and young adults.

TITLE V—PREVENTING CRIMINAL ACCESS TO FIREARMS AND EXPLOSIVES

- Sec. 501. Criminal prohibition on distribution of certain information relating to explosives, destructive devices, and weapons of mass destruction.
- Sec. 502. Requiring thefts from common carriers to be reported.
- Sec. 503. Voluntary submission of dealer's records.
- Sec. 504. Grant program for juvenile records.

TITLE VI—PUNISHING AND DETERRING CRIMINAL USE OF FIREARMS AND EXPLOSIVES

- Sec. 601. Mandatory minimum sentence for discharging a firearm in a school zone.
- Sec. 602. Apprehension and procedural treatment of armed violent criminals.
- Sec. 603. Increased penalties for possessing or transferring stolen firearms.
- Sec. 604. Increased mandatory minimum penalties for using a firearm to commit a crime of violence or drug trafficking crime.
- Sec. 605. Increased penalties for misrepresented firearms purchase in aid of a serious violent felony.
- Sec. 606. Increasing penalties on gun kingpins.
- Sec. 607. Serious recordkeeping offenses that aid gun trafficking.
- Sec. 608. Termination of firearms dealer's license upon felony conviction.
- Sec. 609. Increased penalty for transactions involving firearms with obliterated serial numbers.
- Sec. 610. Forfeiture for gun trafficking.
- Sec. 611. Increased penalty for firearms conspiracy.
- Sec. 612. Gun convictions as predicate crimes for Armed Career Criminal Act.
- Sec. 613. Serious juvenile drug trafficking offenses as Armed Career Criminal Act predicates.
- Sec. 614. Forfeiture of firearms used in crimes of violence and felonies.
- Sec. 615. Separate licenses for gunsmiths.
- Sec. 616. Permits and background checks for purchases of explosives.
- Sec. 617. Persons prohibited from receiving or possessing explosives.

- TITLE VII—PUNISHING GANG VIOLENCE AND DRUG TRAFFICKING TO MINORS
- Sec. 701. Increased mandatory minimum penalties for using minors to distribute drugs.
- Sec. 702. Increased mandatory minimum penalties for distributing drugs to minors.
- Sec. 703. Increased mandatory minimum penalties for drug trafficking in or near a school or other protected location.
- Sec. 704. Criminal street gangs.
- Sec. 705. Increase in offense level for participation in crime as a gang member.
- Sec. 706. Interstate and foreign travel or transportation in aid of criminal gangs.
- Sec. 707. Gang-related witness intimidation and retaliation.

**TITLE I—CONSEQUENCES FOR JUVENILE OFFENDERS ACT OF 1999**

**SEC. 101. SHORT TITLE.**

This title may be cited as the “Consequences for Juvenile Offenders Act of 1999”.

Page 2, line 1, strike “2” and insert “102”.

Page 4, line 11, strike the period and insert a semicolon.

Page 6, line 10, strike “juvenile” and all that follows through “every” on line 11 and insert the following: “a juvenile offender for each delinquent”.

Page 6, line 13, strike “or criminal”.

Page 16, line 16, strike “utilized” and insert the following: “used by a State or unit of local government that receives a grant under this part”.

Page 16, line 18, strike “(a)(2)” and insert “(b)”.

Page 20, strike line 4, and insert the following:

(b) CLERICAL AMENDMENTS.—

(1) AUTHORIZATION OF APPROPRIATIONS.—Section 1001(a)(16) of the Omnibus Crime Control and Safe Streets Act of 1965 is amended by striking subparagraph (E).

(2) TABLE OF CONTENTS.—The table of contents

At the end of the bill, insert the following:

**TITLE II—JUVENILE JUSTICE REFORM**

**SEC. 201. 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 or Indian tribal 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 or Indian tribe does not have jurisdiction or declines to assume jurisdiction over the juvenile with respect to the alleged act of juvenile delinquency, or

“(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 or tribe.

“(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 public safety 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 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.

“(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 a juvenile who has not attained the age of 14 and 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)(4) or (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. 202. 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. 203. 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. 204. 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) A juvenile alleged to be delinquent or a juvenile being prosecuted as an adult, if detained at any time prior to sentencing, shall be detained in such suitable place as the Attorney General may designate. Whenever appropriate, detention shall be in a foster home or community based facility. Preference shall be given to a place located within, or within a reasonable distance of, the district in which the juvenile is being prosecuted.

“(b) To the maximum extent feasible, a juvenile 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.

“(c) A juvenile who is proceeded against under section 5032(a) 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.

“(d) 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. 205. 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. 206. 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 appro-

priate 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 outpatient 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. 207. 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. 208. 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. 209. 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 III—EFFECTIVE ENFORCEMENT OF FEDERAL FIREARMS LAWS**

**SEC. 301. ARMED CRIMINAL APPREHENSION PROGRAM.**

(a) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, the Attorney General shall establish in the office of each United States Attorney a program that meets the requirements of subsections (b) and (c). The program shall be known as the “Armed Criminal Apprehension Program”.

(b) PROGRAM REQUIREMENTS.—In the office of each United States Attorney, the program established under subsection (a) shall—

(1) provide for coordination with State and local law enforcement officials in the identification of violations of Federal firearms laws;

(2) provide for the establishment of agreements with State and local law enforcement officials for the referral to the Bureau of Alcohol, Tobacco, and Firearms and the United States Attorney for prosecution of persons arrested for violations of chapter 44 of title 18, United States Code, or section 5861(d) or 5861(h) of the Internal Revenue Code of 1986, relating to firearms;

(3) require that the United States Attorney designate not less than 1 Assistant United States Attorney to prosecute violations of Federal firearms laws;

(4) provide for the hiring of agents for the Bureau of Alcohol, Tobacco, and Firearms to investigate violations of the provisions referred to in paragraph (2); and

(5) ensure that each person referred to the United States Attorney under paragraph (2) be charged with a violation of the most serious Federal firearm offense consistent with the act committed.

(c) PUBLIC EDUCATION CAMPAIGN.—As part of the program, each United States Attorney shall carry out, in cooperation with local civic, community, law enforcement, and religious organizations, an extensive media and public outreach campaign focused in high-crime areas to—

(1) educate the public about the severity of penalties for violations of Federal firearms laws; and

(2) encourage law-abiding citizens to report the possession of illegal firearms to authorities.

(d) WAIVER AUTHORITY.—

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

(2) PROVISION OF WAIVER.—The Attorney General may waive the requirements of subsection (b) 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.

**SEC. 302. ANNUAL REPORTS.**

Not later than 1 year after the date of enactment of this Act, and annually thereafter, the Attorney General shall submit to the Committees on the Judiciary of Senate and House of Representatives a report containing the following information:

(1) The number of Assistant United States Attorneys designated under the program under section 301 and cross-designated under section 304 during the year preceding the year in which the report is submitted in order to prosecute violations of Federal firearms laws in Federal court.

(2) The number of individuals indicted for such violations during that year by reason of the program.

(3) The increase or decrease in the number of individuals indicted for such violations during that year by reason of the program when compared with the year preceding that year.

(4) The number of individuals held without bond in anticipation of prosecution by reason of the program.

(5) The average length of prison sentence of the individuals convicted of violations of Federal firearms laws by reason of the program.

**SEC. 303. AUTHORIZATION OF APPROPRIATIONS.**

(a) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out the program under section 301 \$50,000,000 for fiscal year 2000, of which—

(1) \$40,000,000 shall be used for salaries and expenses of Assistant United States Attorneys and Bureau of Alcohol, Tobacco, and Firearms agents; and

(2) \$10,000,000 shall be available for the public relations campaign required by subsection (c) of that section.

(b) USE OF FUNDS.—

(1) The Assistant United States Attorneys hired using amounts appropriated pursuant to the authorization of appropriations in subsection (a) shall prosecute violations of Federal firearms laws in accordance with section 301(b)(3).

(2) The Bureau of Alcohol, Tobacco, and Firearms agents hired using amounts appropriated pursuant to the authorization of appropriations in subsection (a) shall, to the maximum extent practicable, concentrate their investigations on violations of Federal firearms laws in accordance with section 301(b)(4).

(3) It is the sense of Congress that amounts made available under this section for the public education campaign required by section 301(c) should, to the maximum extent practicable, be matched with State or local funds or private donations.

(c) AUTHORIZATION OF ADDITIONAL APPROPRIATIONS.—In addition to amounts made available under subsection (a), there is authorized to be appropriated to the Administrative Office of the United States Courts such sums as may be necessary to carry out this title.

**SEC. 304. CROSS-DESIGNATION OF FEDERAL PROSECUTORS.**

To better assist state and local law enforcement agencies in the investigation and prosecution of firearms offenses, each United States Attorney may cross-designate one or more Assistant United States Attorneys to prosecute firearms offenses under State law that are similar to those listed in section 301(b)(2) in State and local courts.

**TITLE IV—LIMITING JUVENILE ACCESS TO FIREARMS AND EXPLOSIVES**

**SEC. 401. INCREASED PENALTIES FOR UNLAWFUL JUVENILE POSSESSION OF FIREARMS.**

Section 924(a) of title 18, United States Code, is amended—

(1) in paragraph (4) by striking “Whoever” and inserting “Except as provided in paragraph (6) of this subsection, whoever”; and

(2) by striking paragraph (6) and inserting the following:

“(6)(A) A juvenile who violates section 922(x) shall be fined under this title, imprisoned not more than 1 year, or both, except—

“(i) the juvenile shall be fined under this title, imprisoned not more than 5 years, or both, if—

“(I) the offense of which the juvenile is charged is a violation of section 922(x); and

“(II) the violation was also with the intent to possess the handgun, ammunition, large capacity ammunition feeding device, or semiautomatic assault weapon giving rise to the violation in a school zone, or knowing that another juvenile intends to possess the handgun, ammunition, large capacity feeding device, or semiautomatic assault weapon giving rise to the violation in a school zone;

“(ii) the juvenile shall be fined under this title, imprisoned not more than 20 years, or both, if—

“(I) the offense of which the juvenile is charged is a violation of section 922(x); and

“(II) the violation was also with the intent also to use the handgun, ammunition, large capacity ammunition feeding device, or semiautomatic assault weapon giving rise to the violation in the commission of a violent felony, or knowing that another juvenile intends to use the handgun, ammunition, large capacity ammunition feeding device, or semiautomatic assault weapon giving rise to the violation in the commission of a serious violent felony.

“(B) For purposes of this paragraph, the term ‘serious violent felony’ has the meaning given the term in section 3559(c)(2)(F).

“(C) Except as otherwise provided in this chapter, in any case in which a juvenile is prosecuted in a district court of the United States, and the juvenile is subject to penalties under subparagraph (A)(ii), the juvenile shall be subject to the same laws, rules, and proceedings regarding sentencing (including the availability of probation, restitution, fines, forfeiture, imprisonment, and supervised release) that would be applicable in the case of an adult. No juvenile sentenced to a term of imprisonment shall be released from custody simply because the juvenile attains 18 years of age.”.

**SEC. 402. INCREASED PENALTIES AND MANDATORY MINIMUM SENTENCE FOR UNLAWFUL TRANSFER OF FIREARM TO JUVENILE.**

Section 924(a)(6) of title 18, United States Code, is further amended by redesignating subparagraphs (B) and (C) as subparagraphs (C) and (D), respectively, and by inserting after subparagraph (A) the following:

“(B) A person other than a juvenile who knowingly violates section 922(x)—

“(i) shall be fined under this title, imprisoned not more than 5 years, or both;

“(ii) if the person violated section 922(x)(1) knowing that a juvenile intended to possess the handgun, ammunition, large capacity ammunition feeding device, or semiautomatic assault weapon giving rise to the violation of section 922(x)(1) in a school zone, shall be fined under this title and imprisoned not less than 3 years and not more than 20 years; and

“(iii) if the person violated section 922(x)(1) knowing that a juvenile intended to use the handgun, ammunition, large capacity ammunition feeding device, or semiautomatic assault weapon giving rise to the violation of section 922(x)(1) in the commission of a serious violent felony, shall be imprisoned not less than 10 years and not more than 20 years and fined under this title.”.

**SEC. 403. PROHIBITING POSSESSION OF EXPLOSIVES BY JUVENILES AND YOUNG ADULTS.**

Section 842 of title 18, United States Code, is amended by adding at the end the following:

“(r)(1) It shall be unlawful for any person who has not attained 21 years of age to ship or transport any explosive materials in interstate or foreign commerce or to receive or possess any explosive materials which has been shipped or transported in interstate or foreign commerce.

“(2) This subsection shall not apply to commercially manufactured black powder in bulk quantities not to exceed five pounds, and if the person is less than 18 years of age, the person has the prior written consent of the person’s parents or guardian who is not prohibited by Federal, State, or local law from possessing explosive materials, and the person has the prior written consent in the person’s possession at all times when the black powder is in the possession of the person.”.

**TITLE V—PREVENTING CRIMINAL ACCESS TO FIREARMS AND EXPLOSIVES**

**SEC. 501. CRIMINAL PROHIBITION ON DISTRIBUTION OF CERTAIN INFORMATION RELATING TO EXPLOSIVES, DESTRUCTIVE DEVICES, AND WEAPONS OF MASS DESTRUCTION.**

(a) UNLAWFUL CONDUCT.—Section 842 of title 18, United States Code, is amended by adding at the end the following:

“(p)(1) For purposes of this subsection:

“(A) The term ‘destructive device’ has the same meaning as in section 921(a)(4).

“(B) The term ‘explosive’ has the same meaning as in section 844(j).

“(C) The term ‘weapon of mass destruction’ has the same meaning as in section 2332a(c)(2).

“(2) It shall be unlawful for any person—

“(A) to teach or demonstrate the making or use of an explosive, a destructive device, or a weapon of mass destruction, or to distribute by any means information pertaining to, in whole or in part, the manufacture or use of an explosive, destructive device, or weapon of mass destruction, with the intent that the teaching, demonstration, or information be used for, or in furtherance of, an activity that constitutes a Federal crime of violence; or

“(B) to teach or demonstrate to any person the making or use of an explosive, a destructive device, or a weapon of mass destruction, or to distribute to any person, by any means, information pertaining to, in whole or in part, the manufacture or use of an explosive, destructive device, or weapon of mass destruction, knowing that such person intends to use the teaching, demonstration, or information for, or in furtherance of, an activity that constitutes a Federal crime of violence.”.

(b) PENALTIES.—Section 844 of title 18, United States Code, is amended—

(1) in subsection (a), by striking “person who violates any of subsections” and inserting the following: “person who—

“(1) violates any of subsections”;

(2) by striking the period and inserting “; and”;

(3) by adding at the end the following:

“(2) violates section 842(p)(2), shall be fined under this title, imprisoned not more than 20 years, or both.”; and

(4) in subsection (j), by inserting “and section 842(p),” after “this section.”.

**SEC. 502. REQUIRING THEFTS FROM COMMON CARRIERS TO BE REPORTED.**

(a) Section 922(f) of title 18, United States Code, is amended by adding at the end the following:

“(3)(A) It shall be unlawful for any common or contract carrier to fail to report the theft or loss of a firearm within 48 hours

after the theft or loss is discovered. The theft or loss shall be reported to the Secretary and to the appropriate local authorities.

“(B) The Secretary may impose a civil fine of not more than \$10,000 on any person who knowingly violates subparagraph (A).”.

(b) Section 924(a)(1)(B) of title 18, United States Code, is amended by striking “(f),” and inserting “(f)(1), (f)(2).”.

**SEC. 503. VOLUNTARY SUBMISSION OF DEALER’S RECORDS.**

Section 923(g)(4) of title 18, United States Code, is amended to read as follows:

“(4) Where a firearms or ammunition business is discontinued and succeeded by a new licensee, the records required to be kept by this chapter shall appropriately reflect such facts and shall be delivered to the successor. Upon receipt of such records the successor licensee may retain the records of the discontinued business or submit the discontinued business records to the Secretary. Additionally, a licensee while maintaining a firearms business may voluntarily submit the records required to be kept by this chapter to the Secretary if such records are at least 20 years old. Where discontinuance of the business is absolute, such records shall be delivered within thirty days after the business is discontinued to the Secretary. Where State law or local ordinance requires the delivery of records to another responsible authority, the Secretary may arrange for the delivery of such records to such other responsible authority.”.

**SEC. 504. GRANT PROGRAM FOR JUVENILE RECORDS.**

(a) PROGRAM AUTHORIZATION.—The Attorney General is authorized to provide grants to States to improve the quality and accessibility of juvenile records and to ensure juvenile records are routinely available for background checks performed in connection with the transfer of a firearm.

(b) ELIGIBILITY.—

(1) IN GENERAL.—A State that wishes to receive a grant under this section shall submit an application to the Attorney General that meets the requirements of paragraph (2).

(2) ASSURANCE.—The application referred to in paragraph (1) shall include an assurance that the State has in place a system of records that ensures that juvenile records are available for background checks performed in connection with the transfer of a firearm, in which such system provides that—

(A) an adjudication of an act of violent juvenile delinquency as defined in section 921(a)(20)(B) is not expunged or set aside after a juvenile reaches the age of majority; and

(B) such a juvenile record is available and retained as if it were an adult record.

(c) ALLOCATION.—Of the total funds appropriated under subsection (e), each State that meets the requirements of subsection (b), shall be allocated an amount which bears the same ratio to the amount of funds so appropriated as the population of individuals 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 such individuals of all the States that meet the requirements of subsection (b) for such fiscal year.

(d) USES OF FUNDS.—A State that receives a grant award under this section may use such funds to support the administrative record system referred to in subsection (b)(2).

(e) AUTHORIZATION OF APPROPRIATION.—There are authorized to be appropriated to carry out this section, \$25,000,000 for fiscal year 2000 and such sums as may be necessary for each of the 4 succeeding fiscal years.

**TITLE VI—PUNISHING AND DETERRING CRIMINAL USE OF FIREARMS AND EXPLOSIVES**

**SEC. 601. MANDATORY MINIMUM SENTENCE FOR DISCHARGING A FIREARM IN A SCHOOL ZONE.**

Section 924(a)(4) of title 18, United States Code, is amended—

(1) by striking “922(q) shall be fined” and inserting “922(q)(2) shall be fined”; and

(2) by inserting after the first sentence the following: “Whoever violates section 922(q)(3) with reckless disregard for the safety of another shall be fined under this title, imprisoned not more than 20 years, or both, except that if serious bodily injury results, shall be fined under this title, imprisoned not more than 25 years, or both, or if death results and the person has attained 16 years of age but has not attained 18 years of age, shall be fined under this title, sentenced to imprisonment for life or for any term of years, or both, or if death results and the person has attained 18 years of age, shall be fined under this title, sentenced to death or to imprisonment for any term of years or for life, or both. Whoever knowingly violates section 922(q)(3) shall be fined under this title, imprisoned not less than 10 years and not more than 20 years, or both, except that if serious bodily injury results, shall be fined under this title, imprisoned not less than 15 years and not more than 25 years, or both, or if death results and the person has attained 16 years of age but has not attained 18 years of age, shall be fined under this title, sentenced to imprisonment for life, or both, or if death results and the person has attained 18 years of age, shall be fined under this title, sentenced to death or to imprisonment for life, or both.”.

**SEC. 602. APPREHENSION AND PROCEDURAL TREATMENT OF ARMED VIOLENT CRIMINALS.**

(a) PRETRIAL DETENTION FOR POSSESSION OF FIREARMS OR EXPLOSIVES BY CONVICTED FELONS.—Section 3156(a)(4) of title 18, United States Code, is amended—

(1) by striking “or” at the end of subparagraph (B);

(2) by striking “and” at the end of subparagraph (C) and inserting “or”; and

(3) by adding at the end the following:

“(D) an offense that is a violation of section 842(i) or 922(g) (relating to possession of explosives or firearms by convicted felons); and”.

(b) FIREARMS POSSESSION BY VIOLENT FELONS AND SERIOUS DRUG OFFENDERS.—Section 924(a)(2) of title 18, United States Code, is amended—

(1) by striking “Whoever” and inserting “(A) Except as provided in subparagraph (B), any person who”; and

(2) by adding at the end the following:

“(B) Notwithstanding any other provision of law, the court shall not grant a probationary sentence for such a violation to a person who has more than 1 previous conviction for a violent felony (as defined in subsection (e)(2)(B)) or a serious drug offense (as defined in subsection (e)(2)(A)), committed under different circumstances.”.

**SEC. 603. INCREASED PENALTIES FOR POSSESSING OR TRANSFERRING STORAGE FIREARMS.**

(a) IN GENERAL.—Section 924 of title 18, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (2), by striking “(i), (j),”; and

(B) by adding at the end the following:

“(8) Whoever knowingly violates subsection (i) or (j) of section 922 shall be fined under this title, imprisoned not more than 15 years, or both.”;

(2) in subsection (i)(1), by striking “10” and inserting “15”; and

(3) in subsection (l), by striking "10" and inserting "15".

(b) SENTENCING COMMISSION.—The United States Sentencing Commission shall amend the Federal sentencing guidelines to reflect the amendments made by subsection (a).

**SEC. 604. INCREASED MANDATORY MINIMUM PENALTIES FOR USING A FIREARM TO COMMIT A CRIME OF VIOLENCE OR DRUG TRAFFICKING CRIME.**

Section 924 of title 18, United States Code, is amended—

(1) in subsection (c)(1)(A)—  
 (A) in clause (ii), by striking "and" at the end;

(B) in clause (iii), by striking "10 years." and inserting "12 years; and"; and

(C) by adding at the end the following:  
 "(iv) if the firearm is used to injure another person, be sentenced to a term of imprisonment of not less than 15 years."; and

(2) in subsection (h), by striking "imprisoned not more than 10 years" and inserting "imprisoned not less than 5 years and not more than 10 years".

**SEC. 605. INCREASED PENALTIES FOR MISREPRESENTED FIREARMS PURCHASE IN AID OF A SERIOUS VIOLENT FELONY.**

(a) IN GENERAL.—Section 924(a) of title 18, United States Code, is amended by adding at the end the following:

"(7)(A) Notwithstanding paragraph (2), whoever knowingly violates section 922(a)(6) for the purpose of selling, delivering, or otherwise transferring a firearm, knowing or having reasonable cause to know that another person will carry or otherwise possess or discharge or otherwise use the firearm in the commission of a serious violent felony, shall be—

"(i) fined under this title, imprisoned not more than 15 years, or both; or

"(ii) imprisoned not less than 10 and not more than 20 years and fined under this title, if the procurement is for a juvenile.

"(B) For purposes of this paragraph—  
 "(i) the term 'juvenile' has the meaning given the term in section 922(x); and

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

(b) EFFECTIVE DATE.—The amendment made by this section shall take effect 180 days after the date of enactment of this Act.

**SEC. 606. INCREASING PENALTIES ON GUN KINGS.**

(a) INCREASING THE PENALTY FOR ENGAGING IN AN ILLEGAL FIREARMS BUSINESS.—Section 924(a)(2) of title 18, United States Code, is amended by inserting "; or willfully violates section 922(a)(1)," after "section 922".

(b) SENTENCING GUIDELINES INCREASE FOR CERTAIN VIOLATIONS AND OFFENSES.—Pursuant to its authority under section 994(p) of title 28, United States Code, the United States Sentencing Commission shall—

(1) review and amend the Federal sentencing guidelines to provide an appropriate enhancement for a violation of section 922(a)(1) of title 18, United States Code; and

(2) review and amend the Federal sentencing guidelines to provide additional sentencing increases, as appropriate, for offenses involving more than 50 firearms.

The Commission shall promulgate the amendments provided for under this subsection as soon as is practicable in accordance with the procedure set forth in section 21(a) of the Sentencing Act of 1987, as though the authority under that Act had not expired.

**SEC. 607. SERIOUS RECORDKEEPING OFFENSES THAT AID GUN TRAFFICKING.**

Section 924(a)(3) of title 18, United States Code, is amended by striking the period and inserting "; but if the violation is in relation to an offense under subsection (a)(6) or (d) of section 922, shall be fined under this title,

imprisoned not more than 10 years, or both.".

**SEC. 608. TERMINATION OF FIREARMS DEALER'S LICENSE UPON FELONY CONVICTION.**

Section 925(b) of title 18, United States Code, is amended by striking "until any conviction pursuant to the indictment becomes final" and inserting "until the date of any conviction pursuant to the indictment".

**SEC. 609. INCREASED PENALTY FOR TRANSACTIONS INVOLVING FIREARMS WITH OBLITERATED SERIAL NUMBERS.**

Section 924(a) of title 18, United States Code, is amended—

(1) in paragraph (1)(B), by striking "(k)"; and

(2) in paragraph (2), by inserting "(k)," after "(j)".

**SEC. 610. FORFEITURE FOR GUN TRAFFICKING.**

Section 982(a) of title 18, United States Code, is amended by adding at the end the following:

"(9) The court, in imposing a sentence on a person convicted of a gun trafficking offense, as defined in section 981(a)(1)(G), or a conspiracy to commit such offense, shall order the person to forfeit to the United States any conveyance used or intended to be used to commit such offense, and any property traceable to such conveyance."

**SEC. 611. INCREASED PENALTY FOR FIREARMS CONSPIRACY.**

Section 924 of title 18, United States Code, is further amended by adding at the end the following:

"(q) Except as otherwise provided in this section, a person who conspires to commit an offense defined in this chapter shall be subject to the same penalties (other than the penalty of death) as those prescribed for the offense the commission of which is the object of the conspiracy."

**SEC. 612. GUN CONVICTIONS AS PREDICATE CRIMES FOR ARMED CAREER CRIMINAL ACT.**

(a) Section 924(e)(1) of title 18, United States Code, is amended—

(1) by striking "violent felony or a serious drug offense, or both," and inserting "violent felony, a serious drug offense or a violation of section 922(g)(1), or a combination of such offenses,"; and

(2) by adding at the end the following: "No more than two convictions for violations of section 922(g)(1) shall be considered in determining whether a person has three previous convictions for purposes of this subsection."

**SEC. 613. SERIOUS JUVENILE DRUG TRAFFICKING OFFENSES AS ARMED CAREER CRIMINAL ACT PREDICATES.**

Section 924(e)(2)(C) of title 18, United States Code, is amended by inserting "or serious drug offense" after "violent felony".

**SEC. 614. FORFEITURE OF FIREARMS USED IN CRIMES OF VIOLENCE AND FELONIES.**

(a) CRIMINAL FORFEITURE.—Section 982(a) of title 18, United States Code, is further amended by adding at the end the following:

"(10) The court, in imposing a sentence on a person convicted of any crime of violence (as defined in section 16 of this title) or any felony under Federal law, shall order that the person forfeit to the United States any firearm (as defined in section 921(a)(3) of this title) used or intended to be used to commit or to facilitate the commission of the offense."

(b) DISPOSAL OF PROPERTY.—Section 981(c) of title 18, United States Code, is amended by adding at the end the following flush sentence:

"Any firearm forfeited pursuant to subsection (a)(1)(H) of this section or section 982(a)(10) of this title shall be disposed of by the seizing agency in accordance with law."

(c) AUTHORITY TO FORFEIT PROPERTY UNDER SECTION 924(d).—Section 924(d) of title 18, United States Code, is amended by adding at the end the following:

"(4) Whenever any firearm is subject to forfeiture under this section, the Secretary of the Treasury shall have the authority to seize and forfeit, in accordance with the procedures of the applicable forfeiture statute, any property otherwise forfeitable under the laws of the United States that was involved in or derived from the crime of violence or drug trafficking crime described in subsection (c) in which the forfeited firearm was used or carried."

(d) 120-DAY RULE FOR ADMINISTRATIVE FORFEITURE.—Section 924(d)(1) of title 18, United States Code, is amended by adding "administrative" after "Any" in the last sentence.

(e) SECTION 3665.—Section 3665 of title 18, United States Code, is amended—

(1) by redesignating the first undesignated paragraph as subsection (a)(1) and the second undesignated paragraph as subsection (a)(2); and

(2) by adding at the end the following:

"(b) The forfeiture of property under this section, including any seizure and disposition of the property and any related administrative or judicial proceeding, shall be governed by the provisions of section 413 of the Comprehensive Drug Abuse Prevention and Control Act of 1970 (21 U.S.C. 853), except for subsection 413(d) which shall not apply to forfeitures under this section."

**SEC. 615. SEPARATE LICENSES FOR GUNSMITHS.**

(a) Section 921(a)(11) of title 18, United States Code, is amended to read as follows:

"(11) The term 'dealer' means (A) any person engaged in the business as a firearms dealer, (B) any person engaged in the business as a gunsmith, or (C) any person who is a pawnbroker. The term 'licensed dealer' means any dealer who is licensed under the provisions of this chapter."

(b) Section 921(a) of title 18, United States Code, is amended by redesignating paragraphs (12) through (33) as paragraphs (14) through (35), and by inserting after paragraph (11) the following:

"(12) The term 'firearms dealer' means any person who is engaged in the business of selling firearms at wholesale or retail.

"(13) The term 'gunsmith' means any person, other than a licensed manufacturer, licensed importer, or licensed dealer, who is engaged in the business of repairing firearms or of making or fitting special barrels, stocks or trigger mechanisms to firearms."

(c) Section 923(a)(3) of title 18, United States Code is amended to read as follows:

"(3) If the applicant is a dealer who is—

"(A) a dealer in destructive devices or ammunition for destructive devices, a fee of \$1,000 per year;

"(B) a dealer in firearms who is not a dealer in destructive devices, a fee of \$200 for 3 years, except that the fee for renewal of a valid license shall be \$90 for 3 years; or

"(C) a gunsmith, a fee of \$100 for 3 years, except that the fee for renewal of a valid license shall be \$50 for 3 years."

**SEC. 616. PERMITS AND BACKGROUND CHECKS FOR PURCHASES OF EXPLOSIVES.**

(a) PERMITS FOR PURCHASE OF EXPLOSIVES IN GENERAL.—Section 842 of title 18, United States Code, is amended—

(1) by amending subparagraphs (A) and (B) of subsection (a)(3) to read as follows:

"(A) to transport, ship, cause to be transported, or receive any explosive materials; or  
 "(B) to distribute explosive materials to any person other than a licensee or permittee."; and

(2) in subsection (b)—

(A) by adding "or" at the end of paragraph (1);

(B) by striking "; or" at the end of paragraph (2) and inserting a period; and

(C) by striking paragraph (3).

(b) BACKGROUND CHECKS.—Section 842 of title 18, United States Code, is further amended by adding at the end the following:

“(q)(1) A licensed importer, licensed manufacturer, or licensed dealer shall not transfer explosive materials to any other person who is not a licensee under section 843 of this title unless—

“(A) before the completion of the transfer, the licensee contacts the national instant criminal background check system established under section 103(d) of the Brady Handgun Violence Prevention Act;

“(B)(i) the system provides the licensee with a unique identification number; or

“(ii) 5 business days (meaning a day on which State offices are open) have elapsed since the licensee contacted the system, and the system has not notified the licensee that the receipt of explosive materials by such other person would violate subsection (i) of this section;

“(C) the transferor has verified the identity of the transferee by examining a valid identification document (as defined in section 1038(d)(1) of this title) of the transferee containing a photograph of the transferee; and

“(D) the transferor has examined the permit issued to the transferee pursuant to section 843 of this title and recorded the permit number on the record of the transfer.

“(2) If receipt of explosive materials would not violate section 842(i) of this title or State law, the system shall—

“(A) assign a unique identification number to the transfer; and

“(B) provide the licensee with the number.

“(3) Paragraph (1) shall not apply to the transfer of explosive materials between a licensee and another person if on application of the transferor, the Secretary has certified that compliance with paragraph (1)(A) is impracticable because—

“(A) the ratio of the number of law enforcement officers of the State in which the transfer is to occur to the number of square miles of land area of the State does not exceed 0.0025;

“(B) the business premises of the licensee at which the transfer is to occur are extremely remote in relation to the chief law enforcement officer (as defined in section 922(s)(8)); and

“(C) there is an absence of telecommunications facilities in the geographical area in which the business premises are located.

“(4) If the national instant criminal background check system notifies the licensee that the information available to the system does not demonstrate that the receipt of explosive materials by such other person would violate subsection (i) or State law, and the licensee transfers explosive materials to such other person, the licensee shall include in the record of the transfer the unique identification number provided by the system with respect to the transfer.

“(5) If the licensee knowingly transfers explosive materials to such other person and knowingly fails to comply with paragraph (1) of this subsection with respect to the transfer, the Secretary may, after notice and opportunity for a hearing, suspend for not more than 6 months or revoke any license issued to the licensee under section 843 and may impose on the licensee a civil fine of not more than \$5,000.

“(6) Neither a local government nor an employee of the Federal Government or of any State or local government, responsible for providing information to the national instant criminal background check system shall be liable in an action at law for damages—

“(A) for failure to prevent the sale or transfer of explosive materials to a person

whose receipt or possession of the explosive materials is unlawful under this section; or

“(B) for preventing such a sale or transfer to a person who may lawfully receive or possess explosive materials.”

(c) ADMINISTRATIVE PROVISIONS.—Section 103 of the Brady Handgun Violence Prevention Act (18 U.S.C. 922 note) is amended—

(1) in subsection (f), by inserting “or explosive materials” after “firearm”; and

(2) in subsection (g), by inserting “or that receipt of explosive materials by a prospective transferee would violate section 842(i) of such title, or State law,” after “State law.”

(d) REMEDY FOR ERRONEOUS DENIAL OF EXPLOSIVE MATERIALS.—

(1) IN GENERAL.—Chapter 40 of title 18, United States Code, is amended by inserting after section 843 the following:

**“§ 843A. Remedy for erroneous denial of explosive materials**

“Any person denied explosive materials pursuant to section 842(q)—

“(1) due to the provision of erroneous information relating to the person by any State or political subdivision thereof, or by the national instant criminal background check system established under section 103 of the Brady Handgun Violence Prevention Act; or

“(2) who was not prohibited from receipt of explosive materials pursuant to section 842(i),

may bring an action against the State or political subdivision responsible for providing the erroneous information, or responsible for denying the transfer, or against the United States, as the case may be, for an order directing that the erroneous information be corrected or that the transfer be approved, as the case may be. In any action under this section, the court, in its discretion, may allow the prevailing party a reasonable attorney’s fee as part of the costs.”

(2) TECHNICAL AMENDMENT.—The section analysis for chapter 40 of title 18, United States Code, is amended by inserting after the item relating to section 843 the following:

“843A. Remedy for erroneous denial of explosive materials.”

(e) REGULATIONS.—

(1) IN GENERAL.—Not later than 6 months after the date of the enactment of this Act, the Secretary of the Treasury shall issue final regulations with respect to the amendments made by subsection (a).

(2) NOTICE TO STATES.—On the issuance of regulations pursuant to paragraph (1), the Secretary of the Treasury shall notify the States of the regulations so that the States may consider revising their explosives laws.

(f) LICENSES AND USER PERMITS.—Section 843(a) of title 18, United States Code, is amended—

(1) by inserting “, including fingerprints and a photograph of the applicant” before the period at the end of the first sentence; and

(2) by striking the second sentence and inserting, “Each applicant for a license shall pay for each license a fee established by the Secretary that shall not exceed \$300. Each applicant for a permit shall pay for each permit a fee established by the Secretary that shall not exceed \$100.”

(g) PENALTIES.—Section 844 of title 18, United States Code, is amended—

(1) by redesignating subsection (a) as subsection (a)(1); and

(2) by inserting after subsection (a)(1) the following new paragraph:

“(2) Any person who violates section 842(q) shall be fined under this title, imprisoned for not more than 5 years, or both.”

(h) EFFECTIVE DATE.—The amendments made by subsections (a), (b), (c), (d), and (g)

shall take effect 18 months after the date of enactment of the Act.

**SEC. 617. PERSONS PROHIBITED FROM RECEIVING OR POSSESSING EXPLOSIVES.**

(a) DISTRIBUTION OF EXPLOSIVES.—Section 842(d) of title 18, United States Code, is amended—

(1) in paragraph (5), by striking “or” at the end;

(2) in paragraph (6), by striking the period and inserting “or who has been committed to a mental institution;”;

(3) by adding at the end the following:

“(7) being an alien—

“(A) is illegally or unlawfully in the United States; or

“(B) except as provided in subsection (q)(2), has been admitted to the United States under a nonimmigrant visa (as that term is defined in section 101(a)(26) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(26)));;

“(8) has been discharged from the Armed Forces under dishonorable conditions;

“(9) having been a citizen of the United States, has renounced his citizenship;

“(10) is subject to a court order that—

“(A) was issued after a hearing of which such person received actual notice, and at which such person had an opportunity to participate;

“(B) restrains such person from harassing, stalking, or threatening an intimate partner of such person or child of such intimate partner or person, or engaging in other conduct that would place an intimate partner in reasonable fear of bodily injury to the partner or child; and

“(C)(i) includes a finding that such person represents a credible threat to the physical safety of such intimate partner or child; or

“(ii) by its terms explicitly prohibits the use, attempted use, or threatened use of physical force against such intimate partner or child that would reasonably be expected to cause bodily injury;

“(11) has been convicted in any court of a misdemeanor crime of domestic violence; or

“(12) has been adjudicated delinquent.”

(b) POSSESSION OF EXPLOSIVES.—Section 842(i) of title 18, United States Code, is amended—

(1) in paragraph (3), by striking “or” at the end; and

(2) by adding at the end the following:

“(5) who, being an alien—

“(A) is illegally or unlawfully in the United States; or

“(B) except as provided in subsection (q)(2), has been admitted to the United States under a non-immigrant visa (as that term is defined in section 101(a)(26) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(26)));;

“(6) who has been discharged from the Armed Forces under dishonorable conditions;

“(7) who, having been a citizen of the United States, has renounced his citizenship;

“(8) who is subject to a court order that—

“(A) was issued after a hearing of which such person received actual notice, and at which such person had an opportunity to participate;

“(B) restrains such person from harassing, stalking, or threatening an intimate partner of such person or child of such intimate partner or person, or engaging in other conduct that would place an intimate partner in reasonable fear of bodily injury to the partner or child; and

“(C)(i) includes a finding that such person represents a credible threat to the physical safety of such intimate partner or child; or

“(ii) by its terms explicitly prohibits the use, attempted use, or threatened use of physical force against such intimate partner or child that would reasonably be expected to cause bodily injury;

“(9) who has been convicted in any court of a misdemeanor crime of domestic violence; or

“(10) who has been adjudicated delinquent.”.

(c) DEFINITION.—Section 841 of title 18, United States Code, is amended by adding at the end the following:

“(r)(1) Except as provided in paragraph (2), ‘misdemeanor crime of domestic violence’ means an offense that—

“(A) is a misdemeanor under Federal or State law; and

“(B) has, as an element, the use or attempted use of physical force, or the threatened use of a deadly weapon, committed by a current or former spouse, parent, or guardian of the victim, by a person with whom the victim shares a child in common, by a person who is cohabiting with or has cohabited with the victim as a spouse, parent, or guardian, or by a person similarly situated to a spouse, parent, or guardian of the victim.

“(2)(A) A person shall not be considered to have been convicted of such an offense for purposes of this chapter, unless—

“(i) the person was represented by counsel in the case, or knowingly and intelligently waived the right to counsel in the case; and

“(ii) in the case of a prosecution for an offense described in this paragraph for which a person was entitled to a jury trial in the jurisdiction in which the case was tried—

“(I) the case was tried by a jury; or

“(II) the person knowingly and intelligently waived the right to have the case tried by jury, by guilty plea or otherwise.

“(B) A person shall not be considered to have been convicted of such an offense for purposes of this chapter if the conviction has been expunged or set aside, or is an offense for which the person has been pardoned or has had civil rights restored (if the law of the applicable jurisdiction provides for the loss of civil rights under such an offense) unless the pardon, expungement, or restoration of civil rights expressly provides that the person may not ship, transport, possess, or receive firearms.

“(s) ‘Adjudicated delinquent’ means an adjudication of delinquency based upon a finding of the commission of an act by a person prior to his or her eighteenth birthday that, if committed by an adult, would be a serious drug offense or violent felony (as defined in section 3559(c)(2) of this title), on or after the date of enactment of this paragraph.”.

(d) ALIENS ADMITTED UNDER NONIMMIGRANT VISAS.—Section 842 is amended by adding at the end the following:

“(r)(1) For purposes of this subsection—

“(A) the term ‘alien’ has the same meaning as in section 101(a)(3) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(3)); and

“(B) the term ‘nonimmigrant visa’ has the same meaning as in section 101(a)(26) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(26)).

“(2) Sections (d)(7)(B) and (i)(5)(B) do not apply to any alien who has been lawfully admitted to the United States under a nonimmigrant visa, if that alien is a foreign law enforcement officer of a friendly foreign government entering the United States on official law enforcement business.

“(3)(A) Any individual who has been admitted to the United States under a nonimmigrant visa may receive a waiver from the requirements of subsection (i)(5)(B), if—

“(i) the individual submits to the Attorney General a petition that meets the requirements of subparagraph (C); and

“(ii) the Attorney General approves the petition.

“(B) Each petition under subparagraph (B) shall—

“(i) demonstrate that the petitioner has resided in the United States for a continuous period of not less than 180 days before the

date on which the petition is submitted under this paragraph; and

“(ii) include a written statement from the embassy or consulate of the petitioner, authorizing the petitioner to acquire explosives and certifying that the alien would not, absent the application of subsection (i)(5)(B), otherwise be prohibited from such an acquisition under subsection (i).

“(C) The Attorney General shall approve a petition submitted in accordance with this paragraph, if the Attorney General determines that waiving the requirements of subsection (i)(5)(B) with respect to the petitioner—

“(i) would be in the interests of justice; and

“(ii) would not jeopardize the public safety.”.

(e) CONFORMING AMENDMENT.—Section 845 of title 18, United States Code, is amended by adding at the end the following:

“(d) Notwithstanding any other provision of this section, no person convicted of a misdemeanor crime of domestic violence may ship or transport any explosive materials in interstate or foreign commerce or to receive or possess any explosive materials which have been shipped or transported in interstate or foreign commerce.”.

**TITLE VII—PUNISHING GANG VIOLENCE AND DRUG TRAFFICKING TO MINORS**

**SEC. 701. INCREASED MANDATORY MINIMUM PENALTIES FOR USING MINORS TO DISTRIBUTE DRUGS.**

Section 420 of the Controlled Substances Act (21 U.S.C. 861) is amended—

(1) in subsection (b), by striking “one year” and inserting “3 years”; and

(2) in subsection (c), by striking “one year” and inserting “5 years”.

**SEC. 702. INCREASED MANDATORY MINIMUM PENALTIES FOR DISTRIBUTING DRUGS TO MINORS.**

Section 418 of the Controlled Substances Act (21 U.S.C. 859) is amended—

(1) in subsection (a), by striking “one year” and inserting “3 years”; and

(2) in subsection (b), by striking “one year” and inserting “5 years”.

**SEC. 703. INCREASED MANDATORY MINIMUM PENALTIES FOR DRUG TRAFFICKING IN OR NEAR A SCHOOL OR OTHER PROTECTED LOCATION.**

Section 419 of the Controlled Substances Act (21 U.S.C. 860) is amended—

(1) in subsection (a), by striking “one year” and inserting “3 years”; and

(2) in subsection (b), by striking “three years” each place that term appears and inserting “5 years”.

**SEC. 704. CRIMINAL STREET GANGS.**

(a) IN GENERAL.—Section 521 of title 18, United States Code, is amended—

(1) in subsection (a), in the second undesignated paragraph—

(A) by striking “5” and inserting “3”; and

(B) by inserting “, whether formal or informal” after “or more persons”; and

(C) in subparagraph (A), by inserting “or activities” after “purposes”;

(2) in subsection (b), by inserting after “10 years” the following: “and such person shall be subject to the forfeiture prescribed in section 412 of the Controlled Substances Act (21 U.S.C. 853)”;

(3) in subsection (c)—

(A) in paragraph (2), by striking “and” at the end;

(B) in paragraph (3), by striking the period at the end and inserting a semicolon;

(C) by adding at the end the following:

“(3) that is a violation of section 522 (relating to the recruitment of persons to participate in criminal gang activity);

“(4) that is a violation of section 844, 875, or 876 (relating to extortion and threats), section 1084 (relating to gambling), section

1955 (relating to gambling), or chapter 73 (relating to obstruction of justice);

“(5) that is a violation of section 1956 (relating to money laundering), to the extent that the violation of such section is related to a Federal or State offense involving a controlled substance (as that term is defined in section 102 of the Controlled Substances Act (21 U.S.C. 802)); or

“(6) that is a violation of section 274(a)(1)(A), 277, or 278 of the Immigration and Nationality Act (8 U.S.C. 1324(a)(1)(A), 1327, or 1328) (relating to alien smuggling); and

“(7) a conspiracy, attempt, or solicitation to commit an offense described in paragraphs (1) through (6).”.

(b) TECHNICAL AND CONFORMING AMENDMENT.—Section 3663(c)(4) of title 18, United States Code, is amended by striking “chapter 46” and inserting “section 521, chapter 46.”.

**SEC. 705. INCREASE IN OFFENSE LEVEL FOR PARTICIPATION IN CRIME AS A GANG MEMBER.**

(a) DEFINITION OF CRIMINAL STREET GANG.—In this section, the term “criminal street gang” has the meaning given that term in section 521(a) of title 18, United States Code.

(b) AMENDMENT OF SENTENCING GUIDELINES.—

(1) IN GENERAL.—Pursuant to its authority under section 994(p) of title 28, United States Code, the United States Sentencing Commission shall amend the Federal Sentencing Guidelines to provide an appropriate enhancement for any Federal offense described in section 521(c) of title 18, United States Code, if the offense was both committed in connection with, or in furtherance of, the activities of a criminal street gang and the defendant was a member of the criminal street gang at the time of the offense.

(2) FACTORS TO BE CONSIDERED.—In determining an appropriate enhancement under this section, the United States Sentencing Commission shall give great weight to the seriousness of the offense, the offender’s relative position in the criminal gang, and the risk of death or serious bodily injury to any person posed by the offense.

(c) CONSTRUCTION WITH OTHER GUIDELINES.—The amendment made by subsection (b) shall provide that the increase in the offense level shall be in addition to any other adjustment under chapter 3 of the Federal Sentencing Guidelines.

**SEC. 706. INTERSTATE AND FOREIGN TRAVEL OR TRANSPORTATION IN AID OF CRIMINAL GANGS.**

(a) TRAVEL ACT AMENDMENT.—Section 1952 of title 18, United States Code, is amended to read as follows:

**“§ 1952. Interstate and foreign travel or transportation in aid of racketeering enterprises**

“(a) PROHIBITED CONDUCT AND PENALTIES.—

“(1) IN GENERAL.—Whoever—

“(A) travels in interstate or foreign commerce or uses the mail or any facility in interstate or foreign commerce, with intent to—

“(i) distribute the proceeds of any unlawful activity; or

“(ii) otherwise promote, manage, establish, carry on, or facilitate the promotion, management, establishment, or carrying on, of any unlawful activity; and

“(B) after travel or use of the mail or any facility in interstate or foreign commerce described in subparagraph (A), performs, attempts to perform, or conspires to perform an act described in clause (i) or (ii) of subparagraph (A);

shall be fined under this title, imprisoned not more than 10 years, or both.

“(2) CRIMES OF VIOLENCE.—Whoever—

“(A) travels in interstate or foreign commerce or uses the mail or any facility in

interstate or foreign commerce, with intent to commit any crime of violence to further any unlawful activity; and

“(B) after travel or use of the mail or any facility in interstate or foreign commerce described in subparagraph (A), commits, attempts to commit, or conspires to commit any crime of violence to further any unlawful activity;

shall be fined under this title, imprisoned for not more than 20 years, or both, and if death results shall be sentenced to death or be imprisoned for any term of years or for life.

“(b) DEFINITIONS.—In this section:

“(1) CONTROLLED SUBSTANCE.—The term ‘controlled substance’ has the meaning given that term in section 102(6) of the Controlled Substances Act (21 U.S.C. 802(6)).

“(2) STATE.—The term ‘State’ means a State of the United States, the District of Columbia, and any commonwealth, territory, or possession of the United States.

“(3) UNLAWFUL ACTIVITY.—The term ‘unlawful activity’ means—

“(A) any business enterprise involving gambling, liquor on which the Federal excise tax has not been paid, narcotics or controlled substances, or prostitution offenses in violation of the laws of the State in which the offense is committed or of the United States;

“(B) extortion, bribery, arson, burglary if the offense involves property valued at not less than \$10,000, assault with a deadly weapon, assault resulting in bodily injury, shooting at an occupied dwelling or motor vehicle, or retaliation against or intimidation of witnesses, victims, jurors, or informants, in violation of the laws of the State in which the offense is committed or of the United States; or

“(C) any act that is indictable under section 1956 or 1957 of this title or under subchapter II of chapter 53 of title 31.”

(b) AMENDMENT OF SENTENCING GUIDELINES.—

(1) IN GENERAL.—Pursuant to its authority under section 994(p) of title 28, United States Code, the United States Sentencing Commission shall amend chapter 2 of the Federal Sentencing Guidelines to provide an appropriate increase in the offense levels for traveling in interstate or foreign commerce in aid of unlawful activity.

(2) UNLAWFUL ACTIVITY DEFINED.—In this subsection, the term “unlawful activity” has the meaning given that term in section 1952(b) of title 18, United States Code, as amended by this section.

(3) SENTENCING ENHANCEMENT FOR RECRUITMENT ACROSS STATE LINES.—Pursuant to its authority under section 994(p) of title 28, United States Code, the United States Sentencing Commission shall amend the Federal Sentencing Guidelines to provide an appropriate enhancement for a person who, in violating section 522 of title 18, United States Code, recruits, solicits, induces, commands, or causes another person residing in another State to be or to remain a member of a criminal street gang, or crosses a State line with the intent to recruit, solicit, induce, command, or cause another person to be or to remain a member of a criminal street gang.

**SEC. 707. GANG-RELATED WITNESS INTIMIDATION AND RETALIATION.**

(a) INTERSTATE TRAVEL TO ENGAGE IN WITNESS INTIMIDATION OR OBSTRUCTION OF JUSTICE.—Section 1952 of title 18, United States Code, is amended—

(1) by redesignating subsections (b) and (c) as subsections (c) and (d), respectively; and

(2) by inserting after subsection (a) the following:

“(b) Whoever travels in interstate or foreign commerce with intent by bribery, force, intimidation, or threat, directed against any

person, to delay or influence the testimony of or prevent from testifying a witness in a State criminal proceeding or by any such means to cause any person to destroy, alter, or conceal a record, document, or other object, with intent to impair the object’s integrity or availability for use in such a proceeding, and thereafter engages or endeavors to engage in such conduct, shall be fined under this title or imprisoned not more than 10 years, or both; and if serious bodily injury (as defined in section 1365 of this title) results, shall be so fined or imprisoned for not more than 20 years, or both; and if death results, shall be so fined and imprisoned for any term of years or for life, or both, and may be sentenced to death.”

(b) CONSPIRACY PENALTY FOR OBSTRUCTION OF JUSTICE OFFENSES INVOLVING VICTIMS, WITNESSES, AND INFORMANTS.—Section 1512 of title 18, United States Code, is amended by adding at the end the following:

“(j) Whoever conspires to commit any offense defined in this section or section 1513 of this title shall be subject to the same penalties as those prescribed for the offense the commission of which was the object of the conspiracy.”

(c) WITNESS RELOCATION SURVEY AND TRAINING PROGRAM.—

(1) SURVEY.—The Attorney General shall survey all State and selected local witness protection and relocation programs to determine the extent and nature of such programs and the training needs of those programs. Not later than 270 days after the date of the enactment of this section, the Attorney General shall report the results of this survey to Congress.

(2) TRAINING.—Based on the results of such survey, the Attorney General shall make available to State and local law enforcement agencies training to assist those law enforcement agencies in developing and managing witness protection and relocation programs.

(3) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out paragraphs (1) and (2) for fiscal year 2000 not to exceed \$500,000.

(d) FEDERAL-STATE COORDINATION AND COOPERATION REGARDING NOTIFICATION OF INTERSTATE WITNESS RELOCATION.—

(1) ATTORNEY GENERAL TO PROMOTE INTERSTATE COORDINATION.—The Attorney General shall engage in activities, including the establishment of a model Memorandum of Understanding under paragraph (2), which promote coordination among State and local witness interstate relocation programs.

(2) MODEL MEMORANDUM OF UNDERSTANDING.—The Attorney General shall establish a model Memorandum of Understanding for States and localities that engage in interstate witness relocation. Such a model Memorandum of Understanding shall include a requirement that notice be provided to the jurisdiction to which the relocation has been made by the State or local law enforcement agency that relocates a witness to another State who has been arrested for or convicted of a crime of violence as described in section 16 of title 18, United States Code.

(3) BYRNE GRANT ASSISTANCE.—The Attorney General is authorized to expend up to 10 percent of the total amount appropriated under section 511 of subpart 2 of part E of the Omnibus Crime Control and Safe Streets Act of 1968 for purposes of making grants pursuant to section 510 of that Act to those jurisdictions that have interstate witness relocation programs and that have substantially followed the model Memorandum of Understanding.

(4) GUIDELINES AND DETERMINATION OF ELIGIBILITY.—The Attorney General shall establish guidelines relating to the implementation of paragraph (4) and shall determine, consistent with such guidelines, which juris-

dictions are eligible for grants under paragraph (4).

(d) BYRNE GRANTS.—Section 501(b) of the Omnibus Crime Control and Safe Streets Act of 1968 is amended—

(1) by striking “and” at the end of paragraph (25);

(2) by striking the period at the end paragraph (26) and inserting “; and”; and

(3) by adding at the end the following:

“(27) developing and maintaining witness security and relocation programs, including providing training of personnel in the effective management of such programs.”

(e) DEFINITION.—As used in this section, the term “State” includes the District of Columbia, Puerto Rico, and any other commonwealth, territory, or possession of the United States.

Add at the end the following:

**SEC. . . . AIMEE’S LAW.**

(a) SHORT TITLE.—This section may be cited as “Aimee’s Law”.

(b) DEFINITIONS.—In this section:

(1) DANGEROUS SEXUAL OFFENSE.—The term “dangerous sexual offense” means sexual abuse or sexually explicit conduct committed by an individual who has attained the age of 18 years against an individual who has not attained the age of 14 years.

(2) MURDER.—The term “murder” has the meaning given the term under applicable State law.

(3) RAPE.—The term “rape” has the meaning given the term under applicable State law.

(4) SEXUAL ABUSE.—The term “sexual abuse” has the meaning given the term under applicable State law.

(5) SEXUALLY EXPLICIT CONDUCT.—The term “sexually explicit conduct” has the meaning given the term under applicable State law.

(c) REIMBURSEMENT TO STATES FOR CRIMES COMMITTED BY CERTAIN RELEASED FELONS.—

(1) PENALTY.—

(A) SINGLE STATE.—In any case in which a State convicts an individual of murder, rape, or a dangerous sexual offense, who has a prior conviction for any 1 of those offenses in a State described in subparagraph (C), the Attorney General shall transfer an amount equal to the costs of incarceration, prosecution, and apprehension of that individual, from Federal law enforcement assistance funds that have been allocated to but not distributed to the State that convicted the individual of the prior offense, to the State account that collects Federal law enforcement assistance funds of the State that convicted that individual of the subsequent offense.

(B) MULTIPLE STATES.—In any case in which a State convicts an individual of murder, rape, or a dangerous sexual offense, who has a prior conviction for any 1 or more of those offenses in more than 1 other State described in subparagraph (C), the Attorney General shall transfer an amount equal to the costs of incarceration, prosecution, and apprehension of that individual, from Federal law enforcement assistance funds that have been allocated to but not distributed to each State that convicted such individual of the prior offense, to the State account that collects Federal law enforcement assistance funds of the State that convicted that individual of the subsequent offense.

(C) STATE DESCRIBED.—A State is described in this subparagraph if—

(i) the State has not adopted Federal truth-in-sentencing guidelines under section 20104 of the Violent Crime Control and Law Enforcement Act of 1994 (42 U.S.C. 13704);

(ii) the average term of imprisonment imposed by the State on individuals convicted of the offense for which the individual described in subparagraph (A) or (B), as applicable, was convicted by the State is less than

10 percent above the average term of imprisonment imposed for that offense in all States; or

(iii) with respect to the individual described in subparagraph (A) or (B), as applicable, the individual had served less than 85 percent of the term of imprisonment to which that individual was sentenced for the prior offense.

(2) STATE APPLICATIONS.—In order to receive an amount transferred under paragraph (1), the chief executive of a State shall submit to the Attorney General an application, in such form and containing such information as the Attorney General may reasonably require, which shall include a certification that the State has convicted an individual of murder, rape, or a dangerous sexual offense, who has a prior conviction for 1 of those offenses in another State.

(3) SOURCE OF FUNDS.—Any amount transferred under paragraph (1) shall be derived by reducing the amount of Federal law enforcement assistance funds received by the State that convicted such individual of the prior offense before the distribution of the funds to the State. The Attorney General, in consultation with the chief executive of the State that convicted such individual of the prior offense, shall establish a payment schedule.

(4) CONSTRUCTION.—Nothing in this subsection may be construed to diminish or otherwise affect any court ordered restitution.

(5) EXCEPTION.—This subsection does not apply if the individual convicted of murder, rape, or a dangerous sexual offense has been released from prison upon the reversal of a conviction for an offense described in paragraph (1) and subsequently been convicted for an offense described in paragraph (1).

(d) COLLECTION OF RECIDIVISM DATA.—

(1) IN GENERAL.—Beginning with calendar year 1999, and each calendar year thereafter, the Attorney General shall collect and maintain information relating to, with respect to each State—

(A) the number of convictions during that calendar year for murder, rape, and any sex offense in the State in which, at the time of the offense, the victim had not attained the age of 14 years and the offender had attained the age of 18 years; and

(B) the number of convictions described in subparagraph (A) that constitute second or subsequent convictions of the defendant of an offense described in that subparagraph.

(2) REPORT.—Not later than March 1, 2000, and on March 1 of each year thereafter, the Attorney General shall submit to Congress a report, which shall include—

(A) the information collected under paragraph (1) with respect to each State during the preceding calendar year; and

(B) the percentage of cases in each State in which an individual convicted of an offense described in paragraph (1)(A) was previously convicted of another such offense in another State during the preceding calendar year.

At the end of the bill, insert the following:

**TITLE \_\_\_\_—MATTHEW'S LAW**

**SEC. \_\_\_\_ . SHORT TITLE.**

This title may be cited as "Matthew's Law".

**SEC. \_\_\_\_ 2. ENHANCED PENALTIES FOR CRIMES OF VIOLENCE AGAINST CHILDREN UNDER AGE 13.**

(a) IN GENERAL.—Title XVII of the Violent Crime Control and Law Enforcement Act of 1994 is amended by adding at the end the following:

**"Subtitle C—Enhanced Penalties for Crimes of Violence Against Children Under Age 13**

**"SEC. 170301. ENHANCED PENALTIES FOR CRIMES OF VIOLENCE AGAINST CHILDREN UNDER AGE 13.**

"(a) IN GENERAL.—The United States Sentencing Commission shall amend the Federal

sentencing guidelines to provide a sentencing enhancement of not less than 5 levels above the offense level otherwise provided for a crime of violence, if the crime of violence is against a child.

"(b) DEFINITIONS.—In this section—

"(1) the term 'crime of violence' means any crime punishable by imprisonment for a term exceeding one year that has as an element the use, attempted use, or threatened use of physical force against the person of another; and

"(2) the term 'child' means a person who has not attained 13 years of age at the time of the offense."

(b) CONFORMING REPEAL.—Section 240002 of such Act (28 U.S.C. 994 note) is repealed.

(c) CLERICAL AMENDMENT.—The table of contents of such Act is amended by striking the item relating to subtitle C of title XVII and the items relating to sections 170301 through 170303 and inserting the following:

"Subtitle C—Enhanced Penalties for Crimes of Violence Against Children Under Age 13

"Sec. 170301. Enhanced penalties for crimes of violence against children under age 13."

**SEC. \_\_\_\_ 3. FEDERAL BUREAU OF INVESTIGATION ASSISTANCE AVAILABLE TO STATE OR LOCAL LAW AUTHORITIES IN INVESTIGATING POSSIBLE HOMICIDES OF CHILDREN UNDER THE AGE OF 13.**

To the maximum extent practicable, the Federal Bureau of Investigation may provide to State and local law enforcement authorities such assistance as such authorities may require in investigating the death of an individual who has not attained 13 years of age under circumstances indicating that the death may have been a homicide.

Add at the end the following:

**SEC. \_\_\_\_ . MANDATORY LIFE IMPRISONMENT FOR REPEAT SEX OFFENDERS AGAINST CHILDREN.**

(a) AMENDMENT OF TITLE 18, UNITED STATES CODE.—Section 3559 of title 18, United States Code, is amended by adding at the end the following new subsection:

"(e) MANDATORY LIFE IMPRISONMENT FOR REPEATED SEX OFFENSES AGAINST CHILDREN.—

"(1) IN GENERAL.—A person who is convicted of a Federal sex offense in which a minor is the victim shall be sentenced to life imprisonment if the person has a prior sex conviction in which a minor was the victim, unless the sentence of death is imposed.

"(2) DEFINITIONS.—For the purposes of this subsection—

"(A) the term 'Federal sex offense' means an offense under section 2241 (relating to aggravated sexual abuse), 2242 (relating to sexual abuse), 2243 (relating to sexual abuse of a minor or ward), 2244 (relating to abusive sexual contact), 2245 (relating to sexual abuse resulting in death), or 2251A (relating to selling or buying of children), or an offense under section 2423 (relating to transportation of minors) involving the transportation of, or the engagement in a sexual act with, an individual who has not attained 16 years of age;

"(B) the term 'prior sex conviction' means a conviction for which the sentence was imposed before the conduct occurred forming the basis for the subsequent Federal sex offense, and which was for either—

"(i) a Federal sex offense; or

"(ii) an offense under State law consisting of conduct that would have been a Federal sex offense if, to the extent or in the manner specified in the applicable provision of title 18—

"(I) the offense involved interstate or foreign commerce, or the use of the mails; or

"(II) the conduct occurred in any commonwealth, territory, or possession of the United

States, within the special maritime and territorial jurisdiction of the United States, in a Federal prison, on any land or building owned by, leased to, or otherwise used by or under the control of the Government of the United States, or in the Indian country as defined in section 1151;

"(C) the term 'minor' means any person under the age of 18 years; and

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

(b) TITLE 18 CONFORMING AND TECHNICAL AMENDMENTS.—

(1) SECTION 2247.—Section 2247 of title 18, United States Code, is amended by inserting " , unless section 3559(e) applies" before the final period.

(2) SECTION 2426.—Section 2426 of title 18, United States Code, is amended by inserting " , unless section 3559(e) applies" before the final period.

(3) TECHNICAL AMENDMENTS.—Sections 2252(c)(1) and 2252A(d)(1) of title 18, United States Code, are each amended by striking "less than three" and inserting "fewer than 3".

Add at the end the following:

**SEC. \_\_\_\_ . INCREASE OF AGE RELATING TO TRANSFER OF OBSCENE MATERIAL.**

Section 1470 of title 18, United States Code, is amended by striking "16" each place it appears and inserting "18".

Add at the end the following new section:

**SEC. \_\_\_\_ . CHILD HOSTAGE-TAKING TO EVADE ARREST OR OBSTRUCT JUSTICE.**

(a) IN GENERAL.—Chapter 55 of title 18, United States Code, is amended by adding at the end the following new section:

**"§ 1205. Child hostage-taking to evade arrest or obstruct justice**

"(a) IN GENERAL.—Whoever uses force or threatens to use force against any officer or agency of the Federal Government, and seizes or detains, or continues to detain, a child in order to—

"(1) obstruct, resist, or oppose any officer of the United States, or other person duly authorized, in serving, or attempting to serve or execute, any legal or judicial writ, process, or warrant of any court of the United States; or

"(2) compel any department or agency of the Federal Government to do or to abstain from doing any act;

or attempts to do so, shall be punished in accordance with subsection (b).

"(b) SENTENCING.—Any person who violates subsection (a)—

"(1) shall be imprisoned not less than 10 years and not more than 25 years;

"(2) if injury results to the child as a result of the violation, shall be imprisoned not less than 20 years and not more than 35 years; and

"(3) if death results to the child as a result of the violation, shall be subject to the penalty of death or be imprisoned for life.

"(c) DEFINITION.—For purposes of this section, the term 'child' means an individual who has not attained the age of 18 years."

(b) CLERICAL AMENDMENT.—The table of sections for chapter 55 of title 18, United States Code, is amended by adding at the end the following new item:

"1205. Child hostage-taking to evade arrest or obstruct justice."

At the end of the bill, insert the following:

**SEC. \_\_\_\_ . PROHIBITION ON TRANSFERRING TO JUVENILE A FIREARM THAT THE TRANSFEROR KNOWS OR HAS REASON TO BELIEVE WILL BE USED IN A SCHOOL ZONE OR IN A SERIOUS VIOLENT FELONY.**

(a) PROHIBITION.—Section 922 of title 18, United States Code, is amended by inserting after subsection (y) the following:

“(z)(1) It shall be unlawful for a person to sell, deliver, or otherwise transfer any firearm to a person who the transferor knows or has reasonable cause to believe is a juvenile, and knowing or having reasonable cause to believe that the juvenile intends to possess, discharge, or otherwise use the firearm in a school zone.

“(2) It shall be unlawful for a person to sell, deliver, or otherwise transfer any firearm to a person who the transferor knows or has reasonable cause to believe is a juvenile, and knowing or having reasonable cause to believe that the juvenile intends to possess, discharge, or otherwise use the firearm in the commission of a serious violent felony.

“(3) For purposes of this subsection, the term ‘juvenile’ means an individual who has not attained 18 years of age.”.

(b) PENALTIES.—Section 924(a) of such title is amended by adding at the end the following:

“(7)(A) A person, other than a juvenile, who violates section 922(z)(1) shall be fined under this title, imprisoned as provided in section 924(a)(6)(B)(ii), or both.

“(B) A person, other than a juvenile, who violates section 922(z)(2) shall be fined under this title, imprisoned as provided in section 924(a)(6)(B)(iii), or both.”.

At the end of the bill, insert the following:

**SEC. \_\_\_\_ LIMITATION ON PRISONER RELEASE ORDERS.**

(a) IN GENERAL.—Chapter 99 of title 28, United States Code, is amended by adding at the end the following new section:

**“§ 1632. Limitation on prisoner release orders**

“(a) LIMITATION.—Notwithstanding section 3626(a)(3) of title 18 or any other provision of law, in a civil action with respect to prison conditions, no court of the United States or other court listed in section 610 shall have jurisdiction to enter or carry out any prisoner release order that would result in the release from or nonadmission to a prison, on the basis of prison conditions, of any person subject to incarceration, detention, or admission to a facility because of a conviction of a felony under the laws of the relevant jurisdiction, or a violation of the terms or conditions of parole, probation, pretrial release, or a diversionary program, relating to the commission of a felony under the laws of the relevant jurisdiction.

“(b) DEFINITIONS.—As used in this section—

“(1) the terms ‘civil action with respect to prison conditions’, ‘prisoner’, ‘prisoner release order’, and ‘prison’ have the meanings given those terms in section 3626(g) of title 18; and

“(2) the term ‘prison conditions’ means conditions of confinement or the effects of actions by government officials on the lives of persons confined in prison.

(b) CONFORMING AMENDMENT.—The table of sections for chapter 99 of title 28, United States Code, is amended by adding at the end the following new item:

“1632. Limitation on prisoner release orders.”.

(c) CONSENT DECREES.—

(1) TERMINATION OF EXISTING CONSENT DECREES.—Any consent decree that was entered into before the date of the enactment of the Prison Litigation Reform Act of 1995, that is in effect on the day before the date of the enactment of this Act, and that provides for remedies relating to prison conditions shall cease to be effective on the date of the enactment of this Act.

(2) DEFINITIONS.—As used in this subsection—

(A) the term “consent decree” has the meaning given that term in section 3626(g) of title 18, United States Code; and

(B) the term “prison conditions” has the meaning given that term in section 1632(c) of

title 28, United States Code, as added by subsection (a) of this section.

Add at the end the following:

**TITLE \_\_\_\_—JUVENILE GANGS**

**SEC. \_\_\_\_ 1. SOLICITATION OR RECRUITMENT OF PERSONS IN CRIMINAL STREET GANG ACTIVITY.**

(a) PROHIBITED ACTS.—Chapter 26 of title 18, United States Code, is amended by adding at the end the following:

**“§ 522. Recruitment of persons to participate in criminal street gang activity**

“(a) PROHIBITED ACT.—It shall be unlawful for any person, to use any facility in, or travel in, interstate or foreign commerce, or cause another to do so, to recruit, solicit, induce, command, or cause another person to be or remain as a member of a criminal street gang, or conspire to do so, with the intent that the person being recruited, solicited, induced, commanded or caused to be or remain a member of such gang participate in an offense described in section 521(c).

“(b) PENALTIES.—Any person who violates subsection (a) shall—

“(1) if the person recruited, solicited, induced, commanded, or caused—

“(A) is a minor, be imprisoned not less than 4 years and not more than 10 years, fined in accordance with this title, or both; or

“(B) is not a minor, be imprisoned not less than 1 year and not more than 10 years, fined in accordance with this title, or both; and

“(2) be liable for any costs incurred by the Federal Government or by any State or local government for housing, maintaining, and treating the minor until the minor attains the age of 18 years.

“(c) DEFINITIONS.—In this section:

“(1) CRIMINAL STREET GANG.—The term ‘criminal street gang’ has the meaning given the term in section 521.

“(2) MINOR.—The term ‘minor’ means a person who is younger than 18 years of age.”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 26 of title 18, United States Code, is amended by adding at the end the following new item:

“522. Recruitment of persons to participate in criminal street gang activity.”.

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

**SEC. 3. DISTRICT JUDGES FOR DISTRICTS IN THE STATES OF ARIZONA, FLORIDA, AND NEVADA.**

(a) SHORT TITLE.—This section may be cited as the “Emergency Federal Judgeship Act of 1999”.

(b) IN GENERAL.—The President shall appoint, by and with the advice and consent of the Senate—

(1) 3 additional district judges for the district of Arizona;

(2) 4 additional district judges for the middle district of Florida; and

(3) 2 additional district judges for the district of Nevada.

(c) TABLES.—In order that the table contained in section 133 of title 28, United States Code, will reflect the changes in the total number of permanent district judgeships authorized as a result of subsection (a) of this section—

(1) the item relating to Arizona in such table is amended to read as follows:

“Arizona ..... 11”;

(2) the item relating to Florida in such table is amended to read as follows:

“Florida:  
Northern ..... 4  
Middle ..... 15  
Southern ..... 16”;

and

(3) the item relating to Nevada in such table is amended to read as follows:

“Nevada ..... 6”.

(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this section, including such sums as may be necessary to provide appropriate space and facilities for the judicial positions created by this section.

Page 4, line 23, strike “To” and insert the following “Except as provided in section 1803(f), to”.

Page 13, after line 19, insert the following:

“(f) SPECIAL RULES.—

“(1) IN GENERAL.—The funds available under this part for a State shall be reduced by 25 percent and redistributed under paragraph (2) unless the State has in effect throughout the State a law which suspends the driver’s license of a juvenile until 21 years of age if such juvenile illegally possess a firearm or uses a firearm in the commission of a crime or an act of juvenile delinquency.

“(2) REDISTRIBUTION.—Any funds available for redistribution shall be redistributed to participating States that have in effect a law referred to in paragraph (1).

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

At the end of the bill, insert the following:

**SEC. \_\_\_\_ YOUTH CRIME GUN INTERDICTION INITIATIVE (YCGII).**

(a) IN GENERAL.—The Secretary of the Treasury shall expand—

(1) to 75 the number of city and county law enforcement agencies that through the Youth Crime Gun Interdiction Initiative (referred to in this section as YCGII) submit identifying information relating to all firearms recovered during law enforcement investigations, including from individuals under 25, to the Secretary of the Treasury to identify the types and origins of such firearms; and

(2) the resources devoted to law enforcement investigations of illegal youth possessors and users and of illegal firearms traffickers identified through YCGII, including through the hiring of additional agents, inspectors, intelligence analysts, and support personnel.

(b) SELECTION OF PARTICIPANTS.—The Secretary of the Treasury, in consultation with Federal, State, and local law enforcement officials, shall select cities and counties for participation in the program under this section.

(c) ESTABLISHMENT OF SYSTEM.—The Secretary of the Treasury shall establish a system through which State and local law enforcement agencies, through online computer technology, can promptly provide firearms-related information to the Secretary of the Treasury and access information derived through YCGII as soon as such capability is available. Not later than 6 months after the date of enactment of this Act, the Secretary shall submit to the Chairman and ranking Member of the Committees on Appropriations of the House of Representatives and the Senate, a report explaining the capacity to provide such online access and the future technical and, if necessary, legal changes required to make such capability available, including cost estimates.

(d) REPORT.—Not later than 1 year after the date of enactment of this section, and annually thereafter, the Secretary of the Treasury shall submit to the Chairman and ranking Member of the Committees on Appropriations of the House of Representatives and the Senate a report regarding the types and sources of firearms recovered from individuals, including those under the age of 25;

regional, State, and national firearms trafficking trends; and the number of investigations and arrests resulting from YCGII.

(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Department of the Treasury to carry out this section \$50,000,000 for fiscal year 2000 and such sums as may be necessary for fiscal years 2001 through 2004.

At the end of the bill insert the following:  
**SEC. \_\_\_\_ FINDINGS.**

The Congress finds that—

(1) more than 40,000 laws regulating the sale, possession, and use of firearms currently exist at the Federal, State, and local level;

(2) there have been an extremely low number of prosecutions for Federal firearms violations;

(3) programs such as Project Exile have succeeded in dramatically decreasing homicide and gun-related crimes; and

(4) enhanced punishment and aggressive prosecution for crimes committed with firearms, or possessing a firearm during commission of a crime, are common sense solutions to deter gun violence.

Add at the end the following new title:

**TITLE \_\_\_\_—DRUG DEALER LIABILITY**

**SEC. \_\_\_\_ FEDERAL CAUSE OF ACTION FOR DRUG DEALER LIABILITY.**

(a) IN GENERAL.—Part E of the Controlled Substances Act is amended by adding at the end the following:

**“SEC. 521. FEDERAL CAUSE OF ACTION FOR DRUG DEALER LIABILITY.**

“(a) IN GENERAL.—Except as provided in subsection (b), any person who manufactures or distributes a controlled substance in a felony violation of this title or title III shall be liable in a civil action to any party harmed, directly or indirectly, by the use of that controlled substance.

“(b) EXCEPTION.—An individual user of a controlled substance may not bring or maintain an action under this section unless the individual personally discloses to narcotics enforcement authorities all of the information known to the individual regarding all that individual’s sources of illegal controlled substances.”.

(b) CLERICAL AMENDMENT.—The table of sections for the Comprehensive Drug Abuse Prevention and Control Act of 1970 is amended by inserting after the time relating to section 520 the following new item:

“Sec. 521. Federal cause of action for drug dealer liability.”.

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

**SEC. 3. CONSTITUTIONALITY OF MEMORIAL SERVICES AND MEMORIALS AT PUBLIC SCHOOLS.**

(a) FINDINGS.—The Congress of the United States finds that the saying of a prayer, the reading of a scripture, or the performance of religious music, as part of a memorial service that is held on the campus of a public school in order to honor the memory of any person slain on that campus does not violate the First Amendment to the Constitution of the United States, and that the design and construction of any memorial which includes religious symbols, motifs, or sayings that is placed on the campus of a public school in order to honor the memory of any person slain on that campus does not violate the First Amendment to the Constitution of the United States.

(b) LAWSUITS.—In any lawsuit claiming that the type of memorial or memorial service described in subsection (a) violates the Constitution of the United States—

(1) each party shall pay its own attorney’s fee and costs, notwithstanding any other provision of law; and

(2) the Attorney General is authorized to provide legal assistance to the school district or other government entity that is defending the legality of such memorial service.

Add at the end the following:

**TITLE \_\_\_\_—LIMITATION ON RECOVERY OF ATTORNEYS FEES IN CERTAIN CASES**

**SEC. \_\_\_\_ LIMITATION ON RECOVERY OF ATTORNEYS FEES IN CERTAIN CASES.**

Section 722(b) of the Revised Statutes of the United States (42 U.S.C. 1988(b)) is amended—

(1) by striking “In” and inserting “Except as otherwise provided in this subsection, in”;

(2) by striking “, except that” and inserting “. However,”; and

(3) by adding at the end the following: “Attorneys’ fees under this section may not be allowed in any action claiming that a public school or its agent violates the constitutional prohibition against the establishment of religion by permitting, facilitating, or accommodating a student’s religious expression.”.

Add at the end the following new title:

**TITLE \_\_\_\_—RIGHTS TO RELIGIOUS LIBERTY**

**SEC. \_\_\_\_ FINDINGS.**

The Congress finds the following:

(1) The Declaration of Independence declares that governments are instituted to secure certain unalienable rights, including life, liberty, and the pursuit of happiness, with which all human beings are endowed by their Creator and to which they are entitled by the laws of nature and of nature’s God.

(2) The organic laws of the United States Code and the constitutions of every State, using various expressions, recognize God as the source of the blessings of liberty.

(3) The First Amendment to the Constitution of the United States secures rights against laws respecting an establishment of religion or prohibiting the free exercise thereof made by the United States Government.

(4) The rights secured under the First Amendment have been interpreted by courts of the United States Government to be included among the provisions of the Fourteenth Amendment.

(5) The Tenth Amendment reserves to the States respectively the powers not delegated to the United States Government nor prohibited to the States.

(6) Disputes and doubts have arisen with respect to public displays of the Ten Commandments and to other public expression of religious faith.

(7) Section 5 of the Fourteenth Amendment grants the Congress power to enforce the provisions of the said amendment.

(8) Article I, Section 8, grants the Congress power to constitute tribunals inferior to the Supreme Court, and Article III, Section 1, grants the Congress power to ordain and establish courts in which the judicial power of the United States Government shall be vested.

**SEC. \_\_\_\_ RELIGIOUS LIBERTY RIGHTS DECLARED.**

(a) DISPLAY OF TEN COMMANDMENTS.—The power to display the Ten Commandments on or within property owned or administered by the several States or political subdivisions thereof is hereby declared to be among the powers reserved to the States respectively.

(b) EXPRESSION OF RELIGIOUS FAITH.—The expression of religious faith by individual persons on or within property owned or administered by the several States or political subdivisions thereof is hereby—

(1) declared to be among the rights secured against laws respecting an establishment of religion or prohibiting the free exercise of religion made or enforced by the United

States Government or by any department or executive or judicial officer thereof; and

(2) declared to be among the liberties of which no State shall deprive any person without due process of law made in pursuance of powers reserved to the States respectively.

(c) EXERCISE OF JUDICIAL POWER.—The courts constituted, ordained, and established by the Congress shall exercise the judicial power in a manner consistent with the foregoing declarations.

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

**SEC. 3. RELIGIOUS NONDISCRIMINATION.**

The Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5601 et seq.) is amended by inserting before title III the following:

**“RELIGIOUS NONDISCRIMINATION**

“SEC. 299J. (a) A governmental entity that receives a grant under this title and that is authorized by this title to carry out the purpose for which such grant is made through contracts with, or grants to, nongovernmental entities may use such grant to carry out such purpose through contracts with or grants to religious organizations.

“(b) For purposes of subsection (a), subsections (b) through (k) of section 104 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (42 U.S.C. 604a) shall apply with respect to the use of a grant received by such entity under this title in the same manner as such subsections apply to States with respect to a program described in section 104(a)(2)(A) of such Act.”.

Add at the end the following:

**SEC. \_\_\_\_ SENSE OF THE CONGRESS WITH REGARD TO VIOLENCE AND THE ENTERTAINMENT INDUSTRY.**

(a) FINDINGS.—Congress makes the following findings:

(1) Incidents of tragic school violence have risen over the past few years.

(2) Our children are being desensitized by the increase of gun violence shown on television, movies, and video games.

(3) According to the American Medical Association, by the time an average child reaches age 18, he or she has witnessed more than 200,000 acts of violence on television, including 16,000 murders.

(4) Children who listen to explicit music lyrics, play video “killing” games, or go to violent action movies get further brainwashed into thinking that violence is socially acceptable and without consequence.

(5) No industry does more to glorify gun violence than some elements of the motion picture industry.

(6) Children are particularly susceptible to the influence of violent subject matter.

(7) The entertainment industry uses wanton violence in its advertising campaigns directed at young people.

(8) Alternatives should be developed and considered to discourage the exposure of children to violent subject matter.

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

(1) has been irresponsible in the development of its products and the marketing of those products to America’s youth;

(2) must recognize the power and influence it has over the behavior of our Nation’s youth; and

(3) must do everything in its power to stop these portrayals of pointless acts of brutality by immediately eliminating gratuitous violence in movies, television, music, and video games.

At the end of the bill, insert the following:

**SEC. \_\_\_\_ . STUDY OF MARKETING PRACTICES OF THE FIREARMS INDUSTRY.**

(a) IN GENERAL.—The Federal Trade Commission and the Attorney General shall jointly conduct a study of the marketing practices of the firearms industry with respect to children.

(b) ISSUES EXAMINED.—In conducting the study under subsection (a), the Commission and the Attorney General shall examine the extent to which the firearms industry advertises and promotes its products to minors, including in media outlets in which minors comprise a substantial percentage of the audience.

(c) REPORT.—Not later than 1 year after the date of the enactment of this Act, the Commission and the Attorney General shall submit to Congress a report on the study conducted under subsection (a).

Insert at the end the following new section:

**SEC. . SURGEON GENERAL REVIEW OF EFFECT ON JUVENILES OF VIOLENCE IN MEDIA.**

(a) FINDINGS.—The Congress finds the following:

(1) the tragic killings at a high school in Colorado remind us that violence in America continues to occur at unacceptable levels for a civilized society;

(2) the relationship of violent messages delivered through such popular media as television, radio, film, recordings, video games, advertising, the Internet, and other outlets of mass culture, to self-destructive or violent behavior by children or young adults towards themselves, such as suicide, or to violence directed at others, has been studied intensely both by segments of the media industry itself and by academic institutions;

(3) the same media used to deliver messages which harm our children can also be used to deliver messages which promote positive behavior;

(4) much of this research has occurred in the 17 years since the last major review and report of the literature was assembled by the National Institute on Mental Health published in 1982;

(5) the Surgeon General of the United States last issued a comprehensive report on violence and the media in 1972; and

(6) the number, pervasiveness, and sophistication of technological avenues for delivering messages through the media to young people has expanded rapidly since these 2 reports.

(b) COMPREHENSIVE REVIEW REQUIRED.—The Surgeon General, in cooperation with the National Institute of Mental Health, and such other sources of expertise as the Surgeon General deems appropriate, shall undertake a comprehensive review of published research, analysis, studies, and other sources of reliable information concerning the impact on the health and welfare of children and young adults of violent messages delivered through such popular media as television, radio, recordings, video games, advertising, the Internet, and other outlets of mass culture.

(c) REPORT.—The Surgeon General shall issue a report based on the review required by subsection (b). Such report shall include, but not be limited to, findings and recommendations concerning what can be done to mitigate any harmful affects on children and young adults from the violent messages described in such subsection, and the identification of gaps in the research that should be filled.

(d) DEADLINES.—The review required by subsection (b) shall be completed in no more than 1 year, and the report required by subsection (c) shall be issued no later than 6 months following completion of the review.

Page 1, after line 2, insert the following:

**SECTION 1. SHORT TITLE.**

This Act may be cited as the "Juvenile Justice Reform Act of 1999".

Page 1, strike line 3 and insert the following:

**TITLE I—CONSEQUENCES FOR JUVENILE OFFENDERS**

**SEC. 101. SHORT TITLE.**

Page 1, line 4, strike "Act" and insert "title".

Page 2, line 1, redesignate section 2 as section 102.

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

**TITLE II—JUVENILE CRIME CONTROL AND DELINQUENCY PREVENTION**

**SEC. 200. SHORT TITLE; TABLE OF CONTENTS.**

(a) SHORT TITLE.—This title may be cited as the "Juvenile Crime Control and Delinquency Prevention Act of 1999".

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

**TITLE II—JUVENILE CRIME CONTROL AND DELINQUENCY PREVENTION**

Sec. 200. Short title; table of contents.

SUBTITLE A—AMENDMENTS TO JUVENILE JUSTICE AND DELINQUENCY PREVENTION ACT OF 1974

Sec. 201. Findings.

Sec. 202. Purpose.

Sec. 203. Definitions.

Sec. 204. Name of office.

Sec. 205. Concentration of Federal effort.

Sec. 206. Coordinating Council on Juvenile Justice and Delinquency Prevention.

Sec. 207. Annual report.

Sec. 208. Allocation.

Sec. 209. State plans.

Sec. 210. Juvenile delinquency prevention block grant program.

Sec. 211. Research; evaluation; technical assistance; training.

Sec. 212. Demonstration projects.

Sec. 213. Authorization of appropriations.

Sec. 214. Administrative authority.

Sec. 215. Use of funds.

Sec. 216. Limitation on use of funds.

Sec. 217. Rule of construction.

Sec. 218. Leasing surplus Federal property.

Sec. 219. Issuance of Rules.

Sec. 220. Content of materials.

Sec. 221. Technical and conforming amendments.

Sec. 222. References.

**SUBTITLE B—AMENDMENTS TO THE RUNAWAY AND HOMELESS YOUTH ACT**

Sec. 231. Runaway and homeless youth.

**SUBTITLE C—REPEAL OF TITLE V RELATING TO INCENTIVE GRANTS FOR LOCAL DELINQUENCY PREVENTION PROGRAMS**

Sec. 241. Repealer.

**SUBTITLE D—AMENDMENTS TO THE MISSING CHILDREN'S ASSISTANCE ACT**

Sec. 251. National center for missing and exploited children.

**SUBTITLE E—STUDIES AND EVALUATIONS**

Sec. 261. Study of school violence.

Sec. 262. Study of mental health needs of juveniles in secure and nonsecure placements in the juvenile justice system.

Sec. 263. Evaluation by General Accounting Office.

Sec. 264. General Accounting Office Report.

Sec. 265. Behavioral and social science research on youth violence.

**SUBTITLE F—GENERAL PROVISIONS**

Sec. 271. Effective date; application of amendments.

**Subtitle A—Amendments to Juvenile Justice and Delinquency Prevention Act of 1974**

**SEC. 201. FINDINGS.**

Section 101 of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5601) is amended to read as follows:

**"FINDINGS**

"SEC. 101. (a) The Congress finds the following:

"(1) There has been a dramatic increase in juvenile delinquency, particularly violent crime committed by juveniles. Weapons offenses and homicides are 2 of the fastest growing crimes committed by juveniles. More than 1/2 of juvenile victims are killed with a firearm. Approximately 1/3 of the individuals arrested for committing violent crime are less than 18 years of age. The increase in both the number of youth below the age of 15 and females arrested for violent crime is cause for concern.

"(2) This problem should be addressed through a 2-track common sense approach that addresses the needs of individual juveniles and society at large by promoting—

"(A) quality prevention programs that—

"(i) work with juveniles, their families, local public agencies, and community-based organizations, and take into consideration such factors as whether or not juveniles have been the victims of family violence (including child abuse and neglect); and

"(ii) are designed to reduce risks and develop competencies in at-risk juveniles that will prevent, and reduce the rate of, violent delinquent behavior; and

"(B) programs that assist in holding juveniles accountable for their actions, including a system of graduated sanctions to respond to each delinquent act, requiring juveniles to make restitution, or perform community service, for the damage caused by their delinquent acts, and methods for increasing victim satisfaction with respect to the penalties imposed on juveniles for their acts.

"(b) Congress must act now to reform this program by focusing on juvenile delinquency prevention programs, as well as programs that hold juveniles accountable for their acts. Without true reform, the criminal justice system will not be able to overcome the challenges it will face in the coming years when the number of juveniles is expected to increase by 30 percent."

**SEC. 202. PURPOSE.**

Section 102 of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5602) is amended to read as follows:

**"PURPOSES**

"SEC. 102. The purposes of this title and title II are—

"(1) to support State and local programs that prevent juvenile involvement in delinquent behavior;

"(2) to assist State and local governments in promoting public safety by encouraging accountability for acts of juvenile delinquency; and

"(3) to assist State and local governments in addressing juvenile crime through the provision of technical assistance, research, training, evaluation, and the dissemination of information on effective programs for combating juvenile delinquency."

**SEC. 203. DEFINITIONS.**

Section 103 of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5603) is amended—

(1) in paragraph (3) by striking "to help prevent juvenile delinquency" and inserting "designed to reduce known risk factors for juvenile delinquent behavior, provides activities that build on protective factors for, and develop competencies in, juveniles to prevent, and reduce the rate of, delinquent juvenile behavior";

(2) in paragraph (4) by inserting "title I of" before "the Omnibus" each place it appears,

(3) in paragraph (7) by striking "the Trust Territory of the Pacific Islands,"

(4) in paragraph (9) by striking "justice" and inserting "crime control",

(5) in paragraph (12)(B) by striking " , of any nonoffender,"

(6) in paragraph (13)(B) by striking “, any non-offender.”,

(7) in paragraph (14) by inserting “drug trafficking,” after “assault.”,

(8) in paragraph (16)—

(A) in subparagraph (A) by adding “and” at the end, and

(B) by striking subparagraph (C),

(9) by striking paragraph (17),

(10) in paragraph (22)—

(A) by redesignating subparagraphs (i), (ii), and (iii) as subparagraphs (A), (B), and (C), respectively, and

(B) by striking “and” at the end,

(11) in paragraph (23) by striking the period at the end and inserting a semicolon,

(12) by redesignating paragraphs (18), (19), (20), (21), (22), and (23) as paragraphs (17) through (22), respectively, and

(13) by adding at the end the following:

“(23) the term ‘boot camp’ means a residential facility (excluding a private residence) at which there are provided—

“(A) a highly regimented schedule of discipline, physical training, work, drill, and ceremony characteristic of military basic training.

“(B) regular, remedial, special, and vocational education; and

“(C) counseling and treatment for substance abuse and other health and mental health problems;

“(24) the term ‘graduated sanctions’ means an accountability-based, graduated series of sanctions (including incentives and services) applicable to juveniles within the juvenile justice system to hold such juveniles accountable for their actions and to protect communities from the effects of juvenile delinquency by providing appropriate sanctions for every act for which a juvenile is adjudicated delinquent, by inducing their law-abiding behavior, and by preventing their subsequent involvement with the juvenile justice system;

“(25) the term ‘violent crime’ means—

“(A) murder or nonnegligent manslaughter, forcible rape, or robbery, or

“(B) aggravated assault committed with the use of a firearm;

“(26) the term ‘co-located facilities’ means facilities that are located in the same building, or are part of a related complex of buildings located on the same grounds; and

“(27) the term ‘related complex of buildings’ means 2 or more buildings that share—

“(A) physical features, such as walls and fences, or services beyond mechanical services (heating, air conditioning, water and sewer); or

“(B) the specialized services that are allowable under section 31.303(e)(3)(i)(C)(3) of title 28 of the Code of Federal Regulations, as in effect on December 10, 1996.”.

**SEC. 204. NAME OF OFFICE.**

Title II of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5611 et seq.) is amended—

(1) by amending the heading of part A to read as follows:

“PART A—OFFICE OF JUVENILE CRIME CONTROL AND DELINQUENCY PREVENTION”,

(2) in section 201(a) by striking “Justice and Delinquency Prevention” and inserting “Crime Control and Delinquency Prevention”, and

(3) in subsections section 299A(c)(2) by striking “Justice and Delinquency Prevention” and inserting “Crime Control and Delinquency Prevention”.

**SEC. 205. CONCENTRATION OF FEDERAL EFFORT.**

Section 204 of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5614) is amended—

(1) in subsection (a)(1) by striking the last sentence,

(2) in subsection (b)—

(A) in paragraph (3) by striking “and of the prospective” and all that follows through “administered”,

(B) by striking paragraph (5), and

(C) by redesignating paragraphs (6) and (7) as paragraphs (5) and (6), respectively,

(3) in subsection (c) by striking “and reports” and all that follows through “this part”, and inserting “as may be appropriate to prevent the duplication of efforts, and to coordinate activities, related to the prevention of juvenile delinquency”,

(4) by striking subsection (i), and

(5) by redesignating subsection (h) as subsection (f).

**SEC. 206. COORDINATING COUNCIL ON JUVENILE JUSTICE AND DELINQUENCY PREVENTION.**

Section 206 of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5616) is repealed.

**SEC. 207. ANNUAL REPORT.**

Section 207 of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5617) is amended—

(1) in paragraph (2)—

(A) by inserting “and” after “priorities.”, and

(B) by striking “, and recommendations of the Council”,

(2) by striking paragraphs (4) and (5), and inserting the following:

“(4) An evaluation of the programs funded under this title and their effectiveness in reducing the incidence of juvenile delinquency, particularly violent crime, committed by juveniles.”, and

(3) by redesignating such section as section 206.

**SEC. 208. ALLOCATION.**

Section 222 of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5632) is amended—

(1) in subsection (a)—

(A) in paragraph (2)—

(i) in subparagraph (A)—

(I) by striking “amount, up to \$400,000,” and inserting “amount up to \$400,000”,

(II) by inserting a comma after “1992” the 1st place it appears,

(III) by striking “the Trust Territory of the Pacific Islands.”, and

(IV) by striking “amount, up to \$100,000,” and inserting “amount up to \$100,000”,

(ii) in subparagraph (B)—

(I) by striking “(other than part D)”,

(II) by striking “or such greater amount, up to \$600,000” and all that follows through “section 299(a) (1) and (3)”,

(III) by striking “the Trust Territory of the Pacific Islands.”,

(IV) by striking “amount, up to \$100,000,” and inserting “amount up to \$100,000”, and

(V) by inserting a comma after “1992”,

(B) in paragraph (3) by striking “allot” and inserting “allocate”, and

(2) in subsection (b) by striking “the Trust Territory of the Pacific Islands.”.

**SEC. 209. STATE PLANS.**

Section 223 of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5633) is amended—

(1) in subsection (a)—

(A) in the 2nd sentence by striking “challenge” and all that follows through “part E”, and inserting “, projects, and activities”,

(B) in paragraph (3)—

(i) by striking “, which—” and inserting “that—”,

(ii) in subparagraph (A)—

(I) by striking “not less” and all that follows through “33”, and inserting “the attorney general of the State or such other State official who has primary responsibility for overseeing the enforcement of State criminal laws, and”,

(II) by inserting “, in consultation with the attorney general of the State or such other

State official who has primary responsibility for overseeing the enforcement of State criminal laws” after “State”,

(III) in clause (i) by striking “or the administration of juvenile justice” and inserting “, the administration of juvenile justice, or the reduction of juvenile delinquency”,

(IV) in clause (ii) by striking “include—” and all that follows through the semicolon at the end of subclause (VIII), and inserting the following:

“represent a multidisciplinary approach to addressing juvenile delinquency and may include—

“(I) individuals who represent units of general local government, law enforcement and juvenile justice agencies, public agencies concerned with the prevention and treatment of juvenile delinquency and with the adjudication of juveniles, representatives of juveniles, or nonprofit private organizations, particularly such organizations that serve juveniles; and

“(II) such other individuals as the chief executive officer considers to be appropriate; and”,

(V) by striking clauses (iv) and (v),

(iii) in subparagraph (C) by striking “justice” and inserting “crime control”,

(iv) in subparagraph (D)—

(I) in clause (i) by inserting “and” at the end,

(II) in clause (ii) by striking “paragraphs” and all that follows through “part E”, and inserting “paragraphs (11), (12), and (13)”, and

(III) by striking clause (iii), and

(v) in subparagraph (E) by striking “title—” and all that follows through “(ii)” and inserting “title.”,

(C) in paragraph (5)—

(i) in the matter preceding subparagraph (A) by striking “, other than” and inserting “reduced by the percentage (if any) specified by the State under the authority of paragraph (25) and excluding” after “section 222”, and

“(ii) in subparagraph (C) by striking “paragraphs (12)(A), (13), and (14)” and inserting “paragraphs (11), (12), and (13)”,

(D) by striking paragraph (6),

(E) in paragraph (7) by inserting “, including in rural areas” before the semicolon at the end,

(F) in paragraph (8)—

(i) in subparagraph (A)—

(I) by striking “for (i)” and all that follows through “relevant jurisdiction”, and inserting “for an analysis of juvenile delinquency problems in, and the juvenile delinquency control and delinquency prevention needs (including educational needs) of, the State”,

(II) by striking “justice” the second place it appears and inserting “crime control”, and

(III) by striking “of the jurisdiction; (ii)” and all that follows through the semicolon at the end, and inserting “of the State; and”,

(ii) by amending subparagraph (B) to read as follows:

“(B) contain—

“(i) a plan for providing needed gender-specific services for the prevention and treatment of juvenile delinquency;

“(ii) a plan for providing needed services for the prevention and treatment of juvenile delinquency in rural areas; and

“(iii) a plan for providing needed mental health services to juveniles in the juvenile justice system, including information on how such plan is being implemented and how such services will be targeted to those juveniles in the such system who are in greatest need of such services services;”, and

(iii) by striking subparagraphs (C) and (D),

(G) by amending paragraph (9) to read as follows:

“(9) provide for the coordination and maximum utilization of existing juvenile delinquency programs, programs operated by public and private agencies and organizations, and other related programs (such as education, special education, recreation, health, and welfare programs) in the State;”

(H) in paragraph (10)—

(i) in subparagraph (A)—

(I) by striking “, specifically” and inserting “including”;

(II) by striking clause (i), and

(III) redesignating clauses (ii) and (iii) as clauses (i) and (ii), respectively,

(ii) in subparagraph (C) by striking “juvenile justice” and inserting “juvenile crime control”;

(iv) by amending subparagraph (D) to read as follows:

“(D) programs that provide treatment to juvenile offenders who are victims of child abuse or neglect, and to their families, in order to reduce the likelihood that such juvenile offenders will commit subsequent violations of law;”

(iv) in subparagraph (E)—

(I) by redesignating clause (ii) as clause (iii), and

(II) by striking “juveniles, provided” and all that follows through “provides; and”, and inserting the following:

“juveniles—

“(i) to encourage juveniles to remain in elementary and secondary schools or in alternative learning situations;

“(ii) to provide services to assist juveniles in making the transition to the world of work and self-sufficiency; and”;

(v) by amending subparagraph (F) to read as follows:

“(F) expanding the use of probation officers—

“(i) particularly for the purpose of permitting nonviolent juvenile offenders (including status offenders) to remain at home with their families as an alternative to incarceration or institutionalization; and

“(ii) to ensure that juveniles follow the terms of their probation;”;

(vi) by amending subparagraph (G) to read as follows:

“(G) one-on-one mentoring programs that are designed to link at-risk juveniles and juvenile offenders, particularly juveniles residing in high-crime areas and juveniles experiencing educational failure, with responsible adults (such as law enforcement officers, adults working with local businesses, and adults working with community-based organizations and agencies) who are properly screened and trained;”

(vii) in subparagraph (H) by striking “handicapped youth” and inserting “juveniles with disabilities”;

(viii) by amending subparagraph (K) to read as follows:

“(K) boot camps for juvenile offenders;”;

(ix) by amending subparagraph (L) to read as follows:

“(L) community-based programs and services to work with juveniles, their parents, and other family members during and after incarceration in order to strengthen families so that such juveniles may be retained in their homes;”;

(x) by amending subparagraph (N) to read as follows:

“(N) establishing policies and systems to incorporate relevant child protective services records into juvenile justice records for purposes of establishing treatment plans for juvenile offenders;”;

(xi) in subparagraph (O)—

(I) in striking “cultural” and inserting “other”, and

(II) by striking the period at the end and inserting a semicolon, and

(xii) by adding at the end the following:

“(P) programs designed to prevent and to reduce hate crimes committed by juveniles; and

“(Q) after-school programs that provide at-risk juveniles and juveniles in the juvenile justice system with a range of age-appropriate activities, including tutoring, mentoring, and other educational and enrichment activities.”;

(I) by amending paragraph (12) to read as follows:

“(12) shall, in accordance with rules issued by the Administrator, provide that—

“(A) juveniles who are charged with or who have committed an offense that would not be criminal if committed by an adult, excluding—

“(i) juveniles who are charged with or who have committed a violation of section 922(x)(2) of title 18, United States Code, or of a similar State law;

“(ii) juveniles who are charged with or who have committed a violation of a valid court order; and

“(iii) juveniles who are held in accordance with the Interstate Compact on Juveniles as enacted by the State;

shall not be placed in secure detention facilities or secure correctional facilities; and

“(B) juveniles—

“(i) who are not charged with any offense; and

“(ii) who are—

“(I) aliens; or

“(II) alleged to be dependent, neglected, or abused;

shall not be placed in secure detention facilities or secure correctional facilities;”;

(J) by amending paragraph (13) to read as follows:

“(13) provide that—

“(A) juveniles alleged to be or found to be delinquent, and juveniles within the purview of paragraph (11), will not be detained or confined in any institution in which they have regular contact, or unsupervised incidental contact, with adults incarcerated because such adults have been convicted of a crime or are awaiting trial on criminal charges; and

“(B) there is in effect in the State a policy that requires individuals who work with both such juveniles and such adults in co-located facilities have been trained and certified to work with juveniles;”;

(K) by amending paragraph (14) to read as follows:

“(14) provide that no juvenile will be detained or confined in any jail or lockup for adults except—

“(A) juveniles who are accused of non-status offenses and who are detained in such jail or lockup for a period not to exceed 6 hours—

“(i) for processing or release;

“(ii) while awaiting transfer to a juvenile facility; or

“(iii) in which period such juveniles make a court appearance;

“(B) juveniles who are accused of non-status offenses, who are awaiting an initial court appearance that will occur within 48 hours after being taken into custody (excluding Saturdays, Sundays, and legal holidays), and who are detained in a jail or lockup—

“(i) in which—

“(I) such juveniles do not have regular contact, or unsupervised incidental contact, with adults incarcerated because such adults have been convicted of a crime or are awaiting trial on criminal charges; and

“(II) there is in effect in the State a policy that requires individuals who work with both such juveniles and such adults in co-located facilities have been trained and certified to work with juveniles; and

“(ii) that—

“(I) is located outside a metropolitan statistical area (as defined by the Office of Management and Budget) and has no existing acceptable alternative placement available;

“(II) is located where conditions of distance to be traveled or the lack of highway, road, or transportation do not allow for court appearances within 48 hours (excluding Saturdays, Sundays, and legal holidays) so that a brief (not to exceed an additional 48 hours) delay is excusable; or

“(III) is located where conditions of safety exist (such as severe adverse, life-threatening weather conditions that do not allow for reasonably safe travel), in which case the time for an appearance may be delayed until 24 hours after the time that such conditions allow for reasonable safe travel;

“(C) juveniles who are accused of non-status offenses and who are detained in a jail or lockup that satisfies the requirements of subparagraph (B)(i) if—

“(i) such jail or lockup—

“(I) is located outside a metropolitan statistical area (as defined by the Office of Management and Budget); and

“(II) has no existing acceptable alternative placement available;

“(ii) a parent or other legal guardian (or guardian ad litem) of the juvenile involved, in consultation with the counsel representing the juvenile, consents to detaining such juvenile in accordance with this subparagraph and has the right to revoke such consent at any time;

“(iii) the juvenile has counsel, and the counsel representing such juvenile—

“(I) consults with the parents of the juvenile to determine the appropriate placement of the juvenile; and

“(II) has an opportunity to present the juvenile’s position regarding the detention involved to the court before the court approves such detention;”;

“(iv) the court has an opportunity to hear from the juvenile before court approval of such placement; and

“(v) detaining such juvenile in accordance with this subparagraph is—

“(I) approved in advance by a court with competent jurisdiction that has determined that such placement is in the best interest of such juvenile;

“(II) required to be reviewed periodically and in the presence of the juvenile, at intervals of not more than 5 days (excluding Saturdays, Sundays, and legal holidays), by such court for the duration of detention; and

“(III) for a period preceding the sentencing (if any) of such juvenile, but not to exceed a 20-day period;”;

(L) in paragraph (15)—

(i) by striking “paragraph (12)(A), paragraph (13), and paragraph (14)” and inserting “paragraphs (11), (12), and (13)”, and

(ii) by striking “paragraph (12)(A) and paragraph (13)” and inserting “paragraphs (11) and (12)”,

(M) in paragraph (16) by striking “mentally, emotionally, or physically handicapping conditions” and inserting “disability”;

(N) by amending paragraph (19) to read as follows:

“(19) provide assurances that—

“(A) any assistance provided under this Act will not cause the displacement (including a partial displacement, such as a reduction in the hours of nonovertime work, wages, or employment benefits) of any currently employed employee;

“(B) activities assisted under this Act will not impair an existing collective bargaining relationship, contract for services, or collective bargaining agreement; and

“(C) no such activity that would be inconsistent with the terms of a collective bargaining agreement shall be undertaken with-

out the written concurrence of the labor organization involved.”.

(O) in paragraph (22) by inserting before the semicolon, the following:

“; and that the State will not expend funds to carry out a program referred to in subparagraph (A), (B), or (C) of paragraph (5) if the recipient of funds who carried out such program during the preceding 2-year period fails to demonstrate, before the expiration of such 2-year period, that such program achieved substantial success in achieving the goals specified in the application submitted such recipient to the State agency”.

(P) by amending paragraph (23) to read as follows:

“(23) address juvenile delinquency prevention efforts and system improvement efforts designed to reduce, without establishing or requiring numerical standards or quotas, the disproportionate number of juvenile members of minority groups, who come into contact with the juvenile justice system”.

(Q) by amending paragraph (24) to read as follows:

“(24) provide that if a juvenile is taken into custody for violating a valid court order issued for committing a status offense—

“(A) an appropriate public agency shall be promptly notified that such juvenile is held in custody for violating such order;

“(B) not later than 24 hours during which such juvenile is so held, an authorized representative of such agency shall interview, in person, such juvenile; and

“(C) not later than 48 hours during which such juvenile is so held—

“(i) such representative shall submit an assessment to the court that issued such order, regarding the immediate needs of such juvenile; and

“(ii) such court shall conduct a hearing to determine—

“(I) whether there is reasonable cause to believe that such juvenile violated such order; and

“(II) the appropriate placement of such juvenile pending disposition of the violation alleged”;

(R) in paragraph (25) by striking the period at the end and inserting a semicolon.

(S) by redesignating paragraphs (7) through (25) as paragraphs (6) through (24), respectively, and

(T) by adding at the end the following:

“(25) specify a percentage (if any), not to exceed 5 percent, of funds received by the State under section 222 (other than funds made available to the state advisory group under section 222(d)) that the State will reserve for expenditure by the State to provide incentive grants to units of general local government that reduce the caseload of probation officers within such units, and

“(26) provide that the State, to the maximum extent practicable, will implement a system to ensure that if a juvenile is before a court in the juvenile justice system, public child welfare records (including child protective services records) relating to such juvenile that are on file in the geographical area under the jurisdiction of such court will be made known to such court.”, and

(2) by amending subsection (c) to read as follows:

“(c) If a State fails to comply with any of the applicable requirements of paragraphs (11), (12), (13), and (23) of subsection (a) in any fiscal year beginning after September 30, 1999, then the amount allocated to such State for the subsequent fiscal year shall be reduced by not to exceed 12.5 percent for each such paragraph with respect to which the failure occurs, unless the Administrator determines that the State—

“(1) has achieved substantial compliance with such applicable requirements with respect to which the State was not in compliance; and

“(2) has made, through appropriate executive or legislative action, an unequivocal commitment to achieving full compliance with such applicable requirements within a reasonable time.”, and

(3) in subsection (d)—

(A) by striking “allotment” and inserting “allocation”, and

(B) by striking “subsection (a) (12)(A), (13), (14) and (23)” each place it appears and inserting “paragraphs (11), (12), (13), and (23) of subsection (a)”.

**SEC. 210. JUVENILE DELINQUENCY PREVENTION BLOCK GRANT PROGRAM.**

Title II of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5611 et seq.) is amended—

(1) by striking parts C, D, E, F, G, and H,

(2) by striking the 1st part I,

(3) by redesignating the 2nd part I as part F, and

(4) by inserting after part B the following:

**“PART C—JUVENILE DELINQUENCY PREVENTION BLOCK GRANT PROGRAM**

**“SEC. 241. AUTHORITY TO MAKE GRANTS.**

“The Administrator may make grants to eligible States, from funds allocated under section 242, for the purpose of providing financial assistance to eligible entities to carry out projects designed to prevent juvenile delinquency, including—

“(1) projects that provide treatment (including treatment for mental health problems) to juvenile offenders, and juveniles who are at risk of becoming juvenile offenders, who are victims of child abuse or neglect or who have experienced violence in their homes, at school, or in the community, and to their families, in order to reduce the likelihood that such juveniles will commit violations of law;

“(2) educational projects or supportive services for delinquent or other juveniles—

“(A) to encourage juveniles to remain in elementary and secondary schools or in alternative learning situations in educational settings;

“(B) to provide services to assist juveniles in making the transition to the world of work and self-sufficiency;

“(C) to assist in identifying learning difficulties (including learning disabilities);

“(D) to prevent unwarranted and arbitrary suspensions and expulsions;

“(E) to encourage new approaches and techniques with respect to the prevention of school violence and vandalism;

“(F) which assist law enforcement personnel and juvenile justice personnel to more effectively recognize and provide for learning-disabled and other juveniles with disabilities;

“(G) which develop locally coordinated policies and programs among education, juvenile justice, and social service agencies; or

“(H) to provide services to juvenile with serious mental and emotional disturbances (SED) in need of mental health services;

“(3) projects which expand the use of probation officers—

“(A) particularly for the purpose of permitting nonviolent juvenile offenders (including status offenders) to remain at home with their families as an alternative to incarceration or institutionalization; and

“(B) to ensure that juveniles follow the terms of their probation;

“(4) one-on-one mentoring projects that are designed to link at-risk juveniles and juvenile offenders who did not commit serious crime, particularly juveniles residing in high-crime areas and juveniles experiencing educational failure, with responsible adults (such as law enforcement officers, adults working with local businesses, and adults working for community-based organizations and agencies) who are properly screened and trained;

“(5) community-based projects and services (including literacy and social service programs) which work with juvenile offenders and juveniles who are at risk of becoming juvenile offenders, including those from families with limited English-speaking proficiency, their parents, their siblings, and other family members during and after incarceration of the juvenile offenders, in order to strengthen families, to allow juvenile offenders to be retained in their homes, and to prevent the involvement of other juvenile family members in delinquent activities;

“(6) projects designed to provide for the treatment (including mental health services) of juveniles for dependence on or abuse of alcohol, drugs, or other harmful substances;

“(7) projects which leverage funds to provide scholarships for postsecondary education and training for low-income juveniles who reside in neighborhoods with high rates of poverty, violence, and drug-related crimes;

“(8) projects which provide for an initial intake screening of each juvenile taken into custody—

“(A) to determine the likelihood that such juvenile will commit a subsequent offense; and

“(B) to provide appropriate interventions (including mental health services) to prevent such juvenile from committing subsequent offenses;

“(9) projects (including school- or community-based projects) that are designed to prevent, and reduce the rate of, the participation of juveniles in gangs that commit crimes (particularly violent crimes), that unlawfully use firearms and other weapons, or that unlawfully traffic in drugs and that involve, to the extent practicable, families and other community members (including law enforcement personnel and members of the business community) in the activities conducted under such projects;

“(10) comprehensive juvenile justice and delinquency prevention projects that meet the needs of juveniles through the collaboration of the many local service systems juveniles encounter, including schools, courts, law enforcement agencies, child protection agencies, mental health agencies, welfare services, health care agencies, private nonprofit agencies, and public recreation agencies offering services to juveniles;

“(11) to develop, implement, and support, in conjunction with public and private agencies, organizations, and businesses, projects for the employment of juveniles and referral to job training programs (including referral to Federal job training programs);

“(12) delinquency prevention activities which involve youth clubs, sports, recreation and parks, peer counseling and teaching, the arts, leadership development, community service, volunteer service, before- and after-school programs, violence prevention activities, mediation skills training, camping, environmental education, ethnic or cultural enrichment, tutoring, and academic enrichment;

“(13) to establish policies and systems to incorporate relevant child protective services records into juvenile justice records for purposes of establishing treatment plans for juvenile offenders;

“(14) programs that encourage social competencies, problem-solving skills, and communication skills, youth leadership, and civic involvement;

“(15) programs that focus on the needs of young girls at-risk of delinquency or status offenses;

“(16) projects which provide for—

“(A) an assessment by a qualified mental health professional of incarcerated juveniles who are suspected to be in need of mental health services;

“(B) the development of an individualized treatment plan for those incarcerated juveniles determined to be in need of such services;

“(C) the inclusion of a discharge plan for incarcerated juveniles receiving mental health services that addresses aftercare services; and

“(D) all juveniles receiving psychotropic medications to be under the care of a licensed mental health professional;

“(17) after-school programs that provide at-risk juveniles and juveniles in the juvenile justice system with a range of age-appropriate activities, including tutoring, mentoring, and other educational and enrichment activities;

“(18) programs related to the establishment and maintenance of a school violence hotline, based on a public-private partnership, that students and parents can use to report suspicious, violent, or threatening behavior to local school and law enforcement authorities;

“(19) programs (excluding programs to purchase guns from juveniles) designed to reduce the unlawful acquisition and illegal use of guns by juveniles, including partnerships between law enforcement agencies, health professionals, school officials, firearms manufacturers, consumer groups, faith-based groups and community organizations; and

“(20) other activities that are likely to prevent juvenile delinquency.

**“SEC. 242. ALLOCATION.**

“Funds appropriated to carry out this part shall be allocated among eligible States proportionately based on the population that is less than 18 years of age in the eligible States.

**“SEC. 243. ELIGIBILITY OF STATES.**

“(a) APPLICATION.—To be eligible to receive a grant under section 241, a State shall submit to the Administrator an application that contains the following:

“(1) An assurance that the State will use—

“(A) not more than 5 percent of such grant, in the aggregate, for—

“(i) the costs incurred by the State to carry out this part; and

“(ii) to evaluate, and provide technical assistance relating to, projects and activities carried out with funds provided under this part; and

“(B) the remainder of such grant to make grants under section 244.

“(2) An assurance that, and a detailed description of how, such grant will support, and not supplant State and local efforts to prevent juvenile delinquency.

“(3) An assurance that such application was prepared after consultation with and participation by community-based organizations, and organizations in the local juvenile justice system, that carry out programs, projects, or activities to prevent juvenile delinquency.

“(4) An assurance that each eligible entity described in section 244 that receives an initial grant under section 244 to carry out a project or activity shall also receive an assurance from the State that such entity will receive from the State, for the subsequent fiscal year to carry out such project or activity, a grant under such section in an amount that is proportional, based on such initial grant and on the amount of the grant received under section 241 by the State for such subsequent fiscal year, but that does not exceed the amount specified for such subsequent fiscal year in such application as approved by the State.

“(5) Such other information and assurances as the Administrator may reasonably require by rule.

**“(b) APPROVAL OF APPLICATIONS.—**

“(1) APPROVAL REQUIRED.—Subject to paragraph (2), the Administrator shall approve an

application, and amendments to such application submitted in subsequent fiscal years, that satisfy the requirements of subsection (a).

“(2) LIMITATION.—The Administrator may not approve such application (including amendments to such application) for a fiscal year unless—

“(A)(i) the State submitted a plan under section 223 for such fiscal year; and

“(ii) such plan is approved by the Administrator for such fiscal year; or

“(B) the Administrator waives the application of subparagraph (A) to such State for such fiscal year, after finding good cause for such a waiver.

**“SEC. 244. GRANTS FOR LOCAL PROJECTS.**

“(a) GRANTS BY STATES.—Using a grant received under section 241, a State may make grants to eligible entities whose applications are received by the State to carry out projects and activities described in section 241.

“(b) SPECIAL CONSIDERATION.—For purposes of making grants under subsection (a), the State shall give special consideration to eligible entities that—

“(1) propose to carry out such projects in geographical areas in which there is—

“(A) a disproportionately high level of serious crime committed by juveniles; or

“(B) a recent rapid increase in the number of nonstatus offenses committed by juveniles;

“(2)(A) agreed to carry out such projects or activities that are multidisciplinary and involve more than 2 private nonprofit agencies, organizations, and institutions that have experience dealing with juveniles; or

“(B) represent communities that have a comprehensive plan designed to identify at-risk juveniles and to prevent or reduce the rate of juvenile delinquency, and that involve other entities operated by individuals who have a demonstrated history of involvement in activities designed to prevent juvenile delinquency; and

“(3) the amount of resources (in cash or in kind) such entities will provide to carry out such projects and activities.

**“SEC. 245. ELIGIBILITY OF ENTITIES.**

“(a) ELIGIBILITY.—Except as provided in subsection (b), to be eligible to receive a grant under section 244, a unit of general purpose local government, acting jointly with not fewer than 2 private nonprofit agencies, organizations, and institutions that have experience dealing with juveniles, shall submit to the State an application that contains the following:

“(1) An assurance that such applicant will use such grant, and each such grant received for the subsequent fiscal year, to carry out throughout a 2-year period a project or activity described in reasonable detail, and of a kind described in one or more of paragraphs (1) through (14) of section 241 as specified in, such application.

“(2) A statement of the particular goals such project or activity is designed to achieve, and the methods such entity will use to achieve, and assess the achievement of, each of such goals.

“(3) A statement identifying the research (if any) such entity relied on in preparing such application.

“(b) LIMITATION.—If an eligible entity that receives a grant under section 244 to carry out a project or activity for a 2-year period, and receives technical assistance from the State or the Administrator after requesting such technical assistance (if any), fails to demonstrate, before the expiration of such 2-year period, that such project or such activity has achieved substantial success in achieving the goals specified in the application submitted by such entity to receive such grants, then such entity shall not be el-

igible to receive any subsequent grant under such section to continue to carry out such project or activity.”.

**SEC. 211. RESEARCH; EVALUATION; TECHNICAL ASSISTANCE; TRAINING.**

Title II of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5611 et seq.) is amended by inserting after part C, as added by section 110, the following:

**“PART D—RESEARCH; EVALUATION; TECHNICAL ASSISTANCE; TRAINING**

**“SEC. 251. RESEARCH AND EVALUATION; STATISTICAL ANALYSES; INFORMATION DISSEMINATION**

“(a) RESEARCH AND EVALUATION.—(1) The Administrator may—

“(A) plan and identify, after consultation with the Director of the National Institute of Justice, the purposes and goals of all agreements carried out with funds provided under this subsection; and

“(B) make agreements with the National Institute of Justice or, subject to the approval of the Assistant Attorney General for the Office of Justice Programs, with another Federal agency authorized by law to conduct research or evaluation in juvenile justice matters, for the purpose of providing research and evaluation relating to—

“(i) the prevention, reduction, and control of juvenile delinquency and serious crime committed by juveniles;

“(ii) the link between juvenile delinquency and the incarceration of members of the families of juveniles;

“(iii) successful efforts to prevent first-time minor offenders from committing subsequent involvement in serious crime;

“(iv) successful efforts to prevent recidivism;

“(v) the juvenile justice system;

“(vi) juvenile violence;

“(vii) appropriate mental health services for juveniles and youth at risk of participating in delinquent activities;

“(viii) reducing the proportion of juveniles detained or confined in secure detention facilities, secure correctional facilities, jails, and lockups who are members of minority groups; and

“(ix) other purposes consistent with the purposes of this title and title I.

“(2) The Administrator shall ensure that an equitable amount of funds available to carry out paragraph (1)(B) is used for research and evaluation relating to the prevention of juvenile delinquency.

“(b) STATISTICAL ANALYSES.—The Administrator may—

“(1) plan and identify, after consultation with the Director of the Bureau of Justice Statistics, the purposes and goals of all agreements carried out with funds provided under this subsection; and

“(2) make agreements with the Bureau of Justice Statistics, or subject to the approval of the Assistant Attorney General for the Office of Justice Programs, with another Federal agency authorized by law to undertake statistical work in juvenile justice matters, for the purpose of providing for the collection, analysis, and dissemination of statistical data and information relating to juvenile delinquency and serious crimes committed by juveniles, to the juvenile justice system, to juvenile violence, and to other purposes consistent with the purposes of this title and title I.

“(c) COMPETITIVE SELECTION PROCESS.—The Administrator shall use a competitive process, established by rule by the Administrator, to carry out subsections (a) and (b).

“(d) IMPLEMENTATION OF AGREEMENTS.—A Federal agency that makes an agreement under subsections (a)(1)(B) and (b)(2) with the Administrator may carry out such agreement directly or by making grants to or contracts with public and private agencies, institutions, and organizations.

“(e) INFORMATION DISSEMINATION.—The Administrator may—

“(1) review reports and data relating to the juvenile justice system in the United States and in foreign nations (as appropriate), collect data and information from studies and research into all aspects of juvenile delinquency (including the causes, prevention, and treatment of juvenile delinquency) and serious crimes committed by juveniles;

“(2) establish and operate, directly or by contract, a clearinghouse and information center for the preparation, publication, and dissemination of information relating to juvenile delinquency, including State and local prevention and treatment programs, plans, resources, and training and technical assistance programs; and

“(3) make grants and contracts with public and private agencies, institutions, and organizations, for the purpose of disseminating information to representatives and personnel of public and private agencies, including practitioners in juvenile justice, law enforcement, the courts, corrections, schools, and related services, in the establishment, implementation, and operation of projects and activities for which financial assistance is provided under this title.

**“SEC. 252. TRAINING AND TECHNICAL ASSISTANCE.**

“(a) TRAINING.—The Administrator may—

“(1) develop and carry out projects for the purpose of training representatives and personnel of public and private agencies, including practitioners in juvenile justice, law enforcement, courts, corrections, schools, and related services, to carry out the purposes specified in section 102; and

“(2) make grants to and contracts with public and private agencies, institutions, and organizations for the purpose of training representatives and personnel of public and private agencies, including practitioners in juvenile justice, law enforcement, courts, corrections, schools, and related services, to carry out the purposes specified in section 102.

“(b) TECHNICAL ASSISTANCE.—The Administrator may—

“(1) develop and implement projects for the purpose of providing technical assistance to representatives and personnel of public and private agencies and organizations, including practitioners in juvenile justice, law enforcement, courts, corrections, schools, and related services, in the establishment, implementation, and operation of programs, projects, and activities for which financial assistance is provided under this title; and

“(2) make grants to and contracts with public and private agencies, institutions, and organizations, for the purpose of providing technical assistance to representatives and personnel of public and private agencies, including practitioners in juvenile justice, law enforcement, courts, corrections, schools, and related services, in the establishment, implementation, and operation of programs, projects, and activities for which financial assistance is provided under this title.

“(c) TRAINING AND TECHNICAL ASSISTANCE TO MENTAL HEALTH PROFESSIONALS AND LAW ENFORCEMENT PERSONNEL.—The Administrator shall provide training and technical assistance to mental health professionals and law enforcement personnel (including public defenders, police officers, probation officers, judges, parole officials, and correctional officers) to address or to promote the development, testing, or demonstration of promising or innovative models, programs, or delivery systems that address the needs of juveniles who are alleged or adjudicated delinquent and who, as a result of such status, are placed in secure detention or confinement or in nonsecure residential placements.”.

**SEC. 212. DEMONSTRATION PROJECTS.**

Title II of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5611 et seq.) is amended by inserting after part D, as added by section 111, the following:

**“PART E—DEVELOPING, TESTING, AND DEMONSTRATING PROMISING NEW INITIATIVES AND PROGRAMS**

**“SEC. 261. GRANTS AND PROJECTS.**

“(a) AUTHORITY TO MAKE GRANTS.—The Administrator may make grants to and contracts with States, units of general local government, Indian tribal governments, public and private agencies, organizations, and individuals, or combinations thereof, to carry out projects for the development, testing, and demonstration of promising initiatives and programs for the prevention, control, or reduction of juvenile delinquency. The Administrator shall ensure that, to the extent reasonable and practicable, such grants are made to achieve an equitable geographical distribution of such projects throughout the United States.

“(b) USE OF GRANTS.—A grant made under subsection (a) may be used to pay all or part of the cost of the project for which such grant is made.

**“SEC. 262. GRANTS FOR TECHNICAL ASSISTANCE.**

“The Administrator may make grants to and contracts with public and private agencies, organizations, and individuals to provide technical assistance to States, units of general local government, Indian tribal governments, local private entities or agencies, or any combination thereof, to carry out the projects for which grants are made under section 261.

**“SEC. 263. ELIGIBILITY.**

“To be eligible to receive a grant made under this part, a public or private agency, Indian tribal government, organization, institution, individual, or combination thereof shall submit an application to the Administrator at such time, in such form, and containing such information as the Administrator may reasonably require by rule.

**“SEC. 264. REPORTS.**

“Recipients of grants made under this part shall submit to the Administrator such reports as may be reasonably requested by the Administrator to describe progress achieved in carrying the projects for which such grants are made.”.

**SEC. 213. AUTHORIZATION OF APPROPRIATIONS.**

Section 299 of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5671) is amended—

- (1) by striking subsection (e), and
- (2) by striking subsections (a), (b), and (c), and inserting the following:

**“(a) AUTHORIZATION OF APPROPRIATIONS FOR TITLE II (EXCLUDING PARTS C AND E).—**

(1) There are authorized to be appropriated to carry out this title such sums as may be appropriate for fiscal years 2000, 2001, 2002, and 2003.

“(2) Of such sums as are appropriated for a fiscal year to carry out this title (other than parts C and E)—

“(A) not more than 5 percent shall be available to carry out part A;

“(B) not less than 80 percent shall be available to carry out part B; and

“(C) not more than 15 percent shall be available to carry out part D.

“(b) AUTHORIZATION OF APPROPRIATIONS FOR PART C.—There are authorized to be appropriated to carry out part C such sums as may be necessary for fiscal years 2000, 2001, 2002, and 2003.

“(c) AUTHORIZATION OF APPROPRIATIONS FOR PART E.—There are authorized to be appropriated to carry out part E, and authorized to remain available until expended, such sums as may be necessary for fiscal years 2000, 2001, 2002, and 2003.”.

**SEC. 214. ADMINISTRATIVE AUTHORITY.**

Section 299A of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5672) is amended—

(1) in subsection (d) by striking “as are consistent with the purpose of this Act” and inserting “only to the extent necessary to ensure that there is compliance with the specific requirements of this title or to respond to requests for clarification and guidance relating to such compliance”, and

(2) by adding at the end the following:

“(e) If a State requires by law compliance with the requirements described in paragraphs (1), (2), and (3) of section 223(a), then for the period such law is in effect in such State such State shall be rebuttably presumed to satisfy such requirements.”.

**SEC. 215. USE OF FUNDS.**

Section 299C of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5674) is amended—

(1) in subsection (a)—

(A) by striking “may be used for”,

(B) in paragraph (1) by inserting “may be used for” after “(1)”, and

(C) by amending paragraph (2) to read as follows:

“(2) may not be used for the cost of construction of any facility, except not more than 15 percent of the funds received under this title by a State for a fiscal year may be used for the purpose of renovating or replacing juvenile facilities.”.

(2) by striking subsection (b), and

(3) by redesignating subsection (c) as subsection (b).

**SEC. 216. LIMITATION ON USE OF FUNDS.**

Part F of title II of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5671 et seq.), as so redesignated by section 210, is amended adding at the end the following:

**“SEC. 299F. LIMITATION ON USE OF FUNDS.**

“None of the funds made available to carry out this title may be used to advocate for, or support, the unsecured release of juveniles who are charged with a violent crime.”.

**SEC. 217. RULES OF CONSTRUCTION.**

Part F of title II of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5671 et seq.), as so redesignated by section 210 and amended by section 216, is amended adding at the end the following:

**“SEC. 299G. RULES OF CONSTRUCTION.**

“Nothing in this title or title I shall be construed—

“(1) to prevent financial assistance from being awarded through grants under this title to any otherwise eligible organization; or

“(2) to modify or affect any Federal or State law relating to collective bargaining rights of employees.”.

**SEC. 218. LEASING SURPLUS FEDERAL PROPERTY.**

Part F of title II of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5671 et seq.), as so redesignated by section 210 and amended by sections 216 and 217, is amended adding at the end the following:

**“SEC. 299H. LEASING SURPLUS FEDERAL PROPERTY.**

“The Administrator may receive surplus Federal property (including facilities) and may lease such property to States and units of general local government for use in or as facilities for juvenile offenders, or for use in or as facilities for delinquency prevention and treatment activities.”.

**SEC. 219. ISSUANCE OF RULES.**

Part F of title II of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5671 et seq.), as so redesignated by section 210 and amended by sections 216, 217, and 218, is amended adding at the end the following:

**SEC. 299I. ISSUANCE OF RULES.**

"The Administrator shall issue rules to carry out this title, including rules that establish procedures and methods for making grants and contracts, and distributing funds available, to carry out this title."

**SEC. 220. CONTENT OF MATERIALS.**

Part F of title II of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5671 et seq.), as so redesignated by section 210 and amended by sections 216, 217, 218, and 219, is amended by adding at the end the following:

**SEC. 299J. CONTENT OF MATERIALS.**

"Materials produced, procured, or distributed using funds appropriated to carry out this Act, for the purpose of preventing hate crimes should be respectful of the diversity of deeply held religious beliefs and shall make it clear that for most people religious faith is not associated with prejudice and intolerance."

**SEC. 221. TECHNICAL AND CONFORMING AMENDMENTS.**

(a) TECHNICAL AMENDMENTS.—The Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5601 et seq.) is amended—

(1) in section 202(b) by striking "prescribed for GS-18 of the General Schedule by section 5332" and inserting "payable under section 5376";

(2) in section 221(b)(2) by striking the last sentence,

(3) in section 299D by striking subsection (d), and

(4) by striking titles IV and V, as originally enacted by Public Law 93-415 (88 Stat. 1132-1143).

(b) CONFORMING AMENDMENTS.—(1) Section 5315 of title 5 of the United States Code is amended by striking "Office of Juvenile Justice and Delinquency Prevention" and inserting "Office of Juvenile Crime Control and Delinquency Prevention".

(2) Section 4351(b) of title 18 of the United States Code is amended by striking "Office of Juvenile Justice and Delinquency Prevention" and inserting "Office of Juvenile Crime Control and Delinquency Prevention".

(3) Subsections (a)(1) and (c) of section 3220 of title 39 of the United States Code is amended by striking "Office of Juvenile Justice and Delinquency Prevention" each place it appears and inserting "Office of Juvenile Crime Control and Delinquency Prevention".

(4) Section 463(f) of the Social Security Act (42 U.S.C. 663(f)) is amended by striking "Office of Juvenile Justice and Delinquency Prevention" and inserting "Office of Juvenile Crime Control and Delinquency Prevention".

(5) Sections 801(a), 804, 805, and 813 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3712(a), 3782, 3785, 3786, 3789i) are amended by striking "Office of Juvenile Justice and Delinquency Prevention" each place it appears and inserting "Office of Juvenile Crime Control and Delinquency Prevention".

(6) The Victims of Child Abuse Act of 1990 (42 U.S.C. 13001 et seq.) is amended—

(A) in section 214(b)(1) by striking "262, 293, and 296 of subpart II of title II" and inserting "299B and 299E";

(B) in section 214A(c)(1) by striking "262, 293, and 296 of subpart II of title II" and inserting "299B and 299E";

(C) in sections 217 and 222 by striking "Office of Juvenile Justice and Delinquency Prevention" each place it appears and inserting "Office of Juvenile Crime Control and Delinquency Prevention", and

(D) in section 223(c) by striking "section 262, 293, and 296" and inserting "sections 262, 299B, and 299E".

(7) The Missing Children's Assistance Act (42 U.S.C. 5771 et seq.) is amended—

(A) in section 403(2) by striking "Justice and Delinquency Prevention" and inserting

"Crime Control and Delinquency Prevention", and

(B) in subsections (a)(5)(E) and (b)(1)(B) of section 404 by striking "section 313" and inserting "section 331".

(8) The Crime Control Act of 1990 (42 U.S.C. 13001 et seq.) is amended—

(A) in section 217(c)(1) by striking "sections 262, 293, and 296 of subpart II of title II" and inserting "sections 299B and 299E", and

(B) in section 223(c) by striking "section 262, 293, and 296 of title II" and inserting "sections 299B and 299E".

**SEC. 222. REFERENCES.**

In any Federal law (excluding this title and the Acts amended by this title), Executive order, rule, regulation, order, delegation of authority, grant, contract, suit, or document—

(1) a reference to the Office of Juvenile Justice and Delinquency Prevention shall be deemed to include a reference to the Office of Juvenile Crime Control and Delinquency Prevention, and

(2) a reference to the National Institute for Juvenile Justice and Delinquency Prevention shall be deemed to include a reference to Office of Juvenile Crime Control and Delinquency Prevention.

**Subtitle B—Amendments to the Runaway and Homeless Youth Act****SEC. 231. RUNAWAY AND HOMELESS YOUTH.**

(a) FINDINGS.—Section 302 of the Runaway and Homeless Youth Act (42 U.S.C. 5701) is amended—

(1) in paragraph (5), by striking "accurate reporting of the problem nationally and to develop" and inserting "an accurate national reporting system to report the problem, and to assist in the development of"; and

(2) by striking paragraph (8) and inserting the following:

"(8) services for runaway and homeless youth are needed in urban, suburban, and rural areas;"

(b) AUTHORITY TO MAKE GRANTS FOR CENTERS AND SERVICES.—Section 311 of the Runaway and Homeless Youth Act (42 U.S.C. 5711) is amended—

(1) by striking subsection (a) and inserting the following:

"(a) GRANTS FOR CENTERS AND SERVICES.—

"(1) IN GENERAL.—The Secretary shall make grants to public and nonprofit private entities (and combinations of such entities) to establish and operate (including renovation) local centers to provide services for runaway and homeless youth and for the families of such youth.

"(2) SERVICES PROVIDED.—Services provided under paragraph (1)—

"(A) shall be provided as an alternative to involving runaway and homeless youth in the law enforcement, child welfare, mental health, and juvenile justice systems;

"(B) shall include—

"(i) safe and appropriate shelter; and

"(ii) individual, family, and group counseling, as appropriate; and

"(C) may include—

"(i) street-based services;

"(ii) home-based services for families with youth at risk of separation from the family; and

"(iii) drug abuse education and prevention services.";

(2) in subsection (b)(2), by striking "the Trust Territory of the Pacific Islands,"; and

(3) by striking subsections (c) and (d).

(c) ELIGIBILITY.—Section 312 of the Runaway and Homeless Youth Act (42 U.S.C. 5712) is amended—

(1) in subsection (b)—

(A) in paragraph (8), by striking "paragraph (6)" and inserting "paragraph (7)";

(B) in paragraph (10), by striking "and" at the end;

(C) in paragraph (11), by striking the period at the end and inserting "; and"; and

(D) by adding at the end the following:

"(12) shall submit to the Secretary an annual report that includes, with respect to the year for which the report is submitted—

"(A) information regarding the activities carried out under this part;

"(B) the achievements of the project under this part carried out by the applicant; and

"(C) statistical summaries describing—

"(i) the number and the characteristics of the runaway and homeless youth, and youth at risk of family separation, who participate in the project; and

"(ii) the services provided to such youth by the project."; and

(2) by striking subsections (c) and (d) and inserting the following:

"(c) APPLICANTS PROVIDING STREET-BASED SERVICES.—To be eligible to use assistance under section 311(a)(2)(C)(i) to provide street-based services, the applicant shall include in the plan required by subsection (b) assurances that in providing such services the applicant will—

"(1) provide qualified supervision of staff, including on-street supervision by appropriately trained staff;

"(2) provide backup personnel for on-street staff;

"(3) provide initial and periodic training of staff who provide such services; and

"(4) conduct outreach activities for runaway and homeless youth, and street youth.

"(d) APPLICANTS PROVIDING HOME-BASED SERVICES.—To be eligible to use assistance under section 311(a) to provide home-based services described in section 311(a)(2)(C)(ii), an applicant shall include in the plan required by subsection (b) assurances that in providing such services the applicant will—

"(1) provide counseling and information to youth and the families (including unrelated individuals in the family households) of such youth, including services relating to basic life skills, interpersonal skill building, educational advancement, job attainment skills, mental and physical health care, parenting skills, financial planning, and referral to sources of other needed services;

"(2) provide directly, or through an arrangement made by the applicant, 24-hour service to respond to family crises (including immediate access to temporary shelter for runaway and homeless youth, and youth at risk of separation from the family);

"(3) establish, in partnership with the families of runaway and homeless youth, and youth at risk of separation from the family, objectives and measures of success to be achieved as a result of receiving home-based services;

"(4) provide initial and periodic training of staff who provide home-based services; and

"(5) ensure that—

"(A) caseloads will remain sufficiently low to allow for intensive (5 to 20 hours per week) involvement with each family receiving such services; and

"(B) staff providing such services will receive qualified supervision.

"(e) APPLICANTS PROVIDING DRUG ABUSE EDUCATION AND PREVENTION SERVICES.—To be eligible to use assistance under section 311(a)(2)(C)(iii) to provide drug abuse education and prevention services, an applicant shall include in the plan required by subsection (b)—

"(1) a description of—

"(A) the types of such services that the applicant proposes to provide;

"(B) the objectives of such services; and

"(C) the types of information and training to be provided to individuals providing such services to runaway and homeless youth; and

"(2) an assurance that in providing such services the applicant shall conduct outreach activities for runaway and homeless youth."

(d) APPROVAL OF APPLICATIONS.—Section 313 of the Runaway and Homeless Youth Act (42 U.S.C. 5713) is amended to read as follows:  
**“SEC. 313. APPROVAL OF APPLICATIONS.**

“(a) IN GENERAL.—An application by a public or private entity for a grant under section 311(a) may be approved by the Secretary after taking into consideration, with respect to the State in which such entity proposes to provide services under this part—

“(1) the geographical distribution in such State of the proposed services under this part for which all grant applicants request approval; and

“(2) which areas of such State have the greatest need for such services.

“(b) PRIORITY.—In selecting applications for grants under section 311(a), the Secretary shall give priority to—

“(1) eligible applicants who have demonstrated experience in providing services to runaway and homeless youth; and

“(2) eligible applicants that request grants of less than \$200,000.”

(e) AUTHORITY FOR TRANSITIONAL LIVING GRANT PROGRAM.—Section 321 of the Runaway and Homeless Youth Act (42 U.S.C. 5714-1) is amended—

(1) in the section heading, by striking “PURPOSE AND”;

(2) in subsection (a), by striking “(a)”;

(3) by striking subsection (b).

(f) ELIGIBILITY.—Section 322(a)(9) of the Runaway and Homeless Youth Act (42 U.S.C. 5714-2(a)(9)) is amended by inserting “, and the services provided to such youth by such project,” after “such project”.

(g) COORDINATION.—Section 341 of the Runaway and Homeless Youth Act (42 U.S.C. 5714-21) is amended to read as follows:  
**“SEC. 341. COORDINATION.**

“With respect to matters relating to the health, education, employment, and housing of runaway and homeless youth, the Secretary—

“(1) in conjunction with the Attorney General, shall coordinate the activities of agencies of the Department of Health and Human Services with activities under any other Federal juvenile crime control, prevention, and juvenile offender accountability program and with the activities of other Federal entities; and

“(2) shall coordinate the activities of agencies of the Department of Health and Human Services with the activities of other Federal entities and with the activities of entities that are eligible to receive grants under this title.”

(h) AUTHORITY TO MAKE GRANTS FOR RESEARCH, EVALUATION, DEMONSTRATION, AND SERVICE PROJECTS.—Section 343 of the Runaway and Homeless Youth Act (42 U.S.C. 5714-23) is amended—

(1) in the section heading, by inserting “EVALUATION,” after “RESEARCH,”;

(2) in subsection (a), by inserting “evaluation,” after “research,”; and

(3) in subsection (b)—

(A) by striking paragraph (2); and

(B) by redesignating paragraphs (3) through (10) as paragraphs (2) through (9), respectively.

(i) STUDY.—Part D of the Runaway and Homeless Youth Act (42 U.S.C. 5731 et seq.) is amended by adding after section 344 the following:

**“SEC. 345. STUDY**

“The Secretary shall conduct a study of a representative sample of runaways to determine the percent who leave home because of sexual abuse. The report on the study shall include—

“(1) in the case of sexual abuse, the relationship of the assaulter to the runaway; and

“(2) recommendations on how Federal laws may be changed to reduce sexual assaults on children.

The study shall be completed to enable the Secretary to make a report to the committees of Congress with jurisdiction over this Act, and to make such report available to the public, within one year of the date of the enactment of this section.”

(j) ASSISTANCE TO POTENTIAL GRANTEEES.—Section 371 of the Runaway and Homeless Youth Act (42 U.S.C. 5714a) is amended by striking the last sentence.

(k) REPORTS.—Section 381 of the Runaway and Homeless Youth Act (42 U.S.C. 5715) is amended to read as follows:  
**“SEC. 381. REPORTS.**

“(a) IN GENERAL.—Not later than April 1, 2000, and biennially thereafter, the Secretary shall submit, to the Committee on Education and the Workforce of the House of Representatives and the Committee on the Judiciary of the Senate, a report on the status, activities, and accomplishments of entities that receive grants under parts A, B, C, D, and E, with particular attention to—

“(1) in the case of centers funded under part A, the ability or effectiveness of such centers in—

“(A) alleviating the problems of runaway and homeless youth;

“(B) if applicable or appropriate, reuniting such youth with their families and encouraging the resolution of intrafamily problems through counseling and other services;

“(C) strengthening family relationships and encouraging stable living conditions for such youth; and

“(D) assisting such youth to decide upon a future course of action; and

“(2) in the case of projects funded under part B—

“(A) the number and characteristics of homeless youth served by such projects;

“(B) the types of activities carried out by such projects;

“(C) the effectiveness of such projects in alleviating the problems of homeless youth;

“(D) the effectiveness of such projects in preparing homeless youth for self-sufficiency;

“(E) the effectiveness of such projects in assisting homeless youth to decide upon future education, employment, and independent living;

“(F) the ability of such projects to encourage the resolution of intrafamily problems through counseling and development of self-sufficient living skills; and

“(G) activities and programs planned by such projects for the following fiscal year.

“(b) CONTENTS OF REPORTS.—The Secretary shall include in each report submitted under subsection (a), summaries of—

“(1) the evaluations performed by the Secretary under section 386; and

“(2) descriptions of the qualifications of, and training provided to, individuals involved in carrying out such evaluations.”

(l) EVALUATION.—Section 384 of the Runaway and Homeless Youth Act (42 U.S.C. 5732) is amended to read as follows:  
**“SEC. 386. EVALUATION AND INFORMATION.**

“(a) IN GENERAL.—If a grantee receives grants for 3 consecutive fiscal years under part A, B, C, D, or E (in the alternative), then the Secretary shall evaluate such grantee on-site, not less frequently than once in the period of such 3 consecutive fiscal years, for purposes of—

“(1) determining whether such grants are being used for the purposes for which such grants are made by the Secretary;

“(2) collecting additional information for the report required by section 384; and

“(3) providing such information and assistance to such grantee as will enable such grantee to improve the operation of the centers, projects, and activities for which such grants are made.

“(b) COOPERATION.—Recipients of grants under this title shall cooperate with the Sec-

retary’s efforts to carry out evaluations, and to collect information, under this title.”

(m) AUTHORIZATION OF APPROPRIATIONS.—Section 385 of the Runaway and Homeless Youth Act (42 U.S.C. 5751) is amended to read as follows:  
**“SEC. 388. AUTHORIZATION OF APPROPRIATIONS.**

“(a) IN GENERAL.—

“(1) AUTHORIZATION.—There is authorized to be appropriated to carry out this title (other than part E) such sums as may be necessary for fiscal years 2000, 2001, 2002, and 2003.

“(2) ALLOCATION.—

“(A) PARTS A AND B.—From the amount appropriated under paragraph (1) for a fiscal year, the Secretary shall reserve not less than 90 percent to carry out parts A and B.

“(B) PART B.—Of the amount reserved under subparagraph (A), not less than 20 percent, and not more than 30 percent, shall be reserved to carry out part B.

“(3) PARTS C AND D.—In each fiscal year, after reserving the amounts required by paragraph (2), the Secretary shall use the remaining amount (if any) to carry out parts C and D.

“(b) SEPARATE IDENTIFICATION REQUIRED.—No funds appropriated to carry out this title may be combined with funds appropriated under any other Act if the purpose of combining such funds is to make a single discretionary grant, or a single discretionary payment, unless such funds are separately identified in all grants and contracts and are used for the purposes specified in this title.”

(n) SEXUAL ABUSE PREVENTION PROGRAM.—

(1) AUTHORITY FOR PROGRAM.—The Runaway and Homeless Youth Act (42 U.S.C. 5701 et seq.) is amended—

(A) by striking the heading for part F;

(B) by redesignating part E as part F; and

(C) by inserting after part D the following:  
**“PART E—SEXUAL ABUSE PREVENTION PROGRAM**

**“SEC. 351. AUTHORITY TO MAKE GRANTS.**

“(a) IN GENERAL.—The Secretary may make grants to nonprofit private agencies for the purpose of providing street-based services to runaway and homeless, and street youth, who have been subjected to, or are at risk of being subjected to, sexual abuse, prostitution, or sexual exploitation.

“(b) PRIORITY.—In selecting applicants to receive grants under subsection (a), the Secretary shall give priority to nonprofit private agencies that have experience in providing services to runaway and homeless, and street youth.”

(2) AUTHORIZATION OF APPROPRIATIONS.—Section 388(a) of the Runaway and Homeless Youth Act (42 U.S.C. 5751), as amended by subsection (m) of this section, is amended by adding at the end the following:

“(4) PART E.—There is authorized to be appropriated to carry out part E such sums as may be necessary for fiscal years 2000, 2001, 2002, and 2003.”

(o) CONSOLIDATED REVIEW OF APPLICATIONS.—The Runaway and Homeless Youth Act (42 U.S.C. 5701 et seq.) is amended by inserting after section 383 the following:  
**“SEC. 385. CONSOLIDATED REVIEW OF APPLICATIONS.**

“With respect to funds available to carry out parts A, B, C, D, and E, nothing in this title shall be construed to prohibit the Secretary from—

“(1) announcing, in a single announcement, the availability of funds for grants under 2 or more of such parts; and

“(2) reviewing applications for grants under 2 or more of such parts in a single, consolidated application review process.”

(p) DEFINITIONS.—The Runaway and Homeless Youth Act (42 U.S.C. 5701 et seq.) is amended by inserting after section 386, as amended by subsection (l) of this section, the following:

**“SEC. 387. DEFINITIONS.**

“In this title:

“(1) **DRUG ABUSE EDUCATION AND PREVENTION SERVICES.**—The term ‘drug abuse education and prevention services’—

“(A) means services to runaway and homeless youth to prevent or reduce the illicit use of drugs by such youth; and

“(B) may include—

“(i) individual, family, group, and peer counseling;

“(ii) drop-in services;

“(iii) assistance to runaway and homeless youth in rural areas (including the development of community support groups);

“(iv) information and training relating to the illicit use of drugs by runaway and homeless youth, to individuals involved in providing services to such youth; and

“(v) activities to improve the availability of local drug abuse prevention services to runaway and homeless youth.

“(2) **HOME-BASED SERVICES.**—The term ‘home-based services’—

“(A) means services provided to youth and their families for the purpose of—

“(i) preventing such youth from running away, or otherwise becoming separated, from their families; and

“(ii) assisting runaway youth to return to their families; and

“(B) includes services that are provided in the residences of families (to the extent practicable), including—

“(i) intensive individual and family counseling; and

“(ii) training relating to life skills and parenting.

“(3) **HOMELESS YOUTH.**—The term ‘homeless youth’ means an individual—

“(A) who is—

“(i) not more than 21 years of age; and

“(ii) for the purposes of part B, not less than 16 years of age;

“(B) for whom it is not possible to live in a safe environment with a relative; and

“(C) who has no other safe alternative living arrangement.

“(4) **STREET-BASED SERVICES.**—The term ‘street-based services’—

“(A) means services provided to runaway and homeless youth, and street youth, in areas where they congregate, designed to assist such youth in making healthy personal choices regarding where they live and how they behave; and

“(B) may include—

“(i) identification of and outreach to runaway and homeless youth, and street youth;

“(ii) crisis intervention and counseling;

“(iii) information and referral for housing;

“(iv) information and referral for transitional living and health care services;

“(v) advocacy, education, and prevention services related to—

“(I) alcohol and drug abuse;

“(II) sexual exploitation;

“(III) sexually transmitted diseases, including human immunodeficiency virus (HIV); and

“(IV) physical and sexual assault.

“(5) **STREET YOUTH.**—The term ‘street youth’ means an individual who—

“(A) is—

“(i) a runaway youth; or

“(ii) indefinitely or intermittently a homeless youth; and

“(B) spends a significant amount of time on the street or in other areas that increase the risk to such youth for sexual abuse, sexual exploitation, prostitution, or drug abuse.

“(6) **TRANSITIONAL LIVING YOUTH PROJECT.**—The term ‘transitional living youth project’ means a project that provides shelter and services designed to promote a transition to self-sufficient living and to prevent long-term dependency on social services.

“(7) **YOUTH AT RISK OF SEPARATION FROM THE FAMILY.**—The term ‘youth at risk of sep-

aration from the family’ means an individual—

“(A) who is less than 18 years of age; and

“(B)(i) who has a history of running away from the family of such individual;

“(ii) whose parent, guardian, or custodian is not willing to provide for the basic needs of such individual; or

“(iii) who is at risk of entering the child welfare system or juvenile justice system as a result of the lack of services available to the family to meet such needs.”.

(q) **REDESIGNATION OF SECTIONS.**—Sections 371, 372, 381, 382, and 383 of the Runaway and Homeless Youth Act (42 U.S.C. 5714b–5851 et seq.), as amended by this title, are redesignated as sections 380, 381, 382, 383, and 384, respectively.

(r) **TECHNICAL AMENDMENTS.**—The Runaway and Homeless Youth Act (42 U.S.C. 5701 et seq.) is amended—

(1) in section 331, in the first sentence, by striking “With” and all that follows through “the Secretary”, and inserting “The Secretary”; and

(2) in section 344(a)(1), by striking “With” and all that follows through “the Secretary”, and inserting “The Secretary”.

**Subtitle C—Repeal of Title V Relating to Incentive Grants for Local Delinquency Prevention Programs**

**SEC. 241. REPEALER.**

Title V of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5681 et seq.), as added by Public Law 102–586, is repealed.

**Subtitle D—Amendments to the Missing Children’s Assistance Act**

**SEC. 251. NATIONAL CENTER FOR MISSING AND EXPLOITED CHILDREN.**

(a) **FINDINGS.**—Section 402 of the Missing Children’s Assistance Act (42 U.S.C. 5771) is amended—

(1) in paragraph (7), by striking “and” at the end;

(2) in paragraph (8), by striking the period at the end and inserting a semicolon; and

(3) by adding at the end the following:

“(9) for 14 years, the National Center for Missing and Exploited Children has—

“(A) served as the national resource center and clearinghouse congressionally mandated under the provisions of the Missing Children’s Assistance Act of 1984; and

“(B) worked in partnership with the Department of Justice, the Federal Bureau of Investigation, the Department of the Treasury, the Department of State, and many other agencies in the effort to find missing children and prevent child victimization;

“(10) Congress has given the Center, which is a private non-profit corporation, access to the National Crime Information Center of the Federal Bureau of Investigation, and the National Law Enforcement Telecommunications System;

“(11) since 1987, the Center has operated the National Child Pornography Tipline, in conjunction with the United States Customs Service and the United States Postal Inspection Service and, beginning this year, the Center established a new CyberTipline on child exploitation, thus becoming ‘the 911 for the Internet’;

“(12) in light of statistics that time is of the essence in cases of child abduction, the Director of the Federal Bureau of Investigation in February of 1997 created a new NCIC child abduction (‘CA’) flag to provide the Center immediate notification in the most serious cases, resulting in 642 ‘CA’ notifications to the Center and helping the Center to have its highest recovery rate in history;

“(13) the Center has established a national and increasingly worldwide network, linking the Center online with each of the missing children clearinghouses operated by the 50

States, the District of Columbia, and Puerto Rico, as well as with Scotland Yard in the United Kingdom, the Royal Canadian Mounted Police, INTERPOL headquarters in Lyon, France, and others, which has enabled the Center to transmit images and information regarding missing children to law enforcement across the United States and around the world instantly;

“(14) from its inception in 1984 through March 31, 1998, the Center has—

“(A) handled 1,203,974 calls through its 24-hour toll-free hotline (1-800-THE-LOST) and currently averages 700 calls per day;

“(B) trained 146,284 law enforcement, criminal and juvenile justice, and healthcare professionals in child sexual exploitation and missing child case detection, identification, investigation, and prevention;

“(C) disseminated 15,491,344 free publications to citizens and professionals; and

“(D) worked with law enforcement on the cases of 59,481 missing children, resulting in the recovery of 40,180 children;

“(15) the demand for the services of the Center is growing dramatically, as evidenced by the fact that in 1997, the Center handled 129,100 calls, an all-time record, and by the fact that its new Internet website (www.missingkids.com) receives 1,500,000 ‘hits’ every day, and is linked with hundreds of other websites to provide real-time images of breaking cases of missing children;

“(16) in 1997, the Center provided policy training to 256 police chiefs and sheriffs from 50 States and Guam at its new Jimmy Ryce Law Enforcement Training Center;

“(17) the programs of the Center have had a remarkable impact, such as in the fight against infant abductions in partnership with the healthcare industry, during which the Center has performed 668 onsite hospital walk-throughs and inspections, and trained 45,065 hospital administrators, nurses, and security personnel, and thereby helped to reduce infant abductions in the United States by 82 percent;

“(18) the Center is now playing a significant role in international child abduction cases, serving as a representative of the Department of State at cases under The Hague Convention, and successfully resolving the cases of 343 international child abductions, and providing greater support to parents in the United States;

“(19) the Center is a model of public/private partnership, raising private sector funds to match congressional appropriations and receiving extensive private in-kind support, including advanced technology provided by the computer industry such as imaging technology used to age the photographs of long-term missing children and to reconstruct facial images of unidentified deceased children;

“(20) the Center was 1 of only 10 of 300 major national charities given an A+ grade in 1997 by the American Institute of Philanthropy; and

“(21) the Center has been redesignated as the Nation’s missing children clearinghouse and resource center once every 3 years through a competitive selection process conducted by the Office of Juvenile Justice and Delinquency Prevention of the Department of Justice, and has received grants from that Office to conduct the crucial purposes of the Center.”.

(b) **DEFINITIONS.**—Section 403 of the Missing Children’s Assistance Act (42 U.S.C. 5772) is amended—

(1) in paragraph (1), by striking “and” at the end;

(2) in paragraph (2), by striking the period at the end and inserting “; and”; and

(3) by adding at the end the following:

“(3) the term ‘Center’ means the National Center for Missing and Exploited Children.”.

(c) DUTIES AND FUNCTIONS OF THE ADMINISTRATOR.—Section 404 of the Missing Children's Assistance Act (42 U.S.C. 5773) is amended—

(1) by redesignating subsection (c) as subsection (d); and

(2) by striking subsection (b) and inserting the following:

“(b) ANNUAL GRANT TO NATIONAL CENTER FOR MISSING AND EXPLOITED CHILDREN.—

“(1) IN GENERAL.—The Administrator shall annually make a grant to the Center, which shall be used to—

“(A)(i) operate a national 24-hour toll-free telephone line by which individuals may report information regarding the location of any missing child, or other child 13 years of age or younger whose whereabouts are unknown to such child's legal custodian, and request information pertaining to procedures necessary to reunite such child with such child's legal custodian; and

“(ii) coordinate the operation of such telephone line with the operation of the national communications system referred to in part C of the Runaway and Homeless Youth Act (42 U.S.C. 5714-11);

“(B) operate the official national resource center and information clearinghouse for missing and exploited children;

“(C) provide to State and local governments, public and private nonprofit agencies, and individuals, information regarding—

“(i) free or low-cost legal, restaurant, lodging, and transportation services that are available for the benefit of missing and exploited children and their families; and

“(ii) the existence and nature of programs being carried out by Federal agencies to assist missing and exploited children and their families;

“(D) coordinate public and private programs that locate, recover, or reunite missing children with their families;

“(E) disseminate, on a national basis, information relating to innovative and model programs, services, and legislation that benefit missing and exploited children;

“(F) provide technical assistance and training to law enforcement agencies, State and local governments, elements of the criminal justice system, public and private nonprofit agencies, and individuals in the prevention, investigation, prosecution, and treatment of cases involving missing and exploited children; and

“(G) provide assistance to families and law enforcement agencies in locating and recovering missing and exploited children, both nationally and internationally.

“(2) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Administrator to carry out this subsection, \$10,000,000 for each of fiscal years 2000, 2001, 2002, and 2003.

“(c) NATIONAL INCIDENCE STUDIES.—The Administrator, either by making grants to or entering into contracts with public agencies or nonprofit private agencies, shall—

“(1) periodically conduct national incidence studies to determine for a given year the actual number of children reported missing each year, the number of children who are victims of abduction by strangers, the number of children who are the victims of parental kidnappings, and the number of children who are recovered each year; and

“(2) provide to State and local governments, public and private nonprofit agencies, and individuals information to facilitate the lawful use of school records and birth certificates to identify and locate missing children.”

(d) NATIONAL CENTER FOR MISSING AND EXPLOITED CHILDREN.—Section 405(a) of the Missing Children's Assistance Act (42 U.S.C. 5775(a)) is amended by inserting “the Center and with” before “public agencies”.

(e) AUTHORIZATION OF APPROPRIATIONS.—Section 408 of the Missing Children's Assistance Act (42 U.S.C. 5777) is amended by striking “1997 through 2001” and inserting “2000 through 2003”.

**Subtitle E—Studies and Evaluations**

**SEC. 261. STUDY OF SCHOOL VIOLENCE.**

(a) CONTRACT FOR STUDY.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Education shall enter into a contract with the National Academy of Sciences for the purposes of conducting a study regarding the antecedents of school violence in urban, suburban, and rural schools, including the incidents of school violence that occurred in Pearl, Mississippi; Paducah, Kentucky; Jonesboro, Arkansas; Springfield, Oregon; Edinboro, Pennsylvania; Fayetteville, Tennessee; Littleton, Colorado; and Conyers, Georgia. Under the terms of such contract, the National Academy of Sciences shall appoint a panel that will—

(1) review the relevant research about adolescent violence in general and school violence in particular, including the existing longitudinal and cross-sectional studies on youth that are relevant to examining violent behavior,

(2) relate what can be learned from past and current research and surveys to specific incidents of school shootings,

(3) interview relevant individuals, if possible, such as the perpetrators of such incidents, their families, their friends, their teachers, mental health providers, and others, and

(4) give particular attention to such issues as—

(A) the perpetrators' early development, the relationship with their families, community and school experiences, and utilization of mental health services,

(B) the relationship between perpetrators and their victims,

(C) how the perpetrators gained access to firearms,

(D) the impact of cultural influences and exposure to the media, video games, and the Internet, and

(E) such other issues as the panel deems important or relevant to the purpose of the study.

The National Academy of Sciences shall utilize professionals with expertise in such issues, including psychiatrists, social workers, behavioral and social scientists, practitioners, epidemiologists, statisticians, and methodologists.

(b) REPORT.—The National Academy of Sciences shall submit a report containing the results of the study required by subsection (a), to the Speaker of the House of Representatives, the President pro tempore of the Senate, the Chair and ranking minority Member of the Committee on Education and the Workforce of the House of Representatives, and the Chair and ranking minority Member of the Committee on Health, Education, Labor, and Pensions of the Senate, not later than January 1, 2001, or 18 months after entering into the contract required by such subsection, whichever is earlier.

(c) APPROPRIATION.—Of the funds made available under Public Law 105-277 for the Department of Education, \$2.1 million shall be made available to carry out this section.

**SEC. 262. STUDY OF THE MENTAL HEALTH NEEDS OF JUVENILES IN SECURE OR NON-SECURE PLACEMENTS IN THE JUVENILE JUSTICE SYSTEM.**

(a) STUDY.—The Administrator of the Office of Juvenile Crime Control and Delinquency Prevention, in collaboration with the National Institute of Mental Health, shall conduct a study that includes, but is not limited to, all of the following:

(1) Identification of the scope and nature of the mental health problems or disorders of—

(A) juveniles who are alleged to be or adjudicated delinquent and who, as a result of such status, have been placed in secure detention or confinement or in nonsecure residential placements, and

(B) juveniles on probation after having been adjudicated delinquent and having received a disposition as delinquent.

(2) A comprehensive survey of the types of mental health services that are currently being provided to such juveniles by States and units of local government.

(3) Identification of governmental entities that have developed or implemented model or promising screening, assessment, or treatment programs or innovative mental health delivery or coordination systems, that address and meet the mental health needs of such juveniles.

(4) A review of the literature that analyzes the mental health problems and needs of juveniles in the juvenile justice system and that documents innovative and promising models and programs that address such needs.

(b) REPORT.—Not later than 18 months after the date of enactment of this Act, the Administrator shall submit to the Congress, and broadly disseminate to individuals and entities engaged in fields that provide services for the benefit of juveniles or that make policy relating to juveniles, a report containing the results of the study conducted under subsection (a) and documentation identifying promising or innovative models or programs referred to in such subsection.

**SEC. 263. EVALUATION BY GENERAL ACCOUNTING OFFICE.**

(a) EVALUATION.—Not later than October 1, 2002, the Comptroller General of the United States shall conduct a comprehensive analysis and evaluation regarding the performance of the Office of Juvenile Justice Delinquency and Prevention, its functions, its programs, and its grants under specified criteria, and shall submit the report required by subsection (b). In conducting the analysis and evaluation, the Comptroller General shall take into consideration the following factors to document the efficiency and public benefit of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5601 et seq.), excluding the Runaway and Homeless Youth Act (42 U.S.C. 5701 et seq.) and the Missing Children's Assistance Act (42 U.S.C. 5771 et seq.):

(1) The extent to which the agency has complied with the provisions contained in the Government Performance and Results Act of 1993 (Pub. Law 103-62; 107 Stat. 285).

(2) The outcome and results of the programs carried out by the Office of Juvenile Justice and Delinquency Prevention and those administered through grants by Office of Juvenile Justice and Delinquency Prevention.

(3) Whether the agency has acted outside the scope of its original authority, and whether the original objectives of the agency have been achieved.

(4) Whether less restrictive or alternative methods exists to carry out the functions of the agency. Whether present functions or operations are impeded or enhanced by existing, statutes, rules, and procedures.

(5) The extent to which the jurisdiction of, and the programs administered by, the agency duplicate or conflict with the jurisdiction and programs of other agencies.

(6) The potential benefits of consolidating programs administered by the agency with similar or duplicative programs of other agencies, and the potential for consolidating such programs.

(7) The number and types of beneficiaries or persons served by programs carried out under the Act.

(8) The extent to which any trends, developments, or emerging conditions that are

likely to affect the future nature and the extent of the problems or needs the programs carried out by the Act are intended to address.

(9) The manner with which the agency seeks public input and input from State and local governments on the performance of the functions of the agency.

(10) Whether the agency has worked to enact changes in the law intended to benefit the public as a whole rather than the specific businesses, institutions, or individuals the agency regulates or funds.

(11) The extent to which the agency grants have encouraged participation by the public as a whole in making its rules and decisions rather than encouraging participation solely by those it regulates.

(12) The extent to which the agency complies with section 552 of title 5, United States Code (commonly known as the "Freedom of Information Act").

(13) The impact of any regulatory, privacy, and paperwork concerns resulting from the programs carried out by the agency.

(14) The extent to which the agency has coordinated with state and local governments in performing the functions of the agency.

(15) The extent to which changes are necessary in the authorizing statutes of the agency in order that the functions of the agency can be performed in a more efficient and effective manner.

(16) Whether greater oversight is needed of programs developed with grants made by the Office of Juvenile Justice and Delinquency Prevention.

(b) REPORT.—The report required by subsection (a) shall—

(1) include recommendations for legislative changes, as appropriate, based on the evaluation conducted under subsection (a), to be made to the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5601 et seq.), excluding the Runaway and Homeless Youth Act (42 U.S.C. 5701 et seq.) and the Missing Children's Assistance Act (42 U.S.C. 5771 et seq.), and

(2) shall be submitted, together with supporting materials, to the Speaker of the House of Representatives and the President pro tempore of the Senate, and made available to the public.

#### SEC. 264. GENERAL ACCOUNTING OFFICE REPORT.

Not later than 1 year after the date of the enactment of this Act, the General Accounting Office shall transmit to Congress a report containing the following:

(1) For each State, a description of the types of after-school programs that are available for students in kindergarten through grade 12, including programs sponsored by the Boys and Girls Clubs of America, the Boy Scouts of America, the Girl Scouts of America, YMCAs, and athletic and other programs operated by public schools and other State and local agencies.

(2) For 15 communities selected to represent a variety of regional, population, and demographic profiles, a detailed analysis of all of the after-school programs that are available for students in kindergarten through grade 12, including programs sponsored by the Boys and Girls Clubs of America, the Boy Scouts of America, the Girl Scouts of America, YMCAs, mentoring programs, athletic programs, and programs operated by public schools, churches, day care centers, parks, recreation centers, family day care, community organizations, law enforcement agencies, service providers, and for-profit and nonprofit organizations.

(3) For each State, a description of significant areas of unmet need in the quality and availability of after-school programs.

(4) For each State, a description of barriers which prevent or deter the participation of children in after-school programs.

(5) For each State, a description of barriers to improving the quality and availability of after-school programs.

(6) A list of activities, other than after-school programs, in which students in kindergarten through grade 12 participate when not in school, including jobs, volunteer opportunities, and other non-school affiliated programs.

(7) An analysis of the value of the activities listed pursuant to paragraph (6) to the well-being and educational development of students in kindergarten through grade 12.

#### SEC. 265. BEHAVIORAL AND SOCIAL SCIENCE RESEARCH ON YOUTH VIOLENCE.

(a) NIH RESEARCH.—The National Institutes of Health, acting through the Office of Behavioral and Social Sciences Research, shall carry out a coordinated, multi-year course of behavioral and social science research on the causes and prevention of youth violence.

(b) NATURE OF RESEARCH.—Funds made available to the National Institutes of Health pursuant to this section shall be utilized to conduct, support, coordinate, and disseminate basic and applied behavioral and social science research with respect to youth violence, including research on 1 or more of the following subjects:

(1) The etiology of youth violence.

(2) Risk factors for youth violence.

(3) Childhood precursors to antisocial violent behavior.

(4) The role of peer pressure in inciting youth violence.

(5) The processes by which children develop patterns of thought and behavior, including beliefs about the value of human life.

(6) Science-based strategies for preventing youth violence, including school and community-based programs.

(7) Other subjects that the Director of the Office of Behavioral and Social Sciences Research deems appropriate.

(c) ROLE OF THE OFFICE OF BEHAVIORAL AND SOCIAL SCIENCES RESEARCH.—Pursuant to this section and section 404A of the Public Health Service Act (42 U.S.C. 283c), the Director of the Office of Behavioral and Social Sciences Research shall—

(1) coordinate research on youth violence conducted or supported by the agencies of the National Institutes of Health;

(2) identify youth violence research projects that should be conducted or supported by the research institutes, and develop such projects in cooperation with such institutes and in consultation with State and Federal law enforcement agencies;

(3) take steps to further cooperation and collaboration between the National Institutes of Health and the Centers for Disease Control and Prevention, the Substance Abuse and Mental Health Services Administration, the agencies of the Department of Justice, and other governmental and non-governmental agencies with respect to youth violence research conducted or supported by such agencies;

(4) establish a clearinghouse for information about youth violence research conducted by governmental and nongovernmental entities; and

(5) periodically report to Congress on the state of youth violence research and make recommendations to Congress regarding such research.

(d) FUNDING.—There is authorized to be appropriated, \$5,000,000 for each of fiscal years 2000 through 2004 to carry out this section. If amount are not separately appropriated to carry out this section, the Director of the National Institutes of Health shall carry out this section using funds appropriated generally to the National Institutes of Health, except that funds expended for under this section shall supplement and not supplant

existing funding for behavioral research activities at the National Institutes of Health.

#### Subtitle F—General Provisions

#### SEC. 271. EFFECTIVE DATE; APPLICATION OF AMENDMENTS.

(a) EFFECTIVE DATE.—Except as provided in subsection (b), this title and the amendments made by this title shall take effect on the date of the enactment of this Act.

(b) APPLICATION OF AMENDMENTS.—The amendments made by this title shall apply only with respect to fiscal years beginning after September 30, 1999.

Amend the title so as to read: "A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to provide grants to ensure increased accountability for juvenile offenders; to amend the Juvenile Justice and Delinquency Prevention Act of 1974 to provide quality prevention programs and accountability programs relating to juvenile delinquency; and for other purposes."

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

#### SEC. 3. AMENDMENTS TO JUVENILE JUSTICE AND DELINQUENCY PREVENTION ACT OF 1974.

Section 223(a)(10) of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5633(a)(10)) is amended—

(1) in subparagraph (N) by striking "and" at the end,

(2) in subparagraph (O) by striking the period at the end and inserting "and"; and

(3) by adding at the end the following:

"(P) programs that provide for improved security at schools and on school grounds, including the placement and use of metal detectors and other deterrent measures."

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

#### SEC. 3. AMENDMENTS TO JUVENILE JUSTICE AND DELINQUENCY PREVENTION ACT OF 1974.

Section 223(a)(10) of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5633(a)(10)) is amended—

(1) in subparagraph (N) by striking "and" at the end,

(2) in subparagraph (O) by striking the period at the end and inserting "and"; and

(3) by adding at the end the following:

"(P)(i) one-on-one mentoring programs that are designed to link at-risk juveniles and juvenile offenders, particularly juveniles residing in high-crime areas and juveniles experiencing educational failure, with responsible adults (such as law enforcement officers, adults working with local businesses, and adults working with community-based organizations and agencies) who are properly screened and trained; or

"(ii) programs to promote or develop partnerships with established mentoring programs, including programs operated by non-profit, faith-based, business, or community organizations to provide positive adult role models and meaningful activities for juveniles offenders, including violent juvenile offenders."

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

#### SEC. \_\_\_\_ AMENDMENTS TO THE INDIVIDUALS WITH DISABILITIES EDUCATION ACT.

(a) PLACEMENT IN ALTERNATIVE EDUCATIONAL SETTING.—Section 615(k) of the Individuals with Disabilities Education Act (20 U.S.C. 1415(k)) is amended—

(1) by redesignating paragraph (10) as paragraph (11); and

(2) by inserting after paragraph (9) the following:

“(10) DISCIPLINE WITH REGARD TO WEAPONS.—

“(A) AUTHORITY OF SCHOOL PERSONNEL.—Notwithstanding any other provision of this Act, school personnel may discipline (including expel or suspend) a child with a disability who carries or possesses a weapon to or at a school, on school premises, or to or at a school function, under the jurisdiction of a State or a local educational agency, in the same manner in which such personnel may discipline a child without a disability. Such personnel may modify the disciplinary action on a case-by-case basis.

“(B) RULE OF CONSTRUCTION.—Nothing in subparagraph (A) shall be construed to prevent a child with a disability who is disciplined pursuant to the authority provided under subparagraph (A) from asserting a defense that the carrying or possession of the weapon was unintentional or innocent.

“(C) FREE APPROPRIATE PUBLIC EDUCATION.—

“(i) CEASING TO PROVIDE EDUCATION.—Notwithstanding section 612(a)(1)(A), a child expelled or suspended under subparagraph (A) shall not be entitled to continue educational services, including a free appropriate public education, under this title, during the term of such expulsion or suspension, if the State in which the local educational agency responsible for providing educational services to such child does not require a child without a disability to receive educational services after being expelled or suspended.

“(ii) PROVIDING EDUCATION.—Notwithstanding clause (i), the local educational agency responsible for providing educational services to a child with a disability who is expelled or suspended under subparagraph (A) may choose to continue to provide educational services to such child. If the local educational agency so chooses to continue to provide the services—

“(I) nothing in this title shall require the local educational agency to provide such child with a free appropriate public education, or any particular level of service; and

“(II) the location where the local educational agency provides the services shall be left to the discretion of the local educational agency.

“(D) RELATIONSHIP TO OTHER REQUIREMENTS.—

“(1) PLAN REQUIREMENTS.—No agency shall be considered to be in violation of section 612 or 613 because the agency has provided discipline, services, or assistance in accordance with this paragraph.

“(ii) PROCEDURE.—Actions taken pursuant to this paragraph shall not be subject to the provisions of this section, other than this paragraph.”

(b) CONFORMING AMENDMENTS.—(1) Section 615(f)(1) of the Individuals with Disabilities Education Act (20 U.S.C. 1415(f)(1)) is amended by striking “Whenever” and inserting the following: “Except as provided in section 615(k)(10), whenever”.

(2) Section 615(k)(1)(A)(ii) of the Individuals with Disabilities Education Act (20 U.S.C. 1415(k)(1)(A)(ii)) is amended by striking “but for not more than 45 days if—” and all that follows through “(II) the child knowingly possesses or uses illegal drugs” and inserting “but for not more than 45 days if the child knowingly possesses or uses illegal drugs”.

Page 4, line 18, strike, “and”.

Page 4, line 21, strike the period and insert a semicolon.

Page 4, after line 21, insert the following:

“(14) establishing partnerships between State educational agencies and local educational agencies for the design and implementation of character education and training programs that reflect the values of parents, teachers, and local communities, and

incorporate elements of good character, including honesty, citizenship, courage, justice, respect, personal responsibility, and trustworthiness; and

“(15) implementing other activities that foster strong character development in at-risk juveniles and juveniles in the juvenile justice system.

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

**TITLE —CHILDREN’S INTERNET PROTECTION**

**SEC. 01. SHORT TITLE.**

This title may be cited as the “Children’s Internet Protection Act”.

**SEC. 02. NO UNIVERSAL SERVICE FOR SCHOOLS OR LIBRARIES THAT FAIL TO IMPLEMENT A FILTERING OR BLOCKING TECHNOLOGY FOR COMPUTERS WITH INTERNET ACCESS.**

(a) IN GENERAL.—Section 254 of the Communications Act of 1934 (47 U.S.C. 254) is amended by adding at the end thereof the following:

“(1) IMPLEMENTATION OF AN INTERNET FILTERING OR BLOCKING TECHNOLOGY.—

“(1) IN GENERAL.—An elementary school, secondary school, or library that fails to provide the certification required by paragraph (2) or (3), respectively, is not eligible to receive or retain universal service assistance provided under subsection (h)(1)(B).

“(2) CERTIFICATION FOR SCHOOLS.—To be eligible to receive universal service assistance under subsection (h)(1)(B), an elementary or secondary school shall certify to the Commission that it has—

“(A) selected a technology for computers with Internet access to filter or block—

“(i) child pornographic materials, which shall have the meaning of that term as used in sections 2252, 2252A, 2256 of title 18, United States Code;

“(ii) obscene materials, which shall have the meaning of that term as used in section 1460 of title 18, United States Code; and

“(iii) during use by minors, materials deemed to be harmful to minors, which shall have the meaning of that term as used in section 231 of the Communications Act of 1934 (47 U.S.C. 231); and

“(B) installed, or will install, and uses or will use, as soon as it obtains computers with Internet access, a technology to filter or block such material.

“(3) CERTIFICATION FOR LIBRARIES.—To be eligible to receive universal service assistance under subsection (h)(1)(B), a library shall certify to the Commission that it has—

“(A) selected a technology for computers with Internet access to filter or block—

“(i) child pornographic materials, which shall have the meaning of that term as used in sections 2252, 2252A, 2256 of title 18, United States Code;

“(ii) obscene materials, which shall have the meaning of that term as used in section 1460 of title 18, United States Code; and

“(iii) during use by minors, materials deemed to be harmful to minors, which shall have the meaning of that term as used in section 231 of the Communications Act of 1934 (47 U.S.C. 231); and

“(B) installed, or will install, and uses or will use, as soon as it obtains computers with Internet access, a technology to filter or block such material.

“(4) TIME FOR CERTIFICATION.—The certification required by paragraph (2) or (3) shall be made within 30 days of the date that rules are promulgated by the Federal Communications Commission, or, if later, within 10 days of the date on which any computer with access to the Internet is first made available in the school or library for its intended use.

“(5) NOTIFICATION OF CESSATION; ADDITIONAL INTERNET-ACCESSING COMPUTER.—

“(A) CESSATION.—A school or library that has filed the certification required by paragraph (3)(A) shall notify the Commission within 10 days after the date on which it ceases to use the filtering or blocking technology to which the certification related.

“(B) ADDITIONAL INTERNET-ACCESSING COMPUTER.—A school or library that has filed the certification required by paragraph (3)(B) that adds another computer with Internet access intended for use by the public (including minors) shall make the certification required by paragraph (3)(A) within 10 days after that computer is made available for use by the public.

“(6) POSTING OF NOTICE.—A school or library that has filed a certification under paragraph (2) or (3) shall post within view of the computers which are the subject of that certification a notice that contains—

“(A) a copy of the filter or block certification;

“(B) a statement of such school’s or library’s filtering or block policy; and

“(C) information on the specific block technology in use.

“(7) PENALTY FOR FAILURE TO COMPLY.—A school or library that fails to meet the requirements of this subsection is liable to repay immediately the full amount of all universal service assistance the school or library received under subsection (h)(1)(B) after the date the failure began.

“(8) LOCAL DETERMINATION OF MATERIAL TO BE FILTERED.—For purposes of paragraphs (2) and (3), the determination of what material is to be deemed harmful to minors shall be made by the school, school board, library or other authority responsible for making the required certification. No agency or instrumentality of the United States Government may—

“(A) establish criteria for making that determination;

“(B) review the determination made by the certifying school, school board, library, or other authority; or

“(C) consider the criteria employed by the certifying school, school board, library, or other authority in the administration of subsection (h)(1)(B).

“(9) NO PREEMPTION OR OTHER EFFECT.—Nothing in this subsection shall be construed—

“(A) to preempt, supersede, or limit any requirements that imposed by a school or library, or by a political authority for a school or library, that are more stringent than the requirements of this subsection; or

“(B) to supersede or limit otherwise applicable Federal or State child pornography or obscenity laws.”.

(b) CONFORMING CHANGE.—Section 254(h)(1)(B) of the Communications Act of 1934 (47 U.S.C. 254(h)(1)(B)) is amended by striking “All telecommunications” and inserting “Except as provided by subsection (1), all telecommunications”.

**SEC. 03. FCC TO ADOPT RULES WITHIN 4 MONTHS.**

The Federal Communications Commission shall adopt rules implementing section 254(1) of the Communications Act of 1934 (as added by this Act) within 120 days after the date of enactment of this Act.

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

**TITLE —TEACHER LIABILITY PROTECTION**

**SEC. 01. SHORT TITLE.**

This title may be cited as the “Teacher Liability Protection Act of 1999”.

**SEC. 02. FINDINGS AND PURPOSE.**

(a) FINDINGS.—Congress makes the following findings:

(1) The ability of teachers, principals and other school professionals to teach, inspire

and shape the intellect of our Nation's elementary and secondary school students is deterred and hindered by frivolous lawsuits and litigation.

(2) Each year more and more teachers, principals and other school professionals face lawsuits for actions undertaken as part of their duties to provide millions of school children quality educational opportunities.

(3) Too many teachers, principals and other school professionals face increasingly severe and random acts of violence in the classroom and in schools.

(4) Providing teachers, principals and other school professionals a safe and secure environment is an important part of the effort to improve and expand educational opportunities.

(5) Clarifying and limiting the liability of teachers, principals and other school professionals who undertake reasonable actions to maintain order, discipline and an appropriate educational environment is an appropriate subject of Federal legislation because—

(A) the scope of the problems created by the legitimate fears of teachers, principals and other school professionals about frivolous, arbitrary or capricious lawsuits against teachers is of national importance; and

(B) millions of children and their families across the Nation depend on teachers, principals and other school professionals for the intellectual development of children.

(b) PURPOSE.—The purpose of this title is to provide teachers, principals and other school professionals the tools they need to undertake reasonable actions to maintain order, discipline and an appropriate educational environment.

#### SEC. 03. PREEMPTION AND ELECTION OF STATE NONAPPLICABILITY.

(a) PREEMPTION.—This title preempts the laws of any State to the extent that such laws are inconsistent with this title, except that this title shall not preempt any State law that provides additional protection from liability relating to teachers.

(b) ELECTION OF STATE REGARDING NON-APPLICABILITY.—This title shall not apply to any civil action in a State court against a teacher in which all parties are citizens of the State if such State enacts a statute in accordance with State requirements for enacting legislation—

(1) citing the authority of this subsection;

(2) declaring the election of such State that this title shall not apply, as of a date certain, to such civil action in the State; and

(3) containing no other provisions.

#### SEC. 04. LIMITATION ON LIABILITY FOR TEACHERS.

(a) LIABILITY PROTECTION FOR TEACHERS.—Except as provided in subsections (b) and (c), no teacher in a school shall be liable for harm caused by an act or omission of the teacher on behalf of the school if—

(1) the teacher was acting within the scope of the teacher's employment or responsibilities related to providing educational services;

(2) the actions of the teacher were carried out in conformity with local, state, or federal laws, rules or regulations in furtherance of efforts to control, discipline, expel, or suspend a student or maintain order or control in the classroom or school;

(3) if appropriate or required, the teacher was properly licensed, certified, or authorized by the appropriate authorities for the activities or practice in the State in which the harm occurred, where the activities were or practice was undertaken within the scope of the teacher's responsibilities;

(4) the harm was not caused by willful or criminal misconduct, gross negligence, reckless misconduct, or a conscious, flagrant indifference to the rights or safety of the individual harmed by the teacher; and

(5) the harm was not caused by the teacher operating a motor vehicle, vessel, aircraft, or other vehicle for which the State requires the operator or the owner of the vehicle, craft, or vessel to—

(A) possess an operator's license; or

(B) maintain insurance.

(b) CONCERNING RESPONSIBILITY OF TEACHERS TO SCHOOLS AND GOVERNMENTAL ENTITIES.—Nothing in this section shall be construed to affect any civil action brought by any school or any governmental entity against any teacher of such school.

(c) EXCEPTIONS TO TEACHER LIABILITY PROTECTION.—If the laws of a State limit teacher liability subject to one or more of the following conditions, such conditions shall not be construed as inconsistent with this section:

(1) A State law that requires a school or governmental entity to adhere to risk management procedures, including mandatory training of teachers.

(2) A State law that makes the school or governmental entity liable for the acts or omissions of its teachers to the same extent as an employer is liable for the acts or omissions of its employees.

(3) A State law that makes a limitation of liability inapplicable if the civil action was brought by an officer of a State or local government pursuant to State or local law.

(d) LIMITATION ON PUNITIVE DAMAGES BASED ON THE ACTIONS OF TEACHERS.—

(1) GENERAL RULE.—Punitive damages may not be awarded against a teacher in an action brought for harm based on the action of a teacher acting within the scope of the teacher's responsibilities to a school or governmental entity unless the claimant establishes by clear and convincing evidence that the harm was proximately caused by an action of such teacher which constitutes willful or criminal misconduct, or a conscious, flagrant indifference to the rights or safety of the individual harmed.

(2) CONSTRUCTION.—Paragraph (1) does not create a cause of action for punitive damages and does not preempt or supersede any Federal or State law to the extent that such law would further limit the award of punitive damages.

(e) EXCEPTIONS TO LIMITATIONS ON LIABILITY.—

(1) IN GENERAL.—The limitations on the liability of a teacher under this title shall not apply to any misconduct that—

(A) constitutes a crime of violence (as that term is defined in section 16 of title 18, United States Code) or act of international terrorism (as that term is defined in section 2331 of title 18, United States Code) for which the defendant has been convicted in any court;

(B) involves a sexual offense, as defined by applicable State law, for which the defendant has been convicted in any court;

(C) involves misconduct for which the defendant has been found to have violated a Federal or State civil rights law; or

(D) where the defendant was under the influence (as determined pursuant to applicable State law) of intoxicating alcohol or any drug at the time of the misconduct.

(2) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to effect subsection (a)(3) or (d).

#### SEC. 05. LIABILITY FOR NONECONOMIC LOSS.

(a) GENERAL RULE.—In any civil action against a teacher, based on an action of a teacher acting within the scope of the teacher's responsibilities to a school or governmental entity, the liability of the teacher for noneconomic loss shall be determined in accordance with subsection (b).

(b) AMOUNT OF LIABILITY.—

(1) IN GENERAL.—Each defendant who is a teacher, shall be liable only for the amount

of noneconomic loss allocated to that defendant in direct proportion to the percentage of responsibility of that defendant (determined in accordance with paragraph (2)) for the harm to the claimant with respect to which that defendant is liable. The court shall render a separate judgment against each defendant in an amount determined pursuant to the preceding sentence.

(2) PERCENTAGE OF RESPONSIBILITY.—For purposes of determining the amount of noneconomic loss allocated to a defendant who is a teacher under this section, the trier of fact shall determine the percentage of responsibility of that defendant for the claimant's harm.

#### SEC. 06. DEFINITIONS.

For purposes of this title:

(1) ECONOMIC LOSS.—The term "economic loss" means any pecuniary loss resulting from harm (including the loss of earnings or other benefits related to employment, medical expense loss, replacement services loss, loss due to death, burial costs, and loss of business or employment opportunities) to the extent recovery for such loss is allowed under applicable State law.

(2) HARM.—The term "harm" includes physical, nonphysical, economic, and noneconomic losses.

(3) NONECONOMIC LOSSES.—The term "noneconomic losses" means losses for physical and emotional pain, suffering, inconvenience, physical impairment, mental anguish, disfigurement, loss of enjoyment of life, loss of society and companionship, loss of consortium (other than loss of domestic service), hedonic damages, injury to reputation and all other nonpecuniary losses of any kind or nature.

(4) SCHOOL.—The term "school" means a public or private kindergarten, a public or private elementary school or secondary school (as defined in section 14101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 8801)), or a home school.

(5) STATE.—The term "State" means each of the several States of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, any other territory or possession of the United States, or any political subdivision of any such State, territory, or possession.

(6) TEACHER.—The term "teacher" means a teacher, instructor, principal, administrator, or other educational professional that works in a school, a local school board and any member of such board, and a local educational agency and any employee of such agency.

#### SEC. 07. EFFECTIVE DATE.

(a) IN GENERAL.—This title shall take effect 90 days after the date of enactment of this Act.

(b) APPLICATION.—This title applies to any claim for harm caused by an act or omission of a teacher where that claim is filed on or after the effective date of this Act, without regard to whether the harm that is the subject of the claim or the conduct that caused the harm occurred before such effective date.

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

#### SEC. 3. EVALUATION BY GENERAL ACCOUNTING OFFICE.

(a) EVALUATION.—Not later than October 1, 2002, the Comptroller General of the United States shall conduct a comprehensive analysis and evaluation regarding the performance of the Office of Juvenile Justice Delinquency and Prevention, its functions, its programs, and its grants under specified criteria, and shall submit the report required by subsection (b). In conducting the analysis and evaluation, the Comptroller General

shall take into consideration the following factors to document the efficiency and public benefit of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5601 et seq.), excluding the Runaway and Homeless Youth Act (42 U.S.C. 5701 et seq.) and the Missing Children's Assistance Act (42 U.S.C. 5771 et seq.):

(1) The outcome and results of the programs carried out by the Office of Juvenile Justice and Delinquency Prevention and those administered through grants by Office of Juvenile Justice and Delinquency Prevention.

(2) The extent to which the agency has complied with the provisions contained in the Government Performance and Results Act of 1993 (Pub. Law 103-62; 107 Stat. 285).

(3) The extent to which the jurisdiction of, and the programs administered by, the agency duplicate or conflict with the jurisdiction and programs of other agencies.

(4) The potential benefits of consolidating programs administered by the agency with similar or duplicative programs of other agencies, and the potential for consolidating such programs.

(5) Whether the agency has acted outside the scope of its original authority, and whether the original objectives of the agency have been achieved.

(6) Whether less restrictive or alternative methods exists to carry out the functions of the agency. Whether present functions or operations are impeded or enhanced by existing, statutes, rules, and procedures.

(7) The number and types of beneficiaries or persons served by programs carried out under the Act.

(8) The extent to which any trends or emerging conditions that are likely to affect the future nature and the extent of the problems or needs the programs carried out by the Act are intended to address.

(9) The manner with which the agency seeks public input and input from State and local governments on the performance of the functions of the agency.

(10) Whether the agency has worked to enact changes in the law intended to benefit the public as a whole rather than the specific businesses, institutions, or individuals the agency regulates or funds.

(11) The extent to which the agency grants have encouraged participation by the public as a whole in making its rules and decisions rather than encouraging participation solely by those it regulates.

(12) The extent to which the agency complies with section 552 of title 5, United States Code (commonly known as the "Freedom of Information Act").

(13) The impact of any regulatory, privacy, and paperwork concerns resulting from the programs carried out by the agency.

(14) The extent to which the agency has coordinated with state and local governments in performing the functions of the agency.

(15) Whether greater oversight is needed of programs developed with grants made by the Office of Juvenile Justice and Delinquency Prevention.

(16) The extent to which changes are necessary in the authorizing statutes of the agency in order that the functions of the agency can be performed in a more efficient and effective manner.

(b) REPORT.—The report required by subsection (a) shall—

(1) include recommendations for legislative changes, as appropriate, based on the evaluation conducted under subsection (a), to be made to the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5601 et seq.), excluding the Runaway and Homeless Youth Act (42 U.S.C. 5701 et seq.) and the Missing Children's Assistance Act (42 U.S.C. 5771 et seq.), and

(2) shall be submitted, together with supporting materials, to the Speaker of the House of Representatives and the President pro tempore of the Senate, and made available to the public, not later than October 1, 2003.

**SEC. 4. CONTINGENT WIND-DOWN AND REPEAL OF JUVENILE JUSTICE AND DELINQUENCY PREVENTION ACT OF 1974.**

If funds are not authorized before October 1, 2004, to be appropriated to carry out title II of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5611-5676) for fiscal year 2005, then—

- (1) effective October 1, 2004—
- (A) sections 205, 206, and 299, and
- (B) parts B, C, D, E, F, G, H, and I,

of the Juvenile Justice and Delinquency Prevention Act of 1974 are repealed, and

- (2) effective October 1, 2005—
- (A) the 1st section, and
- (B) titles I and II,

of the Juvenile Justice and Delinquency Prevention Act of 1974 are repealed.

The question being put, *viva voce*,

Will the House agree to the following amendment (the EMERSON amendment) on which a separate vote had been demanded?

Add at the end the following:

**SEC. \_\_\_\_ SENSE OF THE CONGRESS WITH REGARD TO VIOLENCE AND THE ENTERTAINMENT INDUSTRY.**

(a) FINDINGS.—Congress makes the following findings:

(1) Incidents of tragic school violence have risen over the past few years.

(2) Our children are being desensitized by the increase of gun violence shown on television, movies, and video games.

(3) According to the American Medical Association, by the time an average child reaches age 18, he or she has witnessed more than 200,000 acts of violence on television, including 16,000 murders.

(4) Children who listen to explicit music lyrics, play video "killing" games, or go to violent action movies get further brainwashed into thinking that violence is socially acceptable and without consequence.

(5) No industry does more to glorify gun violence than some elements of the motion picture industry.

(6) Children are particularly susceptible to the influence of violent subject matter.

(7) The entertainment industry uses wanton violence in its advertising campaigns directed at young people.

(8) Alternatives should be developed and considered to discourage the exposure of children to violent subject matter.

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

(1) has been irresponsible in the development of its products and the marketing of those products to America's youth;

(2) must recognize the power and influence it has over the behavior of our Nation's youth; and

(3) must do everything in its power to stop these portrayals of pointless acts of brutality by immediately eliminating gratuitous violence in movies, television, music, and video games.

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

Mr. COBURN demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the affirmative { Yeas ..... 355  
Nays ..... 68

¶66.26 [Roll No. 231] YEAS—355

Abercrombie	Ehrlich	Lewis (KY)
Ackerman	Emerson	Linder
Aderholt	Engel	Lipinski
Allen	English	LoBiondo
Andrews	Etheridge	Lofgren
Archer	Evans	Lowe
Armey	Everett	Lucas (KY)
Bachus	Ewing	Lucas (OK)
Baird	Fletcher	Luther
Baker	Forbes	Maloney (CT)
Baldacci	Ford	Maloney (NY)
Ballenger	Fossella	Manzullo
Barcia	Fowler	Markey
Barr	Franks (NJ)	Mascara
Barrett (NE)	Frelinghuysen	Matsui
Barrett (WI)	Gallegly	McCarthy (NY)
Bartlett	Ganske	McCollum
Barton	Gedensson	McCrery
Bass	Gekas	McHugh
Bateman	Gibbons	McInnis
Bentsen	Gilchrist	McIntosh
Bereuter	Gillmor	McIntyre
Berry	Gilman	McKeon
Biggett	Gonzalez	McNulty
Bilbray	Goode	Meehan
Bilirakis	Goodlatte	Menendez
Bishop	Goodling	Metcalf
Blagojevich	Gordon	Mica
Bliley	Goss	Miller (FL)
Blunt	Graham	Miller, Gary
Boehlert	Granger	Mink
Boehner	Green (TX)	Moakley
Bonilla	Green (WI)	Mollohan
Bonior	Greenwood	Moore
Borski	Gutierrez	Moran (KS)
Boswell	Gutknecht	Moran (VA)
Boucher	Hall (OH)	Morella
Boyd	Hall (TX)	Murtha
Brady (PA)	Hansen	Myrick
Brady (TX)	Hastings (WA)	Nadler
Brown (FL)	Hayes	Neal
Brown (OH)	Hayworth	Nethercutt
Bryant	Hefley	Ney
Burr	Heger	Northup
Burton	Hill (IN)	Norwood
Buyer	Hill (MT)	Nussle
Callahan	Hilleary	Oberstar
Calvert	Hilliard	Obey
Camp	Hinches	Ortiz
Campbell	Hinojosa	Oxley
Canady	Hobson	Packard
Cannon	Hoeffel	Pallone
Capps	Hoekstra	Pascrell
Castle	Holden	Pastor
Chabot	Holt	Pease
Chambless	Hooley	Peterson (MN)
Clayton	Horn	Peterson (PA)
Clement	Hostettler	Petri
Coble	Hoyer	Phelps
Coburn	Hunter	Pickering
Collins	Hyde	Pickett
Combest	Inslee	Pitts
Condit	Isakson	Pombo
Cook	Istook	Pomeroy
Cooksey	Jefferson	Porter
Costello	Jenkins	Portman
Coyne	John	Price (NC)
Cramer	Johnson (CT)	Pryce (OH)
Crane	Johnson, E. B.	Quinn
Crowley	Johnson, Sam	Radanovich
Cubin	Jones (NC)	Rahall
Cunningham	Kanjorski	Ramstad
Danner	Kaptur	Regula
Davis (FL)	Kasich	Reyes
Davis (IL)	Kelly	Reynolds
Davis (VA)	Kildee	Riley
Deal	Kind (WI)	Rivers
DeFazio	King (NY)	Rodriguez
DeGette	Kingston	Roemer
DeLauro	Kleccka	Rogers
DeLay	Knollenberg	Rohrabacher
DeMint	Kolbe	Ros-Lehtinen
Deutsch	Kuykendall	Rothman
Diaz-Balart	LaFalce	Roukema
Dickey	LaHood	Royce
Dicks	Lampson	Ryan (WI)
Doggett	Lantos	Ryun (KS)
Doolittle	Largent	Sabo
Doyle	Larson	Sanchez
Dreier	Latham	Sanders
Duncan	LaTourette	Sandin
Dunn	Lazio	Sanford
Edwards	Leach	Sawyer
Ehlers	Levin	Saxton

Scarborough	Stenholm	Vento
Schaffer	Strickland	Visclosky
Sensenbrenner	Stump	Vitter
Sessions	Sununu	Walden
Shadegg	Sweeney	Walsh
Shaw	Talent	Wamp
Sherwood	Tancredo	Watkins
Shimkus	Tanner	Watts (OK)
Shows	Tauscher	Weiner
Shuster	Tauzin	Weldon (FL)
Simpson	Taylor (MS)	Weldon (PA)
Sisisky	Taylor (NC)	Weller
Skeen	Terry	Wexler
Skelton	Thornberry	Weygand
Slaughter	Thune	Whitfield
Smith (MI)	Thurman	Wicker
Smith (NJ)	Tiahrt	Wilson
Smith (TX)	Tierney	Wise
Smith (WA)	Toomey	Wolf
Snyder	Trafficant	Woolsey
Souder	Turner	Wu
Spratt	Udall (CO)	Young (AK)
Stabenow	Udall (NM)	Young (FL)
Stark	Upton	
Stearns	Velazquez	

**NAYS—68**

Baldwin	Hastings (FL)	Olver
Becerra	Hulshof	Ose
Berkley	Jackson (IL)	Owens
Berman	Jackson-Lee	Paul
Blumenauer	(TX)	Payne
Bono	Jones (OH)	Pelosi
Capuano	Kennedy	Rangel
Cardin	Kilpatrick	Rogan
Clay	Klink	Roybal-Allard
Clyburn	Kucinich	Rush
Conyers	Lee	Schakowsky
Cummings	Lewis (CA)	Scott
Delahunt	Lewis (GA)	Serrano
Dingell	Martinez	Sherman
Dixon	McCarthy (MO)	Stupak
Dooley	McDermott	Thompson (CA)
Eshoo	McGovern	Thompson (MS)
Farr	McKinney	Towns
Fattah	Meeke (FL)	Waters
Filner	Meeks (NY)	Watt (NC)
Foley	Millender-	Waxman
Frank (MA)	McDonald	Wynn
Frost	Miller, George	
Gephardt	Napolitano	

**NOT VOTING—11**

Brown (CA)	Houghton	Shays
Carson	Hutchinson	Spence
Chenoweth	Minge	Thomas
Cox	Salmon	

So the amendment was agreed to.

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—GRANTS TO ENSURE INCREASED ACCOUNTABILITY FOR JUVENILE OFFENDERS**

**SEC. 101. SHORT TITLE.**

This title may be cited as the "Consequences for Juvenile Offenders Act of 1999".

**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 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 specially qualified units.

"(b) AUTHORIZED ACTIVITIES.—Amounts paid to a State or a unit of local government under this part shall be used by the State or unit of local government for the purpose of

strengthening the juvenile justice system, which includes—

"(1) developing, implementing, and administering graduated sanctions for juvenile offenders;

"(2) building, expanding, renovating, or operating temporary or permanent juvenile correction, detention, or community corrections facilities;

"(3) hiring juvenile court judges, probation officers, and court-appointed defenders and special advocates, and funding pretrial services for juvenile offenders, to promote the effective and expeditious administration of the juvenile justice system;

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

"(5) providing funding to enable prosecutors to address drug, gang, and youth violence problems more effectively and for technology, equipment, and training to assist prosecutors in identifying and expediting the prosecution of violent juvenile offenders;

"(6) establishing and maintaining training programs for law enforcement and other court personnel with respect to preventing and controlling juvenile crime;

"(7) establishing juvenile gun courts for the prosecution and adjudication of juvenile firearms offenders;

"(8) establishing drug court programs for juvenile offenders that provide continuing judicial supervision over juvenile offenders with substance abuse problems and the integrated administration of other sanctions and services for such offenders;

"(9) establishing and maintaining a system of juvenile records designed to promote public safety;

"(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;

"(11) establishing and maintaining accountability-based programs designed to reduce recidivism among juveniles who are referred by law enforcement personnel or agencies;

"(12) establishing and maintaining programs to conduct risk and need assessments of juvenile offenders that facilitate the effective early intervention and the provision of comprehensive services, including mental health screening and treatment and substance abuse testing and treatment to such offenders; and

"(13) establishing and maintaining accountability-based programs that are designed to enhance school safety.

**"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 shall have in effect, not later than 1 year after the date that the State submits such application) laws, or has implemented (or shall implement, not later than 1 year after the date that the State submits such application) policies and programs, that provide for a system of graduated sanctions described in subsection (c).

"(b) LOCAL ELIGIBILITY.—

"(1) SUBGRANT ELIGIBILITY.—To be eligible to receive a subgrant, a unit of local government, other than a specially qualified unit, shall provide such assurances to the State as

the State shall require, that, to the maximum extent applicable, the unit of local government has in effect (or shall have in effect, not later than 1 year after the date that the unit submits such application) laws, or has implemented (or shall implement, not later than 1 year after the date that the unit submits such application) policies and programs, that provide for a system of graduated sanctions described in subsection (c).

"(2) SPECIAL RULE.—The requirements of paragraph (1) shall apply to a specially qualified unit that receives funds from the Attorney General under section 1803(e), except that information that is otherwise required to be submitted to the State shall be submitted to the Attorney General.

"(c) GRADUATED SANCTIONS.—A system of graduated sanctions, which may be discretionary as provided in subsection (d), shall ensure, at a minimum, that—

"(1) sanctions are imposed on juvenile offenders for each delinquent offense;

"(2) sanctions escalate in intensity with each subsequent, more serious delinquent offense;

"(3) there is sufficient flexibility to allow for individualized sanctions and services suited to the individual juvenile offender; and

"(4) appropriate consideration is given to public safety and victims of crime.

"(d) DISCRETIONARY USE OF SANCTIONS.—

"(1) VOLUNTARY PARTICIPATION.—A State or unit of local government may be eligible to receive a grant under this part if—

"(A) its system of graduated sanctions is discretionary; and

"(B) it demonstrates that it has promoted the use of a system of graduated sanctions by taking steps to encourage implementation of such a system by juvenile courts.

"(2) REPORTING REQUIREMENT IF GRADUATED SANCTIONS NOT USED.—

"(A) JUVENILE COURTS.—A State or unit of local government in which the imposition of graduated sanctions is discretionary shall require each juvenile court within its jurisdiction—

"(i) which has not implemented a system of graduated sanctions, to submit an annual report that explains why such court did not implement graduated sanctions; and

"(ii) which has implemented a system of graduated sanctions but has not imposed graduated sanctions in 1 or more specific cases, to submit an annual report that explains why such court did not impose graduated sanctions in each such case.

"(B) UNITS OF LOCAL GOVERNMENT.—Each unit of local government, other than a specially qualified unit, that has 1 or more juvenile courts that use a discretionary system of graduated sanctions shall collect the information reported under subparagraph (A) for submission to the State each year.

"(C) STATES.—Each State and specially qualified unit that has 1 or more juvenile courts that use a discretionary system of graduated sanctions shall collect the information reported under subparagraph (A) for submission to the Attorney General each year. A State shall also collect and submit to the Attorney General the information collected under subparagraph (B).

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

"(1) The term 'discretionary' means that a system of graduated sanctions is not required to be imposed by each and every juvenile court in a State or unit of local government.

"(2) The term 'sanctions' means tangible, proportional consequences that hold the juvenile offender accountable for the offense committed. A sanction may include counseling, restitution, community service, a fine, supervised probation, or confinement.

**"SEC. 1803. ALLOCATION AND DISTRIBUTION OF FUNDS.**

"(a) STATE ALLOCATION.—  
 "(1) IN GENERAL.—In accordance with regulations promulgated pursuant to this part and except as provided in paragraph (3), 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) 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.

"(3) INCREASE FOR STATE RESERVE.—  
 "(A) IN GENERAL.—Subject to subparagraph (B), if a State demonstrates and certifies to the Attorney General that the State's law enforcement expenditures in the fiscal year preceding the date in which an application is submitted under this part is more than 25 percent of the aggregate amount of law enforcement expenditures by the State and its eligible units of local government, the percentage referred to in paragraph (1)(A) shall equal the percentage determined by dividing the State's law enforcement expenditures by such aggregate.

"(B) LAW ENFORCEMENT EXPENDITURES OVER 50 PERCENT.—If the law enforcement expenditures of a State exceed 50 percent of the aggregate amount described in subparagraph (A), the Attorney General shall consult with as many units of local government in such State as practicable regarding the State's proposed uses of funds.

"(b) LOCAL DISTRIBUTION.—  
 "(1) IN GENERAL.—Except as provided in subsection (a)(3), 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) three-quarters; 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-quarter; 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 expenditures 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 expenditures 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 SPECIALLY QUALIFIED 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 specially qualified units which meet the requirements for funding under section 1802.

"(2) AWARD BASIS.—In addition to the qualification requirements for direct grants for specially qualified units the Attorney General may use the average amount allocated by the States to units of local government as a basis for awarding grants under this section.

**"SEC. 1804. REGULATIONS.**

"(a) IN GENERAL.—The Attorney General shall issue regulations establishing procedures under which a 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.

"(b) ADVISORY BOARD.—The regulations referred to in subsection (a) shall include a requirement that such eligible State or unit of local government establish and convene an advisory board to review the proposed uses of such funds. The board shall include representation from, if appropriate—

"(1) the State or local police department;  
 "(2) the local sheriff's department;  
 "(3) the State or local prosecutor's office;  
 "(4) the State or local juvenile court;  
 "(5) the State or local probation officer;  
 "(6) the State or local educational agency;  
 "(7) a State or local social service agency; and

"(8) a nonprofit, religious, or community group.

**"SEC. 1805. PAYMENT REQUIREMENTS.**

"(a) TIMING OF PAYMENTS.—The Attorney General shall pay to 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) 90 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 awarded under this part, a State or specially qualified unit shall repay to the Attorney General, or a unit of local government shall repay to the State by not later than 27 months after receipt of funds from the Attorney General, any amount that is not ex-

pended 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 and specially qualified units.

"(c) ADMINISTRATIVE COSTS.—A State or unit of local government that receives funds under this part may use not more than 5 percent of such funds to pay for administrative costs.

"(d) NONSUPPLANTING REQUIREMENT.—Funds made available under this part to States and units of local government 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 used 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 or specially qualified unit that receives funds under this part shall—

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

"(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 or specially qualified unit;

"(3) designate an official of the State or specially qualified unit 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.—Except as otherwise provided, 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 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 'specially qualified unit' means a unit of local government which may receive funds under this part only in accordance with 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, 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 al-

located 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 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 I 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.

**“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 2000;
- “(2) \$500,000,000 for fiscal year 2001; and
- “(3) \$500,000,000 for fiscal year 2002.

“(b) OVERSIGHT ACCOUNTABILITY AND ADMINISTRATION.—Not more than 3 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 2000 through 2002 shall be available to the Attorney General for evaluation and research regarding 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 II—JUVENILE CRIME CONTROL AND DELINQUENCY PREVENTION**

**SEC. 200. SHORT TITLE; TABLE OF CONTENTS.**

(a) SHORT TITLE.—This title may be cited as the “Juvenile Crime Control and Delinquency Prevention Act of 1999”.

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

**TITLE II—JUVENILE CRIME CONTROL AND DELINQUENCY PREVENTION**

Sec. 200. Short title; table of contents.

SUBTITLE A—AMENDMENTS TO JUVENILE JUSTICE AND DELINQUENCY PREVENTION ACT OF 1974

- Sec. 201. Findings.
- Sec. 202. Purpose.
- Sec. 203. Definitions.
- Sec. 204. Name of office.
- Sec. 205. Concentration of Federal effort.
- Sec. 206. Coordinating Council on Juvenile Justice and Delinquency Prevention.
- Sec. 207. Annual report.

- Sec. 208. Allocation.
- Sec. 209. State plans.
- Sec. 210. Juvenile delinquency prevention block grant program.
- Sec. 211. Research; evaluation; technical assistance; training.
- Sec. 212. Demonstration projects.
- Sec. 213. Authorization of appropriations.
- Sec. 214. Administrative authority.
- Sec. 215. Use of funds.
- Sec. 216. Limitation on use of funds.
- Sec. 217. Rule of construction.
- Sec. 218. Leasing surplus Federal property.
- Sec. 219. Issuance of Rules.
- Sec. 220. Content of materials.
- Sec. 221. Technical and conforming amendments.
- Sec. 222. References.

**SUBTITLE B—AMENDMENTS TO THE RUNAWAY AND HOMELESS YOUTH ACT**

Sec. 231. Runaway and homeless youth.

**SUBTITLE C—REPEAL OF TITLE V RELATING TO INCENTIVE GRANTS FOR LOCAL DELINQUENCY PREVENTION PROGRAMS**

Sec. 241. Repealer.

**SUBTITLE D—AMENDMENTS TO THE MISSING CHILDREN’S ASSISTANCE ACT**

Sec. 251. National center for missing and exploited children.

**SUBTITLE E—STUDIES AND EVALUATIONS**

- Sec. 261. Study of school violence.
- Sec. 262. Study of mental health needs of juveniles in secure and nonsecure placements in the juvenile justice system.
- Sec. 263. Evaluation by General Accounting Office.
- Sec. 264. General Accounting Office Report.
- Sec. 265. Behavioral and social science research on youth violence.

**SUBTITLE F—GENERAL PROVISIONS**

Sec. 271. Effective date; application of amendments.

**Subtitle A—Amendments to Juvenile Justice and Delinquency Prevention Act of 1974**

**SEC. 201. FINDINGS.**

Section 101 of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5601) is amended to read as follows:

**“FINDINGS**

“Sec. 101. (a) The Congress finds the following:

“(1) There has been a dramatic increase in juvenile delinquency, particularly violent crime committed by juveniles. Weapons offenses and homicides are 2 of the fastest growing crimes committed by juveniles. More than ½ of juvenile victims are killed with a firearm. Approximately ½ of the individuals arrested for committing violent crime are less than 18 years of age. The increase in both the number of youth below the age of 15 and females arrested for violent crime is cause for concern.

“(2) This problem should be addressed through a 2-track common sense approach that addresses the needs of individual juveniles and society at large by promoting—

“(A) quality prevention programs that—

“(i) work with juveniles, their families, local public agencies, and community-based organizations, and take into consideration such factors as whether or not juveniles have been the victims of family violence (including child abuse and neglect); and

“(ii) are designed to reduce risks and develop competencies in at-risk juveniles that will prevent, and reduce the rate of, violent delinquent behavior; and

“(B) programs that assist in holding juveniles accountable for their actions, including a system of graduated sanctions to respond to each delinquent act, requiring juveniles to make restitution, or perform community service, for the damage caused by their de-

linquent acts, and methods for increasing victim satisfaction with respect to the penalties imposed on juveniles for their acts.

“(b) Congress must act now to reform this program by focusing on juvenile delinquency prevention programs, as well as programs that hold juveniles accountable for their acts. Without true reform, the criminal justice system will not be able to overcome the challenges it will face in the coming years when the number of juveniles is expected to increase by 30 percent.”.

**SEC. 202. PURPOSE.**

Section 102 of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5602) is amended to read as follows:

**“PURPOSES**

“Sec. 102. The purposes of this title and title II are—

“(1) to support State and local programs that prevent juvenile involvement in delinquent behavior;

“(2) to assist State and local governments in promoting public safety by encouraging accountability for acts of juvenile delinquency; and

“(3) to assist State and local governments in addressing juvenile crime through the provision of technical assistance, research, training, evaluation, and the dissemination of information on effective programs for combating juvenile delinquency.”.

**SEC. 203. DEFINITIONS.**

Section 103 of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5603) is amended—

(1) in paragraph (3) by striking “to help prevent juvenile delinquency” and inserting “designed to reduce known risk factors for juvenile delinquent behavior, provides activities that build on protective factors for, and develop competencies in, juveniles to prevent, and reduce the rate of, delinquent juvenile behavior”;

(2) in paragraph (4) by inserting “title I of” before “the Omnibus” each place it appears, (3) in paragraph (7) by striking “the Trust Territory of the Pacific Islands,”

(4) in paragraph (9) by striking “justice” and inserting “crime control”;

(5) in paragraph (12)(B) by striking “, of any nonoffender,”

(6) in paragraph (13)(B) by striking “, any non-offender,”

(7) in paragraph (14) by inserting “drug trafficking,” after “assault,”

(8) in paragraph (16)—

(A) in subparagraph (A) by adding “and” at the end, and

(B) by striking subparagraph (C),

(9) by striking paragraph (17),

(10) in paragraph (22)—

(A) by redesignating subparagraphs (i), (ii), and (iii) as subparagraphs (A), (B), and (C), respectively, and

(B) by striking “and” at the end,

(11) in paragraph (23) by striking the period at the end and inserting a semicolon,

(12) by redesignating paragraphs (18), (19), (20), (21), (22), and (23) as paragraphs (17) through (22), respectively, and

(13) by adding at the end the following:

“(23) the term ‘boot camp’ means a residential facility (excluding a private residence) at which there are provided—

“(A) a highly regimented schedule of discipline, physical training, work, drill, and ceremony characteristic of military basic training.

“(B) regular, remedial, special, and vocational education; and

“(C) counseling and treatment for substance abuse and other health and mental health problems;

“(24) the term ‘graduated sanctions’ means an accountability-based, graduated series of sanctions (including incentives and services) applicable to juveniles within the juvenile

justice system to hold such juveniles accountable for their actions and to protect communities from the effects of juvenile delinquency by providing appropriate sanctions for every act for which a juvenile is adjudicated delinquent, by inducing their law-abiding behavior, and by preventing their subsequent involvement with the juvenile justice system;

“(25) the term ‘violent crime’ means—  
“(A) murder or nonnegligent manslaughter, forcible rape, or robbery, or  
“(B) aggravated assault committed with the use of a firearm;

“(26) the term ‘co-located facilities’ means facilities that are located in the same building, or are part of a related complex of buildings located on the same grounds; and

“(27) the term ‘related complex of buildings’ means 2 or more buildings that share—

“(A) physical features, such as walls and fences, or services beyond mechanical services (heating, air conditioning, water and sewer); or

“(B) the specialized services that are allowable under section 31.303(e)(3)(i)(C)(3) of title 28 of the Code of Federal Regulations, as in effect on December 10, 1996.”

**SEC. 204. NAME OF OFFICE.**

Title II of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5611 et seq.) is amended—

(1) by amending the heading of part A to read as follows:

“PART A—OFFICE OF JUVENILE CRIME CONTROL AND DELINQUENCY PREVENTION”,

(2) in section 201(a) by striking “Justice and Delinquency Prevention” and inserting “Crime Control and Delinquency Prevention”, and

(3) in subsections section 299A(c)(2) by striking “Justice and Delinquency Prevention” and inserting “Crime Control and Delinquency Prevention”.

**SEC. 205. CONCENTRATION OF FEDERAL EFFORT.**

Section 204 of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5614) is amended—

(1) in subsection (a)(1) by striking the last sentence,

(2) in subsection (b)—  
(A) in paragraph (3) by striking “and of the prospective” and all that follows through “administered”,

(B) by striking paragraph (5), and  
(C) by redesignating paragraphs (6) and (7) as paragraphs (5) and (6), respectively,

(3) in subsection (c) by striking “and reports” and all that follows through “this part”, and inserting “as may be appropriate to prevent the duplication of efforts, and to coordinate activities, related to the prevention of juvenile delinquency”,

(4) by striking subsection (i), and

(5) by redesignating subsection (h) as subsection (f).

**SEC. 206. COORDINATING COUNCIL ON JUVENILE JUSTICE AND DELINQUENCY PREVENTION.**

Section 206 of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5616) is repealed.

**SEC. 207. ANNUAL REPORT.**

Section 207 of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5617) is amended—

(1) in paragraph (2)—  
(A) by inserting “and” after “priorities”, and

(B) by striking “, and recommendations of the Council”,

(2) by striking paragraphs (4) and (5), and inserting the following:

“(4) An evaluation of the programs funded under this title and their effectiveness in reducing the incidence of juvenile delinquency, particularly violent crime, committed by juveniles.”, and

(3) by redesignating such section as section 206.

**SEC. 208. ALLOCATION.**

Section 222 of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5632) is amended—

(1) in subsection (a)—  
(A) in paragraph (2)—

(i) in subparagraph (A)—  
(I) by striking “amount, up to \$400,000,” and inserting “amount up to \$400,000”,

(II) by inserting a comma after “1992” the 1st place it appears,

(III) by striking “the Trust Territory of the Pacific Islands,”, and

(IV) by striking “amount, up to \$100,000,” and inserting “amount up to \$100,000”,

(ii) in subparagraph (B)—  
(I) by striking “(other than part D)”,

(II) by striking “or such greater amount, up to \$600,000” and all that follows through “section 299(a) (1) and (3)”,

(III) by striking “the Trust Territory of the Pacific Islands,”,

(IV) by striking “amount, up to \$100,000,” and inserting “amount up to \$100,000”, and

(V) by inserting a comma after “1992”,  
(B) in paragraph (3) by striking “allot” and inserting “allocate”, and

(2) in subsection (b) by striking “the Trust Territory of the Pacific Islands.”.

**SEC. 209. STATE PLANS.**

Section 223 of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5633) is amended—

(1) in subsection (a)—  
(A) in the 2nd sentence by striking “challenge” and all that follows through “part E”, and inserting “, projects, and activities”,

(B) in paragraph (3)—  
(i) by striking “, which—” and inserting “that—”,

(ii) in subparagraph (A)—  
(I) by striking “not less” and all that follows through “33”, and inserting “the attorney general of the State or such other State official who has primary responsibility for overseeing the enforcement of State criminal laws, and”,

(II) by inserting “, in consultation with the attorney general of the State or such other State official who has primary responsibility for overseeing the enforcement of State criminal laws” after “State”,

(III) in clause (i) by striking “or the administration of juvenile justice” and inserting “, the administration of juvenile justice, or the reduction of juvenile delinquency”,

(IV) in clause (ii) by striking “include—” and all that follows through the semicolon at the end of subclause (VIII), and inserting the following:  
“represent a multidisciplinary approach to addressing juvenile delinquency and may include—

“(I) individuals who represent units of general local government, law enforcement and juvenile justice agencies, public agencies concerned with the prevention and treatment of juvenile delinquency and with the adjudication of juveniles, representatives of juveniles, or nonprofit private organizations, particularly such organizations that serve juveniles; and

“(II) such other individuals as the chief executive officer considers to be appropriate; and”, and

(V) by striking clauses (iv) and (v),

(iii) in subparagraph (C) by striking “justice” and inserting “crime control”,

(iv) in subparagraph (D)—  
(I) in clause (i) by inserting “and” at the end,

(II) in clause (ii) by striking “paragraphs” and all that follows through “part E”, and inserting “paragraphs (11), (12), and (13)”, and

(III) by striking clause (iii), and

(v) in subparagraph (E) by striking “title—” and all that follows through “(ii)” and inserting “title.”,

(C) in paragraph (5)—

(i) in the matter preceding subparagraph (A) by striking “, other than” and inserting “reduced by the percentage (if any) specified by the State under the authority of paragraph (25) and excluding” after “section 222”, and

“(ii) in subparagraph (C) by striking “paragraphs (12)(A), (13), and (14)” and inserting “paragraphs (11), (12), and (13)”,

(D) by striking paragraph (6),

(E) in paragraph (7) by inserting “, including in rural areas” before the semicolon at the end,

(F) in paragraph (8)—  
(i) in subparagraph (A)—

(I) by striking “for (i)” and all that follows through “relevant jurisdiction”, and inserting “for an analysis of juvenile delinquency problems in, and the juvenile delinquency control and delinquency prevention needs (including educational needs) of, the State”,

(II) by striking “justice” the second place it appears and inserting “crime control”, and

(III) by striking “of the jurisdiction; (ii)” and all that follows through the semicolon at the end, and inserting “of the State; and”,

(ii) by amending subparagraph (B) to read as follows:

“(B) contain—

“(i) a plan for providing needed gender-specific services for the prevention and treatment of juvenile delinquency;

“(ii) a plan for providing needed services for the prevention and treatment of juvenile delinquency in rural areas; and

“(iii) a plan for providing needed mental health services to juveniles in the juvenile justice system, including information on how such plan is being implemented and how such services will be targeted to those juveniles in the such system who are in greatest need of such services services.”, and

(iii) by striking subparagraphs (C) and (D),

(G) by amending paragraph (9) to read as follows:

“(9) provide for the coordination and maximum utilization of existing juvenile delinquency programs, programs operated by public and private agencies and organizations, and other related programs (such as education, special education, recreation, health, and welfare programs) in the State.”,

(H) in paragraph (10)—  
(i) in subparagraph (A)—

(I) by striking “, specifically” and inserting “including”,

(II) by striking clause (i), and

(III) redesignating clauses (ii) and (iii) as clauses (i) and (ii), respectively,

(ii) in subparagraph (C) by striking “juvenile justice” and inserting “juvenile crime control”,

(iv) by amending subparagraph (D) to read as follows:

“(D) programs that provide treatment to juvenile offenders who are victims of child abuse or neglect, and to their families, in order to reduce the likelihood that such juvenile offenders will commit subsequent violations of law;”,

(iv) in subparagraph (E)—  
(I) by redesignating clause (ii) as clause (iii), and

(II) by striking “juveniles, provided” and all that follows through “provides; and”, and inserting the following:

“juveniles—

“(i) to encourage juveniles to remain in elementary and secondary schools or in alternative learning situations;

“(ii) to provide services to assist juveniles in making the transition to the world of work and self-sufficiency; and”,

(v) by amending subparagraph (F) to read as follows:

“(F) expanding the use of probation officers—

“(i) particularly for the purpose of permitting nonviolent juvenile offenders (including status offenders) to remain at home with their families as an alternative to incarceration or institutionalization; and

“(ii) to ensure that juveniles follow the terms of their probation;”;

(vi) by amending subparagraph (G) to read as follows:

“(G) one-on-one mentoring programs that are designed to link at-risk juveniles and juvenile offenders, particularly juveniles residing in high-crime areas and juveniles experiencing educational failure, with responsible adults (such as law enforcement officers, adults working with local businesses, and adults working with community-based organizations and agencies) who are properly screened and trained;”;

(vii) in subparagraph (H) by striking “handicapped youth” and inserting “juveniles with disabilities”;

(viii) by amending subparagraph (K) to read as follows:

“(K) boot camps for juvenile offenders;”;

(ix) by amending subparagraph (L) to read as follows:

“(L) community-based programs and services to work with juveniles, their parents, and other family members during and after incarceration in order to strengthen families so that such juveniles may be retained in their homes;”;

(x) by amending subparagraph (N) to read as follows:

“(N) establishing policies and systems to incorporate relevant child protective services records into juvenile justice records for purposes of establishing treatment plans for juvenile offenders;”;

(xi) in subparagraph (O)—

(I) in striking “cultural” and inserting “other”, and

(II) by striking the period at the end and inserting a semicolon; and

(xii) by adding at the end the following:

“(P) programs designed to prevent and to reduce hate crimes committed by juveniles; and

“(Q) after-school programs that provide at-risk juveniles and juveniles in the juvenile justice system with a range of age-appropriate activities, including tutoring, mentoring, and other educational and enrichment activities.”;

(I) by amending paragraph (12) to read as follows:

“(12) shall, in accordance with rules issued by the Administrator, provide that—

“(A) juveniles who are charged with or who have committed an offense that would not be criminal if committed by an adult, excluding—

“(i) juveniles who are charged with or who have committed a violation of section 922(x)(2) of title 18, United States Code, or of a similar State law;

“(ii) juveniles who are charged with or who have committed a violation of a valid court order; and

“(iii) juveniles who are held in accordance with the Interstate Compact on Juveniles as enacted by the State;

shall not be placed in secure detention facilities or secure correctional facilities; and

“(B) juveniles—

“(i) who are not charged with any offense; and

“(ii) who are—

“(I) aliens; or

“(II) alleged to be dependent, neglected, or abused;

shall not be placed in secure detention facilities or secure correctional facilities;”;

(J) by amending paragraph (13) to read as follows:

“(13) provide that—

“(A) juveniles alleged to be or found to be delinquent, and juveniles within the purview of paragraph (11), will not be detained or confined in any institution in which they have regular contact, or unsupervised incidental contact, with adults incarcerated because such adults have been convicted of a crime or are awaiting trial on criminal charges; and

“(B) there is in effect in the State a policy that requires individuals who work with both such juveniles and such adults in co-located facilities have been trained and certified to work with juveniles;”;

(K) by amending paragraph (14) to read as follows:

“(14) provide that no juvenile will be detained or confined in any jail or lockup for adults except—

“(A) juveniles who are accused of non-status offenses and who are detained in such jail or lockup for a period not to exceed 6 hours—

“(i) for processing or release;

“(ii) while awaiting transfer to a juvenile facility; or

“(iii) in which period such juveniles make a court appearance;

“(B) juveniles who are accused of non-status offenses, who are awaiting an initial court appearance that will occur within 48 hours after being taken into custody (excluding Saturdays, Sundays, and legal holidays), and who are detained in a jail or lockup—

“(i) in which—

“(I) such juveniles do not have regular contact, or unsupervised incidental contact, with adults incarcerated because such adults have been convicted of a crime or are awaiting trial on criminal charges; and

“(II) there is in effect in the State a policy that requires individuals who work with both such juveniles and such adults in co-located facilities have been trained and certified to work with juveniles; and

“(ii) that—

“(I) is located outside a metropolitan statistical area (as defined by the Office of Management and Budget) and has no existing acceptable alternative placement available;

“(II) is located where conditions of distance to be traveled or the lack of highway, road, or transportation do not allow for court appearances within 48 hours (excluding Saturdays, Sundays, and legal holidays) so that a brief (not to exceed an additional 48 hours) delay is excusable; or

“(III) is located where conditions of safety exist (such as severe adverse, life-threatening weather conditions that do not allow for reasonably safe travel), in which case the time for an appearance may be delayed until 24 hours after the time that such conditions allow for reasonable safe travel;

“(C) juveniles who are accused of non-status offenses and who are detained in a jail or lockup that satisfies the requirements of subparagraph (B)(i) if—

“(i) such jail or lockup—

“(I) is located outside a metropolitan statistical area (as defined by the Office of Management and Budget); and

“(II) has no existing acceptable alternative placement available;

“(ii) a parent or other legal guardian (or guardian ad litem) of the juvenile involved, in consultation with the counsel representing the juvenile, consents to detaining such juvenile in accordance with this subparagraph and has the right to revoke such consent at any time;

“(iii) the juvenile has counsel, and the counsel representing such juvenile—

“(I) consults with the parents of the juvenile to determine the appropriate placement of the juvenile; and

“(II) has an opportunity to present the juvenile's position regarding the detention involved to the court before the court approves such detention;”;

“(iv) the court has an opportunity to hear from the juvenile before court approval of such placement; and

“(v) detaining such juvenile in accordance with this subparagraph is—

“(I) approved in advance by a court with competent jurisdiction that has determined that such placement is in the best interest of such juvenile;

“(II) required to be reviewed periodically and in the presence of the juvenile, at intervals of not more than 5 days (excluding Saturdays, Sundays, and legal holidays), by such court for the duration of detention; and

“(III) for a period preceding the sentencing (if any) of such juvenile, but not to exceed a 20-day period;”;

(L) in paragraph (15)—

(i) by striking “paragraph (12)(A), paragraph (13), and paragraph (14)” and inserting “paragraphs (11), (12), and (13)”, and

(ii) by striking “paragraph (12)(A) and paragraph (13)” and inserting “paragraphs (11) and (12)”,

(M) in paragraph (16) by striking “mentally, emotionally, or physically handicapping conditions” and inserting “disability”;

(N) by amending paragraph (19) to read as follows:

“(19) provide assurances that—

“(A) any assistance provided under this Act will not cause the displacement (including a partial displacement, such as a reduction in the hours of nonovertime work, wages, or employment benefits) of any currently employed employee;

“(B) activities assisted under this Act will not impair an existing collective bargaining relationship, contract for services, or collective bargaining agreement; and

“(C) no such activity that would be inconsistent with the terms of a collective bargaining agreement shall be undertaken without the written concurrence of the labor organization involved;”;

(O) in paragraph (22) by inserting before the semicolon, the following:

“; and that the State will not expend funds to carry out a program referred to in subparagraph (A), (B), or (C) of paragraph (5) if the recipient of funds who carried out such program during the preceding 2-year period fails to demonstrate, before the expiration of such 2-year period, that such program achieved substantial success in achieving the goals specified in the application submitted such recipient to the State agency”;

(P) by amending paragraph (23) to read as follows:

“(23) address juvenile delinquency prevention efforts and system improvement efforts designed to reduce, without establishing or requiring numerical standards or quotas, the disproportionate number of juvenile members of minority groups, who come into contact with the juvenile justice system;”;

(Q) by amending paragraph (24) to read as follows:

“(24) provide that if a juvenile is taken into custody for violating a valid court order issued for committing a status offense—

“(A) an appropriate public agency shall be promptly notified that such juvenile is held in custody for violating such order;

“(B) not later than 24 hours during which such juvenile is so held, an authorized representative of such agency shall interview, in person, such juvenile; and

“(C) not later than 48 hours during which such juvenile is so held—

“(i) such representative shall submit an assessment to the court that issued such order,

regarding the immediate needs of such juvenile; and

“(ii) such court shall conduct a hearing to determine—

“(I) whether there is reasonable cause to believe that such juvenile violated such order; and

“(II) the appropriate placement of such juvenile pending disposition of the violation alleged;”.

(R) in paragraph (25) by striking the period at the end and inserting a semicolon,

(S) by redesignating paragraphs (7) through (25) as paragraphs (6) through (24), respectively, and

(T) by adding at the end the following:

“(25) specify a percentage (if any), not to exceed 5 percent, of funds received by the State under section 222 (other than funds made available to the state advisory group under section 222(d)) that the State will reserve for expenditure by the State to provide incentive grants to units of general local government that reduce the caseload of probation officers within such units, and

“(26) provide that the State, to the maximum extent practicable, will implement a system to ensure that if a juvenile is before a court in the juvenile justice system, public child welfare records (including child protective services records) relating to such juvenile that are on file in the geographical area under the jurisdiction of such court will be made known to such court.”, and

(2) by amending subsection (c) to read as follows:

“(c) If a State fails to comply with any of the applicable requirements of paragraphs (11), (12), (13), and (23) of subsection (a) in any fiscal year beginning after September 30, 1999, then the amount allocated to such State for the subsequent fiscal year shall be reduced by not to exceed 12.5 percent for each such paragraph with respect to which the failure occurs, unless the Administrator determines that the State—

“(1) has achieved substantial compliance with such applicable requirements with respect to which the State was not in compliance; and

“(2) has made, through appropriate executive or legislative action, an unequivocal commitment to achieving full compliance with such applicable requirements within a reasonable time.”, and

(3) in subsection (d)—

(A) by striking “allotment” and inserting “allocation”, and

(B) by striking “subsection (a) (12)(A), (13), (14) and (23)” each place it appears and inserting “paragraphs (11), (12), (13), and (23) of subsection (a)”.

**SEC. 210. JUVENILE DELINQUENCY PREVENTION BLOCK GRANT PROGRAM.**

Title II of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5611 et seq.) is amended—

(1) by striking parts C, D, E, F, G, and H,

(2) by striking the 1st part I,

(3) by redesignating the 2nd part I as part F, and

(4) by inserting after part B the following:

**“PART C—JUVENILE DELINQUENCY PREVENTION BLOCK GRANT PROGRAM**

**“SEC. 241. AUTHORITY TO MAKE GRANTS.**

“The Administrator may make grants to eligible States, from funds allocated under section 242, for the purpose of providing financial assistance to eligible entities to carry out projects designed to prevent juvenile delinquency, including—

“(1) projects that provide treatment (including treatment for mental health problems) to juvenile offenders, and juveniles who are at risk of becoming juvenile offenders, who are victims of child abuse or neglect or who have experienced violence in their homes, at school, or in the community, and

to their families, in order to reduce the likelihood that such juveniles will commit violations of law;

“(2) educational projects or supportive services for delinquent or other juveniles—

“(A) to encourage juveniles to remain in elementary and secondary schools or in alternative learning situations in educational settings;

“(B) to provide services to assist juveniles in making the transition to the world of work and self-sufficiency;

“(C) to assist in identifying learning difficulties (including learning disabilities);

“(D) to prevent unwarranted and arbitrary suspensions and expulsions;

“(E) to encourage new approaches and techniques with respect to the prevention of school violence and vandalism;

“(F) which assist law enforcement personnel and juvenile justice personnel to more effectively recognize and provide for learning-disabled and other juveniles with disabilities;

“(G) which develop locally coordinated policies and programs among education, juvenile justice, and social service agencies; or

“(H) to provide services to juvenile with serious mental and emotional disturbances (SED) in need of mental health services;

“(3) projects which expand the use of probation officers—

“(A) particularly for the purpose of permitting nonviolent juvenile offenders (including status offenders) to remain at home with their families as an alternative to incarceration or institutionalization; and

“(B) to ensure that juveniles follow the terms of their probation;

“(4) one-on-one mentoring projects that are designed to link at-risk juveniles and juvenile offenders who did not commit serious crime, particularly juveniles residing in high-crime areas and juveniles experiencing educational failure, with responsible adults (such as law enforcement officers, adults working with local businesses, and adults working for community-based organizations and agencies) who are properly screened and trained;

“(5) community-based projects and services (including literacy and social service programs) which work with juvenile offenders and juveniles who are at risk of becoming juvenile offenders, including those from families with limited English-speaking proficiency, their parents, their siblings, and other family members during and after incarceration of the juvenile offenders, in order to strengthen families, to allow juvenile offenders to be retained in their homes, and to prevent the involvement of other juvenile family members in delinquent activities;

“(6) projects designed to provide for the treatment (including mental health services) of juveniles for dependence on or abuse of alcohol, drugs, or other harmful substances;

“(7) projects which leverage funds to provide scholarships for postsecondary education and training for low-income juveniles who reside in neighborhoods with high rates of poverty, violence, and drug-related crimes;

“(8) projects which provide for an initial intake screening of each juvenile taken into custody—

“(A) to determine the likelihood that such juvenile will commit a subsequent offense; and

“(B) to provide appropriate interventions (including mental health services) to prevent such juvenile from committing subsequent offenses;

“(9) projects (including school- or community-based projects) that are designed to prevent, and reduce the rate of, the participation of juveniles in gangs that commit crimes (particularly violent crimes), that

unlawfully use firearms and other weapons, or that unlawfully traffic in drugs and that involve, to the extent practicable, families and other community members (including law enforcement personnel and members of the business community) in the activities conducted under such projects;

“(10) comprehensive juvenile justice and delinquency prevention projects that meet the needs of juveniles through the collaboration of the many local service systems juveniles encounter, including schools, courts, law enforcement agencies, child protection agencies, mental health agencies, welfare services, health care agencies, private non-profit agencies, and public recreation agencies offering services to juveniles;

“(11) to develop, implement, and support, in conjunction with public and private agencies, organizations, and businesses, projects for the employment of juveniles and referral to job training programs (including referral to Federal job training programs);

“(12) delinquency prevention activities which involve youth clubs, sports, recreation and parks, peer counseling and teaching, the arts, leadership development, community service, volunteer service, before- and after-school programs, violence prevention activities, mediation skills training, camping, environmental education, ethnic or cultural enrichment, tutoring, and academic enrichment;

“(13) to establish policies and systems to incorporate relevant child protective services records into juvenile justice records for purposes of establishing treatment plans for juvenile offenders;

“(14) programs that encourage social competencies, problem-solving skills, and communication skills, youth leadership, and civic involvement;

“(15) programs that focus on the needs of young girls at-risk of delinquency or status offenses;

“(16) projects which provide for—

“(A) an assessment by a qualified mental health professional of incarcerated juveniles who are suspected to be in need of mental health services;

“(B) the development of an individualized treatment plan for those incarcerated juveniles determined to be in need of such services;

“(C) the inclusion of a discharge plan for incarcerated juveniles receiving mental health services that addresses aftercare services; and

“(D) all juveniles receiving psychotropic medications to be under the care of a licensed mental health professional;

“(17) after-school programs that provide at-risk juveniles and juveniles in the juvenile justice system with a range of age-appropriate activities, including tutoring, mentoring, and other educational and enrichment activities;

“(18) programs related to the establishment and maintenance of a school violence hotline, based on a public-private partnership, that students and parents can use to report suspicious, violent, or threatening behavior to local school and law enforcement authorities;

“(19) programs (excluding programs to purchase guns from juveniles) designed to reduce the unlawful acquisition and illegal use of guns by juveniles, including partnerships between law enforcement agencies, health professionals, school officials, firearms manufacturers, consumer groups, faith-based groups and community organizations; and

“(20) other activities that are likely to prevent juvenile delinquency.

**“SEC. 242. ALLOCATION.**

“Funds appropriated to carry out this part shall be allocated among eligible States proportionately based on the population that is

less than 18 years of age in the eligible States.

**"SEC. 243. ELIGIBILITY OF STATES.**

"(a) APPLICATION.—To be eligible to receive a grant under section 241, a State shall submit to the Administrator an application that contains the following:

"(1) An assurance that the State will use—

"(A) not more than 5 percent of such grant, in the aggregate, for—

"(i) the costs incurred by the State to carry out this part; and

"(ii) to evaluate, and provide technical assistance relating to, projects and activities carried out with funds provided under this part; and

"(B) the remainder of such grant to make grants under section 244.

"(2) An assurance that, and a detailed description of how, such grant will support, and not supplant State and local efforts to prevent juvenile delinquency.

"(3) An assurance that such application was prepared after consultation with and participation by community-based organizations, and organizations in the local juvenile justice system, that carry out programs, projects, or activities to prevent juvenile delinquency.

"(4) An assurance that each eligible entity described in section 244 that receives an initial grant under section 244 to carry out a project or activity shall also receive an assurance from the State that such entity will receive from the State, for the subsequent fiscal year to carry out such project or activity, a grant under such section in an amount that is proportional, based on such initial grant and on the amount of the grant received under section 241 by the State for such subsequent fiscal year, but that does not exceed the amount specified for such subsequent fiscal year in such application as approved by the State.

"(5) Such other information and assurances as the Administrator may reasonably require by rule.

"(b) APPROVAL OF APPLICATIONS.—

"(1) APPROVAL REQUIRED.—Subject to paragraph (2), the Administrator shall approve an application, and amendments to such application submitted in subsequent fiscal years, that satisfy the requirements of subsection (a).

"(2) LIMITATION.—The Administrator may not approve such application (including amendments to such application) for a fiscal year unless—

"(A)(i) the State submitted a plan under section 223 for such fiscal year; and

"(ii) such plan is approved by the Administrator for such fiscal year; or

"(B) the Administrator waives the application of subparagraph (A) to such State for such fiscal year, after finding good cause for such a waiver.

**"SEC. 244. GRANTS FOR LOCAL PROJECTS.**

"(a) GRANTS BY STATES.—Using a grant received under section 241, a State may make grants to eligible entities whose applications are received by the State to carry out projects and activities described in section 241.

"(b) SPECIAL CONSIDERATION.—For purposes of making grants under subsection (a), the State shall give special consideration to eligible entities that—

"(1) propose to carry out such projects in geographical areas in which there is—

"(A) a disproportionately high level of serious crime committed by juveniles; or

"(B) a recent rapid increase in the number of nonstatus offenses committed by juveniles;

"(2)(A) agreed to carry out such projects or activities that are multidisciplinary and involve more than 2 private nonprofit agencies, organizations, and institutions that have experience dealing with juveniles; or

"(B) represent communities that have a comprehensive plan designed to identify at-risk juveniles and to prevent or reduce the rate of juvenile delinquency, and that involve other entities operated by individuals who have a demonstrated history of involvement in activities designed to prevent juvenile delinquency; and

"(3) the amount of resources (in cash or in kind) such entities will provide to carry out such projects and activities.

**"SEC. 245. ELIGIBILITY OF ENTITIES.**

"(a) ELIGIBILITY.—Except as provided in subsection (b), to be eligible to receive a grant under section 244, a unit of general purpose local government, acting jointly with not fewer than 2 private nonprofit agencies, organizations, and institutions that have experience dealing with juveniles, shall submit to the State an application that contains the following:

"(1) An assurance that such applicant will use such grant, and each such grant received for the subsequent fiscal year, to carry out throughout a 2-year period a project or activity described in reasonable detail, and of a kind described in one or more of paragraphs (1) through (14) of section 241 as specified in, such application.

"(2) A statement of the particular goals such project or activity is designed to achieve, and the methods such entity will use to achieve, and assess the achievement of, each of such goals.

"(3) A statement identifying the research (if any) such entity relied on in preparing such application.

"(b) LIMITATION.—If an eligible entity that receives a grant under section 244 to carry out a project or activity for a 2-year period, and receives technical assistance from the State or the Administrator after requesting such technical assistance (if any), fails to demonstrate, before the expiration of such 2-year period, that such project or such activity has achieved substantial success in achieving the goals specified in the application submitted by such entity to receive such grants, then such entity shall not be eligible to receive any subsequent grant under such section to continue to carry out such project or activity."

**SEC. 211. RESEARCH; EVALUATION; TECHNICAL ASSISTANCE; TRAINING.**

Title II of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5611 et seq.) is amended by inserting after part C, as added by section 110, the following:

**"PART D—RESEARCH; EVALUATION; TECHNICAL ASSISTANCE; TRAINING**

**"SEC. 251. RESEARCH AND EVALUATION; STATISTICAL ANALYSES; INFORMATION DISSEMINATION**

"(a) RESEARCH AND EVALUATION.—(1) The Administrator may—

"(A) plan and identify, after consultation with the Director of the National Institute of Justice, the purposes and goals of all agreements carried out with funds provided under this subsection; and

"(B) make agreements with the National Institute of Justice or, subject to the approval of the Assistant Attorney General for the Office of Justice Programs, with another Federal agency authorized by law to conduct research or evaluation in juvenile justice matters, for the purpose of providing research and evaluation relating to—

"(i) the prevention, reduction, and control of juvenile delinquency and serious crime committed by juveniles;

"(ii) the link between juvenile delinquency and the incarceration of members of the families of juveniles;

"(iii) successful efforts to prevent first-time minor offenders from committing subsequent involvement in serious crime;

"(iv) successful efforts to prevent recidivism;

"(v) the juvenile justice system;

"(vi) juvenile violence;

"(vii) appropriate mental health services for juveniles and youth at risk of participating in delinquent activities;

"(viii) reducing the proportion of juveniles detained or confined in secure detention facilities, secure correctional facilities, jails, and lockups who are members of minority groups; and

"(ix) other purposes consistent with the purposes of this title and title I.

"(2) The Administrator shall ensure that an equitable amount of funds available to carry out paragraph (1)(B) is used for research and evaluation relating to the prevention of juvenile delinquency.

"(b) STATISTICAL ANALYSES.—The Administrator may—

"(1) plan and identify, after consultation with the Director of the Bureau of Justice Statistics, the purposes and goals of all agreements carried out with funds provided under this subsection; and

"(2) make agreements with the Bureau of Justice Statistics, or subject to the approval of the Assistant Attorney General for the Office of Justice Programs, with another Federal agency authorized by law to undertake statistical work in juvenile justice matters, for the purpose of providing for the collection, analysis, and dissemination of statistical data and information relating to juvenile delinquency and serious crimes committed by juveniles, to the juvenile justice system, to juvenile violence, and to other purposes consistent with the purposes of this title and title I.

"(c) COMPETITIVE SELECTION PROCESS.—The Administrator shall use a competitive process, established by rule by the Administrator, to carry out subsections (a) and (b).

"(d) IMPLEMENTATION OF AGREEMENTS.—A Federal agency that makes an agreement under subsections (a)(1)(B) and (b)(2) with the Administrator may carry out such agreement directly or by making grants to or contracts with public and private agencies, institutions, and organizations.

"(e) INFORMATION DISSEMINATION.—The Administrator may—

"(1) review reports and data relating to the juvenile justice system in the United States and in foreign nations (as appropriate), collect data and information from studies and research into all aspects of juvenile delinquency (including the causes, prevention, and treatment of juvenile delinquency) and serious crimes committed by juveniles;

"(2) establish and operate, directly or by contract, a clearinghouse and information center for the preparation, publication, and dissemination of information relating to juvenile delinquency, including State and local prevention and treatment programs, plans, resources, and training and technical assistance programs; and

"(3) make grants and contracts with public and private agencies, institutions, and organizations, for the purpose of disseminating information to representatives and personnel of public and private agencies, including practitioners in juvenile justice, law enforcement, the courts, corrections, schools, and related services, in the establishment, implementation, and operation of projects and activities for which financial assistance is provided under this title.

**"SEC. 252. TRAINING AND TECHNICAL ASSISTANCE.**

"(a) TRAINING.—The Administrator may—

"(1) develop and carry out projects for the purpose of training representatives and personnel of public and private agencies, including practitioners in juvenile justice, law enforcement, courts, corrections, schools, and related services, to carry out the purposes specified in section 102; and

“(2) make grants to and contracts with public and private agencies, institutions, and organizations for the purpose of training representatives and personnel of public and private agencies, including practitioners in juvenile justice, law enforcement, courts, corrections, schools, and related services, to carry out the purposes specified in section 102.

“(b) TECHNICAL ASSISTANCE.—The Administrator may—

“(1) develop and implement projects for the purpose of providing technical assistance to representatives and personnel of public and private agencies and organizations, including practitioners in juvenile justice, law enforcement, courts, corrections, schools, and related services, in the establishment, implementation, and operation of programs, projects, and activities for which financial assistance is provided under this title; and

“(2) make grants to and contracts with public and private agencies, institutions, and organizations, for the purpose of providing technical assistance to representatives and personnel of public and private agencies, including practitioners in juvenile justice, law enforcement, courts, corrections, schools, and related services, in the establishment, implementation, and operation of programs, projects, and activities for which financial assistance is provided under this title.

“(c) TRAINING AND TECHNICAL ASSISTANCE TO MENTAL HEALTH PROFESSIONALS AND LAW ENFORCEMENT PERSONNEL.—The Administrator shall provide training and technical assistance to mental health professionals and law enforcement personnel (including public defenders, police officers, probation officers, judges, parole officials, and correctional officers) to address or to promote the development, testing, or demonstration of promising or innovative models, programs, or delivery systems that address the needs of juveniles who are alleged or adjudicated delinquent and who, as a result of such status, are placed in secure detention or confinement or in nonsecure residential placements.”

**SEC. 212. DEMONSTRATION PROJECTS.**

Title II of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5611 et seq.) is amended by inserting after part D, as added by section 111, the following:

**“PART E—DEVELOPING, TESTING, AND DEMONSTRATING PROMISING NEW INITIATIVES AND PROGRAMS**

**“SEC. 261. GRANTS AND PROJECTS.**

“(a) AUTHORITY TO MAKE GRANTS.—The Administrator may make grants to and contracts with States, units of general local government, Indian tribal governments, public and private agencies, organizations, and individuals, or combinations thereof, to carry out projects for the development, testing, and demonstration of promising initiatives and programs for the prevention, control, or reduction of juvenile delinquency. The Administrator shall ensure that, to the extent reasonable and practicable, such grants are made to achieve an equitable geographical distribution of such projects throughout the United States.

“(b) USE OF GRANTS.—A grant made under subsection (a) may be used to pay all or part of the cost of the project for which such grant is made.

**“SEC. 262. GRANTS FOR TECHNICAL ASSISTANCE.**

“The Administrator may make grants to and contracts with public and private agencies, organizations, and individuals to provide technical assistance to States, units of general local government, Indian tribal governments, local private entities or agencies, or any combination thereof, to carry out the projects for which grants are made under section 261.

**“SEC. 263. ELIGIBILITY.**

“To be eligible to receive a grant made under this part, a public or private agency, Indian tribal government, organization, institution, individual, or combination thereof shall submit an application to the Administrator at such time, in such form, and containing such information as the Administrator may reasonably require by rule.

**“SEC. 264. REPORTS.**

“Recipients of grants made under this part shall submit to the Administrator such reports as may be reasonably requested by the Administrator to describe progress achieved in carrying the projects for which such grants are made.”

**SEC. 213. AUTHORIZATION OF APPROPRIATIONS.**

Section 299 of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5671) is amended—

- (1) by striking subsection (e), and
- (2) by striking subsections (a), (b), and (c), and inserting the following:

**“(a) AUTHORIZATION OF APPROPRIATIONS FOR TITLE II (EXCLUDING PARTS C AND E).—**

(1) There are authorized to be appropriated to carry out this title such sums as may be appropriate for fiscal years 2000, 2001, 2002, and 2003.

“(2) Of such sums as are appropriated for a fiscal year to carry out this title (other than parts C and E)—

- “(A) not more than 5 percent shall be available to carry out part A;
- “(B) not less than 80 percent shall be available to carry out part B; and
- “(C) not more than 15 percent shall be available to carry out part D.

**“(b) AUTHORIZATION OF APPROPRIATIONS FOR PART C.—**There are authorized to be appropriated to carry out part C such sums as may be necessary for fiscal years 2000, 2001, 2002, and 2003.

**“(c) AUTHORIZATION OF APPROPRIATIONS FOR PART E.—**There are authorized to be appropriated to carry out part E, and authorized to remain available until expended, such sums as may be necessary for fiscal years 2000, 2001, 2002, and 2003.”

**SEC. 214. ADMINISTRATIVE AUTHORITY.**

Section 299A of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5672) is amended—

- (1) in subsection (d) by striking “as are consistent with the purpose of this Act” and inserting “only to the extent necessary to ensure that there is compliance with the specific requirements of this title or to respond to requests for clarification and guidance relating to such compliance”; and
- (2) by adding at the end the following:

“(e) If a State requires by law compliance with the requirements described in paragraphs (1), (2), and (3) of section 223(a), then for the period such law is in effect in such State such State shall be rebuttably presumed to satisfy such requirements.”

**SEC. 215. USE OF FUNDS.**

Section 299C of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5674) is amended—

- (1) in subsection (a)—
  - (A) by striking “may be used for”;
  - (B) in paragraph (1) by inserting “may be used for” after “(1)”; and
  - (C) by amending paragraph (2) to read as follows:

“(2) may not be used for the cost of construction of any facility, except not more than 15 percent of the funds received under this title by a State for a fiscal year may be used for the purpose of renovating or replacing juvenile facilities.”

- (2) by striking subsection (b), and
- (3) by redesignating subsection (c) as subsection (b).

**SEC. 216. LIMITATION ON USE OF FUNDS.**

Part F of title II of the Juvenile Justice and Delinquency Prevention Act of 1974 (42

U.S.C. 5671 et seq.), as so redesignated by section 210, is amended adding at the end the following:

**“SEC. 299F. LIMITATION ON USE OF FUNDS.**

“None of the funds made available to carry out this title may be used to advocate for, or support, the unsecured release of juveniles who are charged with a violent crime.”

**SEC. 217. RULES OF CONSTRUCTION.**

Part F of title II of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5671 et seq.), as so redesignated by section 210 and amended by section 216, is amended adding at the end the following:

**“SEC. 299G. RULES OF CONSTRUCTION.**

“Nothing in this title or title I shall be construed—

“(1) to prevent financial assistance from being awarded through grants under this title to any otherwise eligible organization; or

“(2) to modify or affect any Federal or State law relating to collective bargaining rights of employees.”

**SEC. 218. LEASING SURPLUS FEDERAL PROPERTY.**

Part F of title II of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5671 et seq.), as so redesignated by section 210 and amended by sections 216 and 217, is amended adding at the end the following:

**“SEC. 299H. LEASING SURPLUS FEDERAL PROPERTY.**

“The Administrator may receive surplus Federal property (including facilities) and may lease such property to States and units of general local government for use in or as facilities for juvenile offenders, or for use in or as facilities for delinquency prevention and treatment activities.”

**SEC. 219. ISSUANCE OF RULES.**

Part F of title II of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5671 et seq.), as so redesignated by section 210 and amended by sections 216, 217, and 218, is amended adding at the end the following:

**“SEC. 299I. ISSUANCE OF RULES.**

“The Administrator shall issue rules to carry out this title, including rules that establish procedures and methods for making grants and contracts, and distributing funds available, to carry out this title.”

**SEC. 220. CONTENT OF MATERIALS.**

Part F of title II of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5671 et seq.), as so redesignated by section 210 and amended by sections 216, 217, 218, and 219, is amended by adding at the end the following:

**“SEC. 299J. CONTENT OF MATERIALS.**

“Materials produced, procured, or distributed using funds appropriated to carry out this Act, for the purpose of preventing hate crimes should be respectful of the diversity of deeply held religious beliefs and shall make it clear that for most people religious faith is not associated with prejudice and intolerance.”

**SEC. 221. TECHNICAL AND CONFORMING AMENDMENTS.**

(a) TECHNICAL AMENDMENTS.—The Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5601 et seq.) is amended—

(1) in section 202(b) by striking “prescribed for GS-18 of the General Schedule by section 5332” and inserting “payable under section 5376”;

(2) in section 221(b)(2) by striking the last sentence,

(3) in section 299D by striking subsection (d), and

(4) by striking titles IV and V, as originally enacted by Public Law 93-415 (88 Stat. 1132-1143).

(b) CONFORMING AMENDMENTS.—(1) Section 5315 of title 5 of the United States Code is

amended by striking "Office of Juvenile Justice and Delinquency Prevention" and inserting "Office of Juvenile Crime Control and Delinquency Prevention".

(2) Section 4351(b) of title 18 of the United States Code is amended by striking "Office of Juvenile Justice and Delinquency Prevention" and inserting "Office of Juvenile Crime Control and Delinquency Prevention".

(3) Subsections (a)(1) and (c) of section 3220 of title 39 of the United States Code is amended by striking "Office of Juvenile Justice and Delinquency Prevention" each place it appears and inserting "Office of Juvenile Crime Control and Delinquency Prevention".

(4) Section 463(f) of the Social Security Act (42 U.S.C. 663(f)) is amended by striking "Office of Juvenile Justice and Delinquency Prevention" and inserting "Office of Juvenile Crime Control and Delinquency Prevention".

(5) Sections 801(a), 804, 805, and 813 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3712(a), 3782, 3785, 3786, 3789) are amended by striking "Office of Juvenile Justice and Delinquency Prevention" each place it appears and inserting "Office of Juvenile Crime Control and Delinquency Prevention".

(6) The Victims of Child Abuse Act of 1990 (42 U.S.C. 13001 et seq.) is amended—

(A) in section 214(b)(1) by striking "262, 293, and 296 of subpart II of title II" and inserting "299B and 299E";

(B) in section 214(c)(1) by striking "262, 293, and 296 of subpart II of title II" and inserting "299B and 299E";

(C) in sections 217 and 222 by striking "Office of Juvenile Justice and Delinquency Prevention" each place it appears and inserting "Office of Juvenile Crime Control and Delinquency Prevention"; and

(D) in section 223(c) by striking "section 262, 293, and 296" and inserting "sections 262, 299B, and 299E".

(7) The Missing Children's Assistance Act (42 U.S.C. 5771 et seq.) is amended—

(A) in section 403(2) by striking "Justice and Delinquency Prevention" and inserting "Crime Control and Delinquency Prevention"; and

(B) in subsections (a)(5)(E) and (b)(1)(B) of section 404 by striking "section 313" and inserting "section 331".

(8) The Crime Control Act of 1990 (42 U.S.C. 13001 et seq.) is amended—

(A) in section 217(c)(1) by striking "sections 262, 293, and 296 of subpart II of title II" and inserting "sections 299B and 299E"; and

(B) in section 223(c) by striking "section 262, 293, and 296 of title II" and inserting "sections 299B and 299E".

#### SEC. 222. REFERENCES.

In any Federal law (excluding this title and the Acts amended by this title), Executive order, rule, regulation, order, delegation of authority, grant, contract, suit, or document—

(1) a reference to the Office of Juvenile Justice and Delinquency Prevention shall be deemed to include a reference to the Office of Juvenile Crime Control and Delinquency Prevention, and

(2) a reference to the National Institute for Juvenile Justice and Delinquency Prevention shall be deemed to include a reference to Office of Juvenile Crime Control and Delinquency Prevention.

#### Subtitle B—Amendments to the Runaway and Homeless Youth Act

##### SEC. 231. RUNAWAY AND HOMELESS YOUTH.

(a) FINDINGS.—Section 302 of the Runaway and Homeless Youth Act (42 U.S.C. 5701) is amended—

(1) in paragraph (5), by striking "accurate reporting of the problem nationally and to develop" and inserting "an accurate national reporting system to report the problem, and to assist in the development of"; and

(2) by striking paragraph (8) and inserting the following:

"(8) services for runaway and homeless youth are needed in urban, suburban, and rural areas;"

(b) AUTHORITY TO MAKE GRANTS FOR CENTERS AND SERVICES.—Section 311 of the Runaway and Homeless Youth Act (42 U.S.C. 5711) is amended—

(1) by striking subsection (a) and inserting the following:

"(a) GRANTS FOR CENTERS AND SERVICES.—

"(1) IN GENERAL.—The Secretary shall make grants to public and nonprofit private entities (and combinations of such entities) to establish and operate (including renovation) local centers to provide services for runaway and homeless youth and for the families of such youth.

"(2) SERVICES PROVIDED.—Services provided under paragraph (1)—

"(A) shall be provided as an alternative to involving runaway and homeless youth in the law enforcement, child welfare, mental health, and juvenile justice systems;

"(B) shall include—

"(i) safe and appropriate shelter; and

"(ii) individual, family, and group counseling, as appropriate; and

"(C) may include—

"(i) street-based services;

"(ii) home-based services for families with youth at risk of separation from the family; and

"(iii) drug abuse education and prevention services.";

(2) in subsection (b)(2), by striking "the Trust Territory of the Pacific Islands,"; and

(3) by striking subsections (c) and (d).

(c) ELIGIBILITY.—Section 312 of the Runaway and Homeless Youth Act (42 U.S.C. 5712) is amended—

(1) in subsection (b)—

(A) in paragraph (8), by striking "paragraph (6)" and inserting "paragraph (7)";

(B) in paragraph (10), by striking "and" at the end;

(C) in paragraph (11), by striking the period at the end and inserting "; and"; and

(D) by adding at the end the following:

"(12) shall submit to the Secretary an annual report that includes, with respect to the year for which the report is submitted—

"(A) information regarding the activities carried out under this part;

"(B) the achievements of the project under this part carried out by the applicant; and

"(C) statistical summaries describing—

"(i) the number and the characteristics of the runaway and homeless youth, and youth at risk of family separation, who participate in the project; and

"(ii) the services provided to such youth by the project.";

(2) by striking subsections (c) and (d) and inserting the following:

"(c) APPLICANTS PROVIDING STREET-BASED SERVICES.—To be eligible to use assistance under section 311(a)(2)(C)(i) to provide street-based services, the applicant shall include in the plan required by subsection (b) assurances that in providing such services the applicant will—

"(1) provide qualified supervision of staff, including on-street supervision by appropriately trained staff;

"(2) provide backup personnel for on-street staff;

"(3) provide initial and periodic training of staff who provide such services; and

"(4) conduct outreach activities for runaway and homeless youth, and street youth.

"(d) APPLICANTS PROVIDING HOME-BASED SERVICES.—To be eligible to use assistance under section 311(a) to provide home-based services described in section 311(a)(2)(C)(ii), an applicant shall include in the plan required by subsection (b) assurances that in providing such services the applicant will—

"(1) provide counseling and information to youth and the families (including unrelated individuals in the family households) of such youth, including services relating to basic life skills, interpersonal skill building, educational advancement, job attainment skills, mental and physical health care, parenting skills, financial planning, and referral to sources of other needed services;

"(2) provide directly, or through an arrangement made by the applicant, 24-hour service to respond to family crises (including immediate access to temporary shelter for runaway and homeless youth, and youth at risk of separation from the family);

"(3) establish, in partnership with the families of runaway and homeless youth, and youth at risk of separation from the family, objectives and measures of success to be achieved as a result of receiving home-based services;

"(4) provide initial and periodic training of staff who provide home-based services; and

"(5) ensure that—

"(A) caseloads will remain sufficiently low to allow for intensive (5 to 20 hours per week) involvement with each family receiving such services; and

"(B) staff providing such services will receive qualified supervision.

"(e) APPLICANTS PROVIDING DRUG ABUSE EDUCATION AND PREVENTION SERVICES.—To be eligible to use assistance under section 311(a)(2)(C)(iii) to provide drug abuse education and prevention services, an applicant shall include in the plan required by subsection (b)—

"(1) a description of—

"(A) the types of such services that the applicant proposes to provide;

"(B) the objectives of such services; and

"(C) the types of information and training to be provided to individuals providing such services to runaway and homeless youth; and

"(2) an assurance that in providing such services the applicant shall conduct outreach activities for runaway and homeless youth.".

(d) APPROVAL OF APPLICATIONS.—Section 313 of the Runaway and Homeless Youth Act (42 U.S.C. 5713) is amended to read as follows:

#### "SEC. 313. APPROVAL OF APPLICATIONS.

"(a) IN GENERAL.—An application by a public or private entity for a grant under section 311(a) may be approved by the Secretary after taking into consideration, with respect to the State in which such entity proposes to provide services under this part—

"(1) the geographical distribution in such State of the proposed services under this part for which all grant applicants request approval; and

"(2) which areas of such State have the greatest need for such services.

"(b) PRIORITY.—In selecting applications for grants under section 311(a), the Secretary shall give priority to—

"(1) eligible applicants who have demonstrated experience in providing services to runaway and homeless youth; and

"(2) eligible applicants that request grants of less than \$200,000.".

(e) AUTHORITY FOR TRANSITIONAL LIVING GRANT PROGRAM.—Section 321 of the Runaway and Homeless Youth Act (42 U.S.C. 5714-1) is amended—

(1) in the section heading, by striking "PURPOSE AND";

(2) in subsection (a), by striking "(a)"; and

(3) by striking subsection (b).

(f) ELIGIBILITY.—Section 322(a)(9) of the Runaway and Homeless Youth Act (42 U.S.C. 5714-2(a)(9)) is amended by inserting ", and the services provided to such youth by such project," after "such project".

(g) COORDINATION.—Section 341 of the Runaway and Homeless Youth Act (42 U.S.C. 5714-21) is amended to read as follows:

**“SEC. 341. COORDINATION.**

“With respect to matters relating to the health, education, employment, and housing of runaway and homeless youth, the Secretary—

“(1) in conjunction with the Attorney General, shall coordinate the activities of agencies of the Department of Health and Human Services with activities under any other Federal juvenile crime control, prevention, and juvenile offender accountability program and with the activities of other Federal entities; and

“(2) shall coordinate the activities of agencies of the Department of Health and Human Services with the activities of other Federal entities and with the activities of entities that are eligible to receive grants under this title.”.

(h) **AUTHORITY TO MAKE GRANTS FOR RESEARCH, EVALUATION, DEMONSTRATION, AND SERVICE PROJECTS.**—Section 343 of the Runaway and Homeless Youth Act (42 U.S.C. 5714-23) is amended—

(1) in the section heading, by inserting “EVALUATION,” after “RESEARCH,”;

(2) in subsection (a), by inserting “evaluation,” after “research,”; and

(3) in subsection (b)—

(A) by striking paragraph (2); and

(B) by redesignating paragraphs (3) through (10) as paragraphs (2) through (9), respectively.

(i) **STUDY.**—Part D of the Runaway and Homeless Youth Act (42 U.S.C. 5731 et seq.) is amended by adding after section 344 the following:

**“SEC. 345. STUDY**

“The Secretary shall conduct a study of a representative sample of runaways to determine the percent who leave home because of sexual abuse. The report on the study shall include—

“(1) in the case of sexual abuse, the relationship of the assaulter to the runaway; and

“(2) recommendations on how Federal laws may be changed to reduce sexual assaults on children.

The study shall be completed to enable the Secretary to make a report to the committees of Congress with jurisdiction over this Act, and to make such report available to the public, within one year of the date of the enactment of this section.”

(j) **ASSISTANCE TO POTENTIAL GRANTEEES.**—Section 371 of the Runaway and Homeless Youth Act (42 U.S.C. 5714a) is amended by striking the last sentence.

(k) **REPORTS.**—Section 381 of the Runaway and Homeless Youth Act (42 U.S.C. 5715) is amended to read as follows:

**“SEC. 381. REPORTS.**

“(a) **IN GENERAL.**—Not later than April 1, 2000, and biennially thereafter, the Secretary shall submit, to the Committee on Education and the Workforce of the House of Representatives and the Committee on the Judiciary of the Senate, a report on the status, activities, and accomplishments of entities that receive grants under parts A, B, C, D, and E, with particular attention to—

“(1) in the case of centers funded under part A, the ability or effectiveness of such centers in—

“(A) alleviating the problems of runaway and homeless youth;

“(B) if applicable or appropriate, reuniting such youth with their families and encouraging the resolution of intrafamily problems through counseling and other services;

“(C) strengthening family relationships and encouraging stable living conditions for such youth; and

“(D) assisting such youth to decide upon a future course of action; and

“(2) in the case of projects funded under part B—

“(A) the number and characteristics of homeless youth served by such projects;

“(B) the types of activities carried out by such projects;

“(C) the effectiveness of such projects in alleviating the problems of homeless youth;

“(D) the effectiveness of such projects in preparing homeless youth for self-sufficiency;

“(E) the effectiveness of such projects in assisting homeless youth to decide upon future education, employment, and independent living;

“(F) the ability of such projects to encourage the resolution of intrafamily problems through counseling and development of self-sufficient living skills; and

“(G) activities and programs planned by such projects for the following fiscal year.

“(b) **CONTENTS OF REPORTS.**—The Secretary shall include in each report submitted under subsection (a), summaries of—

“(1) the evaluations performed by the Secretary under section 386; and

“(2) descriptions of the qualifications of, and training provided to, individuals involved in carrying out such evaluations.”.

(l) **EVALUATION.**—Section 384 of the Runaway and Homeless Youth Act (42 U.S.C. 5732) is amended to read as follows:

**“SEC. 386. EVALUATION AND INFORMATION.**

“(a) **IN GENERAL.**—If a grantee receives grants for 3 consecutive fiscal years under part A, B, C, D, or E (in the alternative), then the Secretary shall evaluate such grantee on-site, not less frequently than once in the period of such 3 consecutive fiscal years, for purposes of—

“(1) determining whether such grants are being used for the purposes for which such grants are made by the Secretary;

“(2) collecting additional information for the report required by section 384; and

“(3) providing such information and assistance to such grantee as will enable such grantee to improve the operation of the centers, projects, and activities for which such grants are made.

“(b) **COOPERATION.**—Recipients of grants under this title shall cooperate with the Secretary’s efforts to carry out evaluations, and to collect information, under this title.”.

(m) **AUTHORIZATION OF APPROPRIATIONS.**—Section 385 of the Runaway and Homeless Youth Act (42 U.S.C. 5751) is amended to read as follows:

**“SEC. 388. AUTHORIZATION OF APPROPRIATIONS.**

“(a) **IN GENERAL.**—

“(1) **AUTHORIZATION.**—There is authorized to be appropriated to carry out this title (other than part E) such sums as may be necessary for fiscal years 2000, 2001, 2002, and 2003.

“(2) **ALLOCATION.**—

“(A) **PARTS A AND B.**—From the amount appropriated under paragraph (1) for a fiscal year, the Secretary shall reserve not less than 90 percent to carry out parts A and B.

“(B) **PART B.**—Of the amount reserved under subparagraph (A), not less than 20 percent, and not more than 30 percent, shall be reserved to carry out part B.

“(3) **PARTS C AND D.**—In each fiscal year, after reserving the amounts required by paragraph (2), the Secretary shall use the remaining amount (if any) to carry out parts C and D.

“(b) **SEPARATE IDENTIFICATION REQUIRED.**—No funds appropriated to carry out this title may be combined with funds appropriated under any other Act if the purpose of combining such funds is to make a single discretionary grant, or a single discretionary payment, unless such funds are separately identified in all grants and contracts and are used for the purposes specified in this title.”.

(n) **SEXUAL ABUSE PREVENTION PROGRAM.**—

(1) **AUTHORITY FOR PROGRAM.**—The Runaway and Homeless Youth Act (42 U.S.C. 5701 et seq.) is amended—

(A) by striking the heading for part F;

(B) by redesignating part E as part F; and

(C) by inserting after part D the following:

**“PART E—SEXUAL ABUSE PREVENTION PROGRAM**

**“SEC. 351. AUTHORITY TO MAKE GRANTS.**

“(a) **IN GENERAL.**—The Secretary may make grants to nonprofit private agencies for the purpose of providing street-based services to runaway and homeless, and street youth, who have been subjected to, or are at risk of being subjected to, sexual abuse, prostitution, or sexual exploitation.

“(b) **PRIORITY.**—In selecting applicants to receive grants under subsection (a), the Secretary shall give priority to nonprofit private agencies that have experience in providing services to runaway and homeless, and street youth.”.

(2) **AUTHORIZATION OF APPROPRIATIONS.**—Section 388(a) of the Runaway and Homeless Youth Act (42 U.S.C. 5751), as amended by subsection (m) of this section, is amended by adding at the end the following:

“(4) **PART E.**—There is authorized to be appropriated to carry out part E such sums as may be necessary for fiscal years 2000, 2001, 2002, and 2003.”.

(o) **CONSOLIDATED REVIEW OF APPLICATIONS.**—The Runaway and Homeless Youth Act (42 U.S.C. 5701 et seq.) is amended by inserting after section 383 the following:

**“SEC. 385. CONSOLIDATED REVIEW OF APPLICATIONS.**

“With respect to funds available to carry out parts A, B, C, D, and E, nothing in this title shall be construed to prohibit the Secretary from—

“(1) announcing, in a single announcement, the availability of funds for grants under 2 or more of such parts; and

“(2) reviewing applications for grants under 2 or more of such parts in a single, consolidated application review process.”.

(p) **DEFINITIONS.**—The Runaway and Homeless Youth Act (42 U.S.C. 5701 et seq.) is amended by inserting after section 386, as amended by subsection (l) of this section, the following:

**“SEC. 387. DEFINITIONS.**

“In this title:

“(1) **DRUG ABUSE EDUCATION AND PREVENTION SERVICES.**—The term ‘drug abuse education and prevention services’—

“(A) means services to runaway and homeless youth to prevent or reduce the illicit use of drugs by such youth; and

“(B) may include—

“(i) individual, family, group, and peer counseling;

“(ii) drop-in services;

“(iii) assistance to runaway and homeless youth in rural areas (including the development of community support groups);

“(iv) information and training relating to the illicit use of drugs by runaway and homeless youth, to individuals involved in providing services to such youth; and

“(v) activities to improve the availability of local drug abuse prevention services to runaway and homeless youth.

“(2) **HOME-BASED SERVICES.**—The term ‘home-based services’—

“(A) means services provided to youth and their families for the purpose of—

“(i) preventing such youth from running away, or otherwise becoming separated, from their families; and

“(ii) assisting runaway youth to return to their families; and

“(B) includes services that are provided in the residences of families (to the extent practicable), including—

“(i) intensive individual and family counseling; and

“(ii) training relating to life skills and parenting.

“(3) **HOMELESS YOUTH.**—The term ‘homeless youth’ means an individual—

“(A) who is—

“(i) not more than 21 years of age; and

“(ii) for the purposes of part B, not less than 16 years of age;

“(B) for whom it is not possible to live in a safe environment with a relative; and

“(C) who has no other safe alternative living arrangement.

“(4) STREET-BASED SERVICES.—The term ‘street-based services’—

“(A) means services provided to runaway and homeless youth, and street youth, in areas where they congregate, designed to assist such youth in making healthy personal choices regarding where they live and how they behave; and

“(B) may include—

“(i) identification of and outreach to runaway and homeless youth, and street youth;

“(ii) crisis intervention and counseling;

“(iii) information and referral for housing;

“(iv) information and referral for transitional living and health care services;

“(v) advocacy, education, and prevention services related to—

“(I) alcohol and drug abuse;

“(II) sexual exploitation;

“(III) sexually transmitted diseases, including human immunodeficiency virus (HIV); and

“(IV) physical and sexual assault.

“(5) STREET YOUTH.—The term ‘street youth’ means an individual who—

“(A) is—

“(i) a runaway youth; or

“(ii) indefinitely or intermittently a homeless youth; and

“(B) spends a significant amount of time on the street or in other areas that increase the risk to such youth for sexual abuse, sexual exploitation, prostitution, or drug abuse.

“(6) TRANSITIONAL LIVING YOUTH PROJECT.—The term ‘transitional living youth project’ means a project that provides shelter and services designed to promote a transition to self-sufficient living and to prevent long-term dependency on social services.

“(7) YOUTH AT RISK OF SEPARATION FROM THE FAMILY.—The term ‘youth at risk of separation from the family’ means an individual—

“(A) who is less than 18 years of age; and

“(B)(i) who has a history of running away from the family of such individual;

“(ii) whose parent, guardian, or custodian is not willing to provide for the basic needs of such individual; or

“(iii) who is at risk of entering the child welfare system or juvenile justice system as a result of the lack of services available to the family to meet such needs.”.

(g) REDESIGNATION OF SECTIONS.—Sections 371, 372, 381, 382, and 383 of the Runaway and Homeless Youth Act (42 U.S.C. 5714b–5851 et seq.), as amended by this title, are redesignated as sections 380, 381, 382, 383, and 384, respectively.

(f) TECHNICAL AMENDMENTS.—The Runaway and Homeless Youth Act (42 U.S.C. 5701 et seq.) is amended—

(1) in section 331, in the first sentence, by striking “With” and all that follows through “the Secretary”, and inserting “The Secretary”; and

(2) in section 344(a)(1), by striking “With” and all that follows through “the Secretary”, and inserting “The Secretary”.

### Subtitle C—Repeal of Title V Relating to Incentive Grants for Local Delinquency Prevention Programs

#### SEC. 241. REPEALER.

Title V of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5681 et seq.), as added by Public Law 102–586, is repealed.

### Subtitle D—Amendments to the Missing Children's Assistance Act

#### SEC. 251. NATIONAL CENTER FOR MISSING AND EXPLOITED CHILDREN.

(a) FINDINGS.—Section 402 of the Missing Children's Assistance Act (42 U.S.C. 5771) is amended—

(1) in paragraph (7), by striking “and” at the end;

(2) in paragraph (8), by striking the period at the end and inserting a semicolon; and

(3) by adding at the end the following:

“(9) for 14 years, the National Center for Missing and Exploited Children has—

“(A) served as the national resource center and clearinghouse congressionally mandated under the provisions of the Missing Children's Assistance Act of 1984; and

“(B) worked in partnership with the Department of Justice, the Federal Bureau of Investigation, the Department of the Treasury, the Department of State, and many other agencies in the effort to find missing children and prevent child victimization;

“(10) Congress has given the Center, which is a private non-profit corporation, access to the National Crime Information Center of the Federal Bureau of Investigation, and the National Law Enforcement Telecommunications System;

“(11) since 1987, the Center has operated the National Child Pornography Tipline, in conjunction with the United States Customs Service and the United States Postal Inspection Service and, beginning this year, the Center established a new CyberTipline on child exploitation, thus becoming ‘the 911 for the Internet’;

“(12) in light of statistics that time is of the essence in cases of child abduction, the Director of the Federal Bureau of Investigation in February of 1997 created a new NCIC child abduction (‘CA’) flag to provide the Center immediate notification in the most serious cases, resulting in 642 ‘CA’ notifications to the Center and helping the Center to have its highest recovery rate in history;

“(13) the Center has established a national and increasingly worldwide network, linking the Center online with each of the missing children clearinghouses operated by the 50 States, the District of Columbia, and Puerto Rico, as well as with Scotland Yard in the United Kingdom, the Royal Canadian Mounted Police, INTERPOL headquarters in Lyon, France, and others, which has enabled the Center to transmit images and information regarding missing children to law enforcement across the United States and around the world instantly;

“(14) from its inception in 1984 through March 31, 1998, the Center has—

“(A) handled 1,203,974 calls through its 24-hour toll-free hotline (1-800-THE-LOST) and currently averages 700 calls per day;

“(B) trained 146,284 law enforcement, criminal and juvenile justice, and healthcare professionals in child sexual exploitation and missing child case detection, identification, investigation, and prevention;

“(C) disseminated 15,491,344 free publications to citizens and professionals; and

“(D) worked with law enforcement on the cases of 59,481 missing children, resulting in the recovery of 40,180 children;

“(15) the demand for the services of the Center is growing dramatically, as evidenced by the fact that in 1997, the Center handled 129,100 calls, an all-time record, and by the fact that its new Internet website (www.missingkids.com) receives 1,500,000 ‘hits’ every day, and is linked with hundreds of other websites to provide real-time images of breaking cases of missing children;

“(16) in 1997, the Center provided policy training to 256 police chiefs and sheriffs from 50 States and Guam at its new Jimmy Ryce Law Enforcement Training Center;

“(17) the programs of the Center have had a remarkable impact, such as in the fight against infant abductions in partnership with the healthcare industry, during which the Center has performed 668 onsite hospital walk-throughs and inspections, and trained 45,065 hospital administrators, nurses, and security personnel, and thereby helped to reduce infant abductions in the United States by 82 percent;

“(18) the Center is now playing a significant role in international child abduction cases, serving as a representative of the Department of State at cases under The Hague Convention, and successfully resolving the cases of 343 international child abductions, and providing greater support to parents in the United States;

“(19) the Center is a model of public/private partnership, raising private sector funds to match congressional appropriations and receiving extensive private in-kind support, including advanced technology provided by the computer industry such as imaging technology used to age the photographs of long-term missing children and to reconstruct facial images of unidentified deceased children;

“(20) the Center was 1 of only 10 of 300 major national charities given an A+ grade in 1997 by the American Institute of Philanthropy; and

“(21) the Center has been redesignated as the Nation's missing children clearinghouse and resource center once every 3 years through a competitive selection process conducted by the Office of Juvenile Justice and Delinquency Prevention of the Department of Justice, and has received grants from that Office to conduct the crucial purposes of the Center.”.

(b) DEFINITIONS.—Section 403 of the Missing Children's Assistance Act (42 U.S.C. 5772) is amended—

(1) in paragraph (1), by striking “and” at the end;

(2) in paragraph (2), by striking the period at the end and inserting “; and”; and

(3) by adding at the end the following:

“(3) the term ‘Center’ means the National Center for Missing and Exploited Children.”.

(c) DUTIES AND FUNCTIONS OF THE ADMINISTRATOR.—Section 404 of the Missing Children's Assistance Act (42 U.S.C. 5773) is amended—

(1) by redesignating subsection (c) as subsection (d); and

(2) by striking subsection (b) and inserting the following:

“(b) ANNUAL GRANT TO NATIONAL CENTER FOR MISSING AND EXPLOITED CHILDREN.—

“(1) IN GENERAL.—The Administrator shall annually make a grant to the Center, which shall be used to—

“(A)(i) operate a national 24-hour toll-free telephone line by which individuals may report information regarding the location of any missing child, or other child 13 years of age or younger whose whereabouts are unknown to such child's legal custodian, and request information pertaining to procedures necessary to reunite such child with such child's legal custodian; and

“(ii) coordinate the operation of such telephone line with the operation of the national communications system referred to in part C of the Runaway and Homeless Youth Act (42 U.S.C. 5714–11);

“(B) operate the official national resource center and information clearinghouse for missing and exploited children;

“(C) provide to State and local governments, public and private nonprofit agencies, and individuals, information regarding—

“(i) free or low-cost legal, restaurant, lodging, and transportation services that are available for the benefit of missing and exploited children and their families; and

“(ii) the existence and nature of programs being carried out by Federal agencies to assist missing and exploited children and their families;

“(D) coordinate public and private programs that locate, recover, or reunite missing children with their families;

“(E) disseminate, on a national basis, information relating to innovative and model programs, services, and legislation that benefit missing and exploited children;

“(F) provide technical assistance and training to law enforcement agencies, State and local governments, elements of the criminal justice system, public and private nonprofit agencies, and individuals in the prevention, investigation, prosecution, and treatment of cases involving missing and exploited children; and

“(G) provide assistance to families and law enforcement agencies in locating and recovering missing and exploited children, both nationally and internationally.

“(2) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Administrator to carry out this subsection, \$10,000,000 for each of fiscal years 2000, 2001, 2002, and 2003.

“(c) NATIONAL INCIDENCE STUDIES.—The Administrator, either by making grants to or entering into contracts with public agencies or nonprofit private agencies, shall—

“(1) periodically conduct national incidence studies to determine for a given year the actual number of children reported missing each year, the number of children who are victims of abduction by strangers, the number of children who are the victims of parental kidnappings, and the number of children who are recovered each year; and

“(2) provide to State and local governments, public and private nonprofit agencies, and individuals information to facilitate the lawful use of school records and birth certificates to identify and locate missing children.”

(d) NATIONAL CENTER FOR MISSING AND EXPLOITED CHILDREN.—Section 405(a) of the Missing Children’s Assistance Act (42 U.S.C. 5775(a)) is amended by inserting “the Center and with” before “public agencies”.

(e) AUTHORIZATION OF APPROPRIATIONS.—Section 408 of the Missing Children’s Assistance Act (42 U.S.C. 5777) is amended by striking “1997 through 2001” and inserting “2000 through 2003”.

**Subtitle E—Studies and Evaluations**

**SEC. 261. STUDY OF SCHOOL VIOLENCE.**

(a) CONTRACT FOR STUDY.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Education shall enter into a contract with the National Academy of Sciences for the purposes of conducting a study regarding the antecedents of school violence in urban, suburban, and rural schools, including the incidents of school violence that occurred in Pearl, Mississippi; Paducah, Kentucky; Jonesboro, Arkansas; Springfield, Oregon; Edinboro, Pennsylvania; Fayetteville, Tennessee; Littleton, Colorado; and Conyers, Georgia. Under the terms of such contract, the National Academy of Sciences shall appoint a panel that will—

(1) review the relevant research about adolescent violence in general and school violence in particular, including the existing longitudinal and cross-sectional studies on youth that are relevant to examining violent behavior,

(2) relate what can be learned from past and current research and surveys to specific incidents of school shootings,

(3) interview relevant individuals, if possible, such as the perpetrators of such incidents, their families, their friends, their teachers, mental health providers, and others, and

(4) give particular attention to such issues as—

(A) the perpetrators’ early development, the relationship with their families, community and school experiences, and utilization of mental health services,

(B) the relationship between perpetrators and their victims,

(C) how the perpetrators gained access to firearms,

(D) the impact of cultural influences and exposure to the media, video games, and the Internet, and

(E) such other issues as the panel deems important or relevant to the purpose of the study.

The National Academy of Sciences shall utilize professionals with expertise in such issues, including psychiatrists, social workers, behavioral and social scientists, practitioners, epidemiologists, statisticians, and methodologists.

(b) REPORT.—The National Academy of Sciences shall submit a report containing the results of the study required by subsection (a), to the Speaker of the House of Representatives, the President pro tempore of the Senate, the Chair and ranking minority Member of the Committee on Education and the Workforce of the House of Representatives, and the Chair and ranking minority Member of the Committee on Health, Education, Labor, and Pensions of the Senate, not later than January 1, 2001, or 18 months after entering into the contract required by such subsection, whichever is earlier.

(c) APPROPRIATION.—Of the funds made available under Public Law 105-277 for the Department of Education, \$2.1 million shall be made available to carry out this section.

**SEC. 262. STUDY OF THE MENTAL HEALTH NEEDS OF JUVENILES IN SECURE OR NON-SECURE PLACEMENTS IN THE JUVENILE JUSTICE SYSTEM.**

(a) STUDY.—The Administrator of the Office of Juvenile Crime Control and Delinquency Prevention, in collaboration with the National Institute of Mental Health, shall conduct a study that includes, but is not limited to, all of the following:

(1) Identification of the scope and nature of the mental health problems or disorders of—

(A) juveniles who are alleged to be or adjudicated delinquent and who, as a result of such status, have been placed in secure detention or confinement or in nonsecure residential placements, and

(B) juveniles on probation after having been adjudicated delinquent and having received a disposition as delinquent.

(2) A comprehensive survey of the types of mental health services that are currently being provided to such juveniles by States and units of local government.

(3) Identification of governmental entities that have developed or implemented model or promising screening, assessment, or treatment programs or innovative mental health delivery or coordination systems, that address and meet the mental health needs of such juveniles.

(4) A review of the literature that analyzes the mental health problems and needs of juveniles in the juvenile justice system and that documents innovative and promising models and programs that address such needs.

(b) REPORT.—Not later than 18 months after the date of enactment of this Act, the Administrator shall submit to the Congress, and broadly disseminate to individuals and entities engaged in fields that provide services for the benefit of juveniles or that make policy relating to juveniles, a report containing the results of the study conducted under subsection (a) and documentation identifying promising or innovative models or programs referred to in such subsection.

**SEC. 263. EVALUATION BY GENERAL ACCOUNTING OFFICE.**

(a) EVALUATION.—Not later than October 1, 2002, the Comptroller General of the United States shall conduct a comprehensive analysis and evaluation regarding the performance of the Office of Juvenile Justice Delinquency and Prevention, its functions, its programs, and its grants under specified criteria, and shall submit the report required by subsection (b). In conducting the analysis and evaluation, the Comptroller General shall take into consideration the following factors to document the efficiency and public benefit of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5601 et seq.), excluding the Runaway and Homeless Youth Act (42 U.S.C. 5701 et seq.) and the Missing Children’s Assistance Act (42 U.S.C. 5771 et seq.):

(1) The extent to which the agency has complied with the provisions contained in the Government Performance and Results Act of 1993 (Pub. Law 103-62; 107 Stat. 285).

(2) The outcome and results of the programs carried out by the Office of Juvenile Justice and Delinquency Prevention and those administered through grants by Office of Juvenile Justice and Delinquency Prevention.

(3) Whether the agency has acted outside the scope of its original authority, and whether the original objectives of the agency have been achieved.

(4) Whether less restrictive or alternative methods exists to carry out the functions of the agency. Whether present functions or operations are impeded or enhanced by existing, statutes, rules, and procedures.

(5) The extent to which the jurisdiction of, and the programs administered by, the agency duplicate or conflict with the jurisdiction and programs of other agencies.

(6) The potential benefits of consolidating programs administered by the agency with similar or duplicative programs of other agencies, and the potential for consolidating such programs.

(7) The number and types of beneficiaries or persons served by programs carried out under the Act.

(8) The extent to which any trends, developments, or emerging conditions that are likely to affect the future nature and the extent of the problems or needs the programs carried out by the Act are intended to address.

(9) The manner with which the agency seeks public input and input from State and local governments on the performance of the functions of the agency.

(10) Whether the agency has worked to enact changes in the law intended to benefit the public as a whole rather than the specific businesses, institutions, or individuals the agency regulates or funds.

(11) The extent to which the agency grants have encouraged participation by the public as a whole in making its rules and decisions rather than encouraging participation solely by those it regulates.

(12) The extent to which the agency complies with section 552 of title 5, United States Code (commonly known as the “Freedom of Information Act”).

(13) The impact of any regulatory, privacy, and paperwork concerns resulting from the programs carried out by the agency.

(14) The extent to which the agency has coordinated with state and local governments in performing the functions of the agency.

(15) The extent to which changes are necessary in the authorizing statutes of the agency in order that the functions of the agency can be performed in a more efficient and effective manner.

(16) Whether greater oversight is needed of programs developed with grants made by the

Office of Juvenile Justice and Delinquency Prevention.

(b) REPORT.—The report required by subsection (a) shall—

(1) include recommendations for legislative changes, as appropriate, based on the evaluation conducted under subsection (a), to be made to the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5601 et seq.), excluding the Runaway and Homeless Youth Act (42 U.S.C. 5701 et seq.) and the Missing Children's Assistance Act (42 U.S.C. 5771 et seq.), and

(2) shall be submitted, together with supporting materials, to the Speaker of the House of Representatives and the President pro tempore of the Senate, and made available to the public.

**SEC. 264. GENERAL ACCOUNTING OFFICE REPORT.**

Not later than 1 year after the date of the enactment of this Act, the General Accounting Office shall transmit to Congress a report containing the following:

(1) For each State, a description of the types of after-school programs that are available for students in kindergarten through grade 12, including programs sponsored by the Boys and Girls Clubs of America, the Boy Scouts of America, the Girl Scouts of America, YMCAs, and athletic and other programs operated by public schools and other State and local agencies.

(2) For 15 communities selected to represent a variety of regional, population, and demographic profiles, a detailed analysis of all of the after-school programs that are available for students in kindergarten through grade 12, including programs sponsored by the Boys and Girls Clubs of America, the Boy Scouts of America, the Girl Scouts of America, YMCAs, mentoring programs, athletic programs, and programs operated by public schools, churches, day care centers, parks, recreation centers, family day care, community organizations, law enforcement agencies, service providers, and for-profit and nonprofit organizations.

(3) For each State, a description of significant areas of unmet need in the quality and availability of after-school programs.

(4) For each State, a description of barriers which prevent or deter the participation of children in after-school programs.

(5) For each State, a description of barriers to improving the quality and availability of after-school programs.

(6) A list of activities, other than after-school programs, in which students in kindergarten through grade 12 participate when not in school, including jobs, volunteer opportunities, and other non-school affiliated programs.

(7) An analysis of the value of the activities listed pursuant to paragraph (6) to the well-being and educational development of students in kindergarten through grade 12.

**SEC. 265. BEHAVIORAL AND SOCIAL SCIENCE RESEARCH ON YOUTH VIOLENCE.**

(a) NIH RESEARCH.—The National Institutes of Health, acting through the Office of Behavioral and Social Sciences Research, shall carry out a coordinated, multi-year course of behavioral and social science research on the causes and prevention of youth violence.

(b) NATURE OF RESEARCH.—Funds made available to the National Institutes of Health pursuant to this section shall be utilized to conduct, support, coordinate, and disseminate basic and applied behavioral and social science research with respect to youth violence, including research on 1 or more of the following subjects:

- (1) The etiology of youth violence.
- (2) Risk factors for youth violence.
- (3) Childhood precursors to antisocial violent behavior.

(4) The role of peer pressure in inciting youth violence.

(5) The processes by which children develop patterns of thought and behavior, including beliefs about the value of human life.

(6) Science-based strategies for preventing youth violence, including school and community-based programs.

(7) Other subjects that the Director of the Office of Behavioral and Social Sciences Research deems appropriate.

(c) ROLE OF THE OFFICE OF BEHAVIORAL AND SOCIAL SCIENCES RESEARCH.—Pursuant to this section and section 404A of the Public Health Service Act (42 U.S.C. 283c), the Director of the Office of Behavioral and Social Sciences Research shall—

(1) coordinate research on youth violence conducted or supported by the agencies of the National Institutes of Health;

(2) identify youth violence research projects that should be conducted or supported by the research institutes, and develop such projects in cooperation with such institutes and in consultation with State and Federal law enforcement agencies;

(3) take steps to further cooperation and collaboration between the National Institutes of Health and the Centers for Disease Control and Prevention, the Substance Abuse and Mental Health Services Administration, the agencies of the Department of Justice, and other governmental and non-governmental agencies with respect to youth violence research conducted or supported by such agencies;

(4) establish a clearinghouse for information about youth violence research conducted by governmental and nongovernmental entities; and

(5) periodically report to Congress on the state of youth violence research and make recommendations to Congress regarding such research.

(d) FUNDING.—There is authorized to be appropriated, \$5,000,000 for each of fiscal years 2000 through 2004 to carry out this section. If amount are not separately appropriated to carry out this section, the Director of the National Institutes of Health shall carry out this section using funds appropriated generally to the National Institutes of Health, except that funds expended for under this section shall supplement and not supplant existing funding for behavioral research activities at the National Institutes of Health.

**Subtitle F—General Provisions**

**SEC. 271. EFFECTIVE DATE; APPLICATION OF AMENDMENTS.**

(a) EFFECTIVE DATE.—Except as provided in subsection (b), this title and the amendments made by this title shall take effect on the date of the enactment of this Act.

(b) APPLICATION OF AMENDMENTS.—The amendments made by this title shall apply only with respect to fiscal years beginning after September 30, 1999.

Amend the title so as to read: "A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to provide grants to ensure increased accountability for juvenile offenders; to amend the Juvenile Justice and Delinquency Prevention Act of 1974 to provide quality prevention programs and accountability programs relating to juvenile delinquency; and for other purposes."

**TITLE III—REAUTHORIZATION OF COPS PROGRAM**

**SEC. 301. SHORT TITLE.**

This title may be cited as the "Public Safety and Community Policing Grants Reauthorization Act of 1999".

**SEC. 302. REAUTHORIZATION OF PUBLIC SAFETY AND COMMUNITY POLICING (COPS ON THE BEAT) GRANTS.**

Section 1001(a)(11) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3793) is amended—

(1) in clause (vi) by striking "268,000,000 for fiscal year 2000" and inserting "500,000,000 each of fiscal years 2000 through 2005."

**SEC. 303. RENEWAL OF GRANTS.**

Section 1703 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796dd-2) is amended by amended subsection (b) to read as follows—

"(b) GRANTS FOR HIRING.—

"(1) IN GENERAL.—Grants made for hiring or rehiring additional career law enforcement officers or to promote redeployment of officers by hiring civilians may be renewed for an additional 3 year period beginning the fiscal year after the last fiscal year during which a recipient receives its initial grant. The Attorney General may use, at her discretion, a portion of the funding for cooperative partnerships between schools and State and local police departments to provide for the use of police officers in schools.

"(2) INITIAL PERIOD EXPIRED.—In a case in which a recipient's initial grant has expired prior to the date of the enactment of the Public Safety and Community Policing Grants Reauthorization Act of 1999, grants made for hiring or rehiring additional career law enforcement officers may be renewed for an additional 3 year period beginning the fiscal year after the date of the enactment of such Act.

"(3) AUTHORIZATION FOR APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this subsection. In a case in which a recipient receives a grant for an additional 3 year period, the amount for any additional years shall be increased by 3 percent to reflect a cost of living adjustment."

**SEC. 304. MATCHING FUNDS.**

Section 1701(i) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796dd(i)) is amended by striking "up to 5 years" and inserting "each 3 year grant period".

**SEC. 305. HIRING COSTS.**

Section 1704 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796dd-3) is amended by repealing subsection (c).

**TITLE IV—SCHOOL ANTI-VIOLENCE EMPOWERMENT ACT**

**SEC. 401. SHORT TITLE.**

This title may be cited as the "School Anti-Violence Empowerment Act".

**Subtitle A—School Safety Programs**

**SEC. 411. PROGRAM AUTHORIZED.**

The Secretary of Education is authorized to provide grants to local educational agencies to establish or enhance crisis intervention programs, including the hiring of school counselors and to enhance school safety programs for students, staff, and school facilities.

**SEC. 412. GRANT AWARDS.**

(a) LOCAL AWARDS.—The Secretary shall award grants to local educational agencies on a competitive basis.

(b) GRANT PROGRAMS.—From the amounts appropriated under section 416, the Secretary shall reserve—

(1) 50 percent of such amount to award grants to local educational agencies to hire school counselors; and

(2) 50 percent of such amount to award grants to local educational agencies to enhance school safety programs for students, staff, and school facilities.

(c) PRIORITY.—Such awards shall be based on one or more of the following factors:

(1) Quality of existing or proposed violence prevention program.

(2) Greatest need for crisis intervention counseling services.

(3) Documented financial need based on number of students served under part A of

title I of the Elementary and Secondary Education Act of 1965.

(d) **EQUITABLE DISTRIBUTION.**—In awarding grants under this subtitle, the Secretary shall ensure, to the extent practicable, an equitable geographic distribution among the regions of the United States and among urban, suburban, and rural areas.

(e) **ADMINISTRATIVE COSTS.**—The Secretary may reserve not more than 1 percent from amounts appropriated under section 416 for administrative costs.

(f) **ELIGIBILITY.**—A local educational agency that meets the requirements of this subtitle shall be eligible to receive a grant to hire school counselors and a grant to enhance school safety programs for students, staff, and school facilities.

**SEC. 413. APPLICATIONS.**

(a) **IN GENERAL.**—Each local educational agency desiring a grant under this subtitle shall submit an application to the Secretary at such time, in such manner, and accompanied by such information as the Secretary may require.

(b) **CONTENTS.**—Such application shall include a plan that contains the following:

(1) In the case of a local educational agency applying for a grant to enhance school safety programs—

(A) a description of any existing violence prevention, safety, and crisis intervention programs;

(B) proposed changes to any such programs and a description of any new programs; and

(C) documentation regarding financial need.

(2) In the case of a local educational agency applying for a grant to hire school counselors—

(A) a description of the need for a crisis intervention counseling program; and

(B) documentation regarding financial need.

**SEC. 414. REPORTING.**

Each local educational agency that receives a grant under this subtitle shall provide an annual report to the Secretary. In the case of a local educational agency that receives a grant to enhance school safety programs, such report shall describe how such agency used funds provided under this subtitle and include a description of new school safety measures and changes implemented to existing violence prevention, safety, and crisis intervention programs. In the case of a local educational agency that receives a grant to hire school counselors, such report shall describe how such agency used funds provided under this subtitle and include the number of school counselors hired with such funds.

**SEC. 415. DEFINITIONS.**

For purposes of this subtitle:

(1) The terms “elementary school”, “local educational agency”, and “secondary school” have the same meanings given the terms in section 14101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 8801).

(2) The term “school counselor” means an individual who has documented competence in counseling children and adolescents in a school setting and who—

(A) possesses State licensure or certification granted by an independent professional regulatory authority;

(B) in the absence of such State licensure or certification, possesses national certification in school counseling or a specialty of counseling granted by an independent professional organization; or

(C) holds a minimum of a master’s degree in school counseling from a program accredited by the Council for Accreditation of Counseling and Related Educational Programs or the equivalent.

(3) The term “Secretary” means the Secretary of Education.

(4) the term “school safety” means the safety of students, faculty, and school facilities from acts of violence.

**SEC. 416. AUTHORIZATION OF APPROPRIATIONS.**

There are authorized to be appropriated to carry out this SUBtitle \$700,000,000 for each of fiscal years 2000 through 2004.

**Subtitle B—21st Century Learning**

**SEC. 421. AFTER-SCHOOL AND LIFE SKILLS PROGRAMS FOR AT-RISK YOUTH.**

Section 10907 of part I of title X of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 8247) is amended by striking “appropriated” and all that follows before the period and inserting the following: “appropriated to carry out this part—

“(1) such sums as may be necessary for fiscal year 1999; and

“(2) \$250,000,000 for each of fiscal years 2000 through 2004”.

**Subtitle C—Model Program And Clearinghouse**

**SEC. 431. MODEL PROGRAM.**

Not later than 120 days after the date of the enactment of this Act, the Secretary of Education, in consultation with the Attorney General, shall develop a model violence prevention program to be made available to local educational agencies.

**SEC. 432. CLEARINGHOUSE.**

The Secretary of Education shall establish and maintain a national clearinghouse to provide technical assistance regarding the establishment and operation of alternative violence prevention programs. The national clearinghouse shall make information regarding alternative violence prevention programs available to local educational agencies.

**TITLE V—CHILDREN’S DEFENSE ACT OF 1999**

**SEC. 501. SHORT TITLE.**

This title may be cited as the “Children’s Defense Act of 1999”.

**SEC. 502. STUDY OF EFFECTS OF ENTERTAINMENT ON CHILDREN.**

(a) **REQUIREMENT.**—The National Institutes of Health shall conduct a study of the effects of video games and music on child development and youth violence.

(b) **ELEMENTS.**—The study under subsection (a) shall address—

(1) whether, and to what extent, video games and music affect the emotional and psychological development of juveniles; and

(2) whether violence in video games and music contributes to juvenile delinquency and youth violence.

**SEC. 503. TEMPORARY ANTITRUST IMMUNITY TO PERMIT THE ENTERTAINMENT INDUSTRY TO SET GUIDELINES TO HELP PROTECT CHILDREN FROM HARMFUL MATERIAL.**

(b) **PURPOSES; CONSTRUCTION.**—

(1) **PURPOSES.**—The purposes of this section are to permit the entertainment industry—

(A) to work collaboratively to respond to growing public concern about television programming, movies, video games, Internet content, and music lyrics, and the harmful influence of such programming, movies, games, content, and lyrics on children;

(B) to develop a set of voluntary programming guidelines similar to those contained in the Television Code of the National Association of Broadcasters; and

(C) to implement the guidelines in a manner that alleviates the negative impact of television programming, movies, video games, Internet content, and music lyrics on the development of children in the United States and stimulates the development and broadcast of educational and informational programming for such children.

(2) **CONSTRUCTION.**—This section may not be construed as—

(A) providing the Federal Government with any authority to restrict television programming, movies, video games, Internet content, or music lyrics that is in addition to the authority to restrict such programming, movies, games, content, or lyrics under law as of the date of the enactment of this Act; or

(B) approving any action of the Federal Government to restrict such programming, movies, games, content, or lyrics that is in addition to any actions undertaken for that purpose by the Federal Government under law as of such date.

(c) **EXEMPTION OF VOLUNTARY AGREEMENTS ON GUIDELINES FOR CERTAIN ENTERTAINMENT MATERIAL FROM APPLICABILITY OF ANTITRUST LAWS.**—

(1) **EXEMPTION.**—Subject to paragraph (2), the antitrust laws shall not apply to any joint discussion, consideration, review, action, or agreement by or among persons in the entertainment industry for the purpose of developing and disseminating voluntary guidelines designed—

(A) to alleviate the negative impact of telecast material, movies, video games, Internet content, and music lyrics containing—

(i) violence, sexual content, criminal behavior; or

(ii) other subjects that are not appropriate for children; or

(B) to promote telecast material, movies, video games, Internet content, or music lyrics that are educational, informational, or otherwise beneficial to the development of children.

(2) **LIMITATION.**—The exemption provided in paragraph (1) shall not apply to any joint discussion, consideration, review, action, or agreement that—

(A) results in a boycott of any person; or

(B) concerns the purchase or sale of advertising, including restrictions on the number of products that may be advertised in a commercial, the number of times a program may be interrupted for commercials, and the number of consecutive commercials permitted within each interruption.

(3) **DEFINITIONS.**—In this subsection:

(A) **ANTITRUST LAWS.**—The term “antitrust laws”—

(i) has the meaning given it in subsection (a) of the first section of the Clayton Act (15 U.S.C. 12(a)), except that such term includes section 5 of the Federal Trade Commission Act (15 U.S.C. 45) to the extent such section 5 applies to unfair methods of competition; and

(ii) includes any State law similar to the laws referred to in subparagraph (A).

(B) **INTERNET.**—The term “Internet” means the combination of computer facilities and electromagnetic transmission media, and related equipment and software, comprising the interconnected worldwide network of computer networks that employ the Transmission Control Protocol/Internet Protocol or any successor protocol to transmit information.

(C) **MOVIES.**—The term “movies” means theatrical motion pictures.

(D) **PERSON IN THE ENTERTAINMENT INDUSTRY.**—The term “person in the entertainment industry” means a television network, any person that produces or distributes television programming (including theatrical motion pictures), the National Cable Television Association, the Association of Independent Television Stations, Incorporated, the National Association of Broadcasters, the Motion Picture Association of America, each of the affiliate organizations of the television networks, the Interactive Digital Software Association, any person that produces or distributes video games, the Recording Industry Association of America, and any person that produces or distributes

music, and includes any individual acting on behalf of any of the above.

(E) TELECAST.—The term “telecast material” means any program broadcast by a television broadcast station or transmitted by a cable television system.

(d) SUNSET.—Subsection (d) shall apply only with respect to conduct that occurs in the period beginning on the date of the enactment of this Act and ending 3 years after such date.

Pending consideration of said motion,

¶66.27 ORDER OF BUSINESS—DEBATE TIME ON MOTION TO RECOMMIT WITH INSTRUCTIONS

On motion of Mr. CONYERS, by unanimous consent,

Ordered, That it may be in order to extend the debate time on the motion to recommit with instructions for a total of 15 minutes equally divided between the proponent and an opponent.

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

The vote was taken by electronic device.

It was decided in the { Yeas ..... 191 negative ..... } Nays ..... 233

¶66.28 [Roll No. 232] AYES—191

- Abercrombie DeLauro Kennedy
Ackerman Deutsch Kildee
Allen Dicks Kilpatrick
Andrews Dixon Kind (WI)
Baird Doggett Kleczka
Baldacci Dooley Klink
Baldwin Doyle Kucinich
Barcia Edwards LaFalce
Barrett (WI) Engel Lampson
Becerra Eshoo Lantos
Bentsen Etheridge Larson
Berkley Evans Lee
Berman Farr Levin
Berry Fattah Lewis (GA)
Bishop Filner Lofgren
Blagojevich Ford Lowey
Blumenauer Frank (MA) Luther
Bonior Frost Maloney (CT)
Borski Gejdenson Maloney (NY)
Boswell Gephardt Markey
Boyd Gonzalez Martinez
Brady (PA) Green (TX) Mascara
Brown (FL) Gutierrez Matsui
Brown (OH) Hall (OH) McCarthy (MO)
Capps Hastings (FL) McCarthy (NY)
Capuano Hilliard McDermott
Cardin Hinchey McGovern
Clay Hinojosa McIntyre
Clayton Hoeffel McKinney
Clement Holden McNulty
Clyburn Holt Meehan
Condit Hooley Meek (FL)
Conyers Hoyer Meeks (NY)
Costello Jackson (IL) Menendez
Coyne Jackson-Lee (TX) Millender-
Crowley McDonald
Cummings Jefferson Miller, George
Davis (FL) John Mink
Davis (IL) Johnson, E. B. Moakley
DeFazio Jones (OH) Mollohan
DeGette Kanjorski Moore
Delahunt Kaptur Moran (VA)

- Morella
Murtha
Nadler
Napolitano
Neal
Oberstar
Obey
Oliver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Pickett
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Rivers
Rodriguez

NOES—233

- Aderholt
Archer
Armey
Bachus
Baker
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bereuter
Biggart
Bilbray
Bilirakis
Biley
Blunt
Boehlert
Boehner
Bonilla
Bono
Brady (TX)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Castle
Chabot
Chambliss
Chenoweth
Coble
Coburn
Collins
Combust
Cook
Cooksey
Cox
Cramer
Crane
Cubin
Cunningham
Danner
Davis (VA)
Deal
DeLay
DeMint
DeMint
Diaz-Balart
Dickey
Dingell
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Everett
Foley
Forbes
Fossella
Fowler
Franks (NJ)
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons

- Roemer
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Schakowsky
Scott
Serrano
Sherman
Sisisky
Slaughter
Smith (WA)
Snyder
Spratt
Stabenow
Stark
Strickland
Stupak
Tanner

- Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green (WI)
Greenwood
Gutknecht
Hall (TX)
Hansen
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (IN)
Hill (MT)
Hilleary
Hobson
Hoekstra
Horn
Hostettler
Hulshof
Royce
Hunter
Hutchinson
Hyde
Inslee
Isakson
Istook
Jenkins
Johnson (CT)
Johnson, Sam
Jones (NC)
Kasich
Kelly
King (NY)
Kingston
Knollenberg
Kolbe
Kuykendall
LaHood
Largent
Latham
Lazarus
Lipinski
Lipinski
LoBiondo
Lucas (KY)
Lucas (OK)
Manzullo
McCollum
McCrery
McHugh
McInnis
McIntosh
McKeon
Metcalf
Mica
Miller (FL)
Miller, Gary
Moran (KS)
Myrick
Nethercutt
Ney
Northup
Norwood

- Weldon (PA)
Weller
Whitfield

- Wicker
Wilson
Wolf

NOT VOTING—10

- Boucher
Brown (CA)
Carson
Ewing

- Fletcher
Houghton
Minge
Salmon

- Young (AK)
Young (FL)
Shays
Thomas

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 that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the { Yeas ..... 287 affirmative ..... } Nays ..... 139

¶66.29 [Roll No. 233] YEAS—287

- Aderholt
Archer
Armey
Bachus
Baird
Baker
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bentsen
Bereuter
Berkley
Berry
Biggart
Bilbray
Bilirakis
Bishop
Blunt
Bliley
Boehler
Boehner
Bonilla
Bono
Brady (TX)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Castle
Chabot
Chambliss
Chenoweth
Coble
Coburn
Collins
Combust
Cook
Cooksey
Cox
Cramer
Crane
Cubin
Cunningham
Danner
Davis (VA)
Deal
DeLay
DeMint
DeMint
Diaz-Balart
Dickey
Dingell
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Everett
Foley
Forbes
Fossella
Fowler
Franks (NJ)
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons

- Dicks
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Etheridge
Evans
Everett
Ewing
Fletcher
Foley
Forbes
Fossella
Fowler
Franks (NJ)
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green (TX)
Green (WI)
Greenwood
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hoyer
Hill (IN)
Hill (MT)
Hilleary
Hinojosa
Hobson
Hoekstra
Holden
Hooley
Horn
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Istook

- Jenkins
John
Johnson (CT)
Johnson, Sam
Jones (NC)
Kaptur
Kasich
Kelly
Kildee
King (NY)
Kingston
Knollenberg
Kolbe
Kuykendall
LaHood
Lampson
Largent
Larson
Latham
LaTourette
Lazio
Leach
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Manzullo
Mascara
McCarthy (NY)
McCollum
McCrery
McHugh
McInnis
McIntosh
McIntyre
McKeon
Mica
Miller (FL)
Miller, Gary
Moore
Moran (VA)
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Ortiz
Ose
Oxley
Packard
Pascrell
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Pombo
Pomeroy

Porter	Sherwood	Terry
Portman	Shimkus	Thompson (CA)
Price (NC)	Shows	Thornberry
Pryce (OH)	Shuster	Thune
Quinn	Simpson	Toomey
Radanovich	Sisisky	Trafficant
Ramstad	Skeen	Turner
Regula	Skelton	Udall (CO)
Reyes	Smith (MI)	Udall (NM)
Reynolds	Smith (NJ)	Upton
Riley	Smith (TX)	Vitter
Roemer	Smith (WA)	Walden
Rogan	Snyder	Walsh
Rogers	Souder	Wamp
Rohrabacher	Spence	Watkins
Ros-Lehtinen	Spratt	Watts (OK)
Rothman	Stabenow	Weiner
Roukema	Stearns	Weldon (FL)
Royce	Stenholm	Weldon (PA)
Ryan (WI)	Strickland	Weller
Ryun (KS)	Stump	Weygand
Sanchez	Sununu	Whitfield
Sandlin	Sweeney	Wicker
Scarborough	Talent	Wilson
Schaffer	Tancredo	Wise
Sensenbrenner	Tanner	Wolf
Sessions	Tauscher	Wu
Shadegg	Tauzin	Young (AK)
Shaw	Taylor (MS)	Young (FL)
Sherman	Taylor (NC)	

NAYS—139

Abercrombie	Gutierrez	Moran (KS)
Ackerman	Hastings (FL)	Morella
Allen	Hilliard	Murtha
Andrews	Hinchey	Nadler
Baldacci	Hoeffel	Napolitano
Baldwin	Holt	Neal
Barrett (WI)	Hostettler	Oberstar
Becerra	Hoyer	Obey
Berman	Jackson (IL)	Olver
Blagojevich	Jackson-Lee	Owens
Blumenauer	(TX)	Pallone
Boucher	Jefferson	Pastor
Brady (PA)	Johnson, E. B.	Paul
Brown (FL)	Jones (OH)	Payne
Brown (OH)	Kanjorski	Pease
Campbell	Kennedy	Pelosi
Cannon	Kilpatrick	Pickett
Capuano	Kind (WI)	Rahall
Cardin	Kleczka	Rangel
Clay	Klink	Rivers
Clayton	Kucinich	Rodriguez
Clyburn	LaFalce	Roybal-Allard
Coburn	Lantos	Rush
Conyers	Lee	Sabo
Costello	Levin	Sanders
Coyne	Lewis (GA)	Sanford
Cummings	Lofgren	Sawyer
Danner	Maloney (NY)	Schakowsky
Davis (IL)	Markey	Scott
DeFazio	Martinez	Serrano
DeGette	Matsui	Slaughter
Delahunt	McCarthy (MO)	Stark
DeLauro	McDermott	Stupak
Dingell	McGovern	Thompson (MS)
Dixon	McKinney	Thurman
Doggett	McNulty	Tiahrt
Edwards	Meehan	Tierney
Engel	Meek (FL)	Towns
Eshoo	Meeks (NY)	Velazquez
Farr	Menendez	Vento
Fattah	Metcalf	Visclosky
Filner	Millender-	Waters
Ford	McDonald	Watt (NC)
Frank (MA)	Miller, George	Waxman
Gejdenson	Mink	Wexler
Gephardt	Moakley	Woolsey
Gonzalez	Mollohan	Wynn

NOT VOTING—9

Brown (CA)	Houghton	Saxton
Carson	Minge	Shays
Cubin	Salmon	Thomas

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.

¶66.30 MANDATORY GUN SHOW BACKGROUND CHECK

The SPEAKER pro tempore, Mr. LAHOOD, pursuant to House Resolution 209 and rule XVIII, declared the House resolved into the Committee of

the Whole House on the state of the Union for the consideration of the bill (H.R. 2122) to require background checks at gun shows, and for other purposes.

The SPEAKER pro tempore, Mr. LAHOOD, by unanimous consent, designated Mr. THORNBERRY as Chairman of the Committee of the Whole; and after some time spent therein,

¶66.31 RECORDED VOTE

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

In section 931(c)(1) of title 18, United States Code, as proposed to be added by section 2(c)(1) of the bill, strike “indicates a willingness to accept” and insert “accepts”.

In section 931(c)(1)(B)(i)(II) of title 18, United States Code, as proposed to be added by section 2(c)(1) of the bill, strike “72” and insert “24”.

In section 931(c)(2) of title 18, United States Code, as proposed to be added by section 2(c)(1) of the bill, strike subparagraph (B) and insert the following:

“(B) For any instant background check conducted at a gun show, the time period stated in section 922(t)(1)(B)(ii) shall be 24 consecutive hours since the licensee contacted the system, and notwithstanding any other provision of this chapter, the system shall, in every instance of a request for an instant background check from a gun show, complete such check over instant checks not originating from a gun show.

In section 931(d) of title 18, United States Code, as proposed to be added by section 2(c)(1) of the bill, strike “indicates a willingness to accept” and insert “accepts”.

At the end of section 3 of the bill, insert the following:

(c) DELIVERIES TO AVOID THEFT.—Section 922(a)(5) of title 18, United States Code, is amended—

(1) by striking “and (B)” and inserting “(B)”; and

(2) by inserting “, and (C) firearms transfers and business away from their business premises with another licensee without regard to whether the business is conducted in the State specified on the license of either licensee” before the semicolon at the end.

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect 180 days after the date of the enactment of this Act.

After section 3 of the bill, insert the following:

SEC. \_\_\_\_ PENALTIES FOR USING A LARGE CAPACITY AMMUNITION FEEDING DEVICE DURING A CRIME OF VIOLENCE OR A DRUG TRAFFICKING CRIME.

(a) IN GENERAL.—Section 924(c) of title 18, United States Code, is amended—

(1) in paragraph (1)(B)(i), by inserting “large capacity ammunition feeding device,” after “short-barreled rifle.”; and

(2) by adding at the end the following:

“(5) For purposes of this subsection, the term ‘large capacity ammunition feeding device’ means a device as defined in section 921(a)(31) regardless of the date it was manufactured.”.

(b) EFFECTIVE DATE.—The amendments made by this section shall take effect 180 days after the date of the enactment of this Act.

It was decided in the affirmative ..... { Yeas ..... 218  
 Nays ..... 211

¶66.32 [Roll No. 234] AYES—218

Aderholt	Goss	Pease
Archer	Graham	Peterson (PA)
Armey	Granger	Petri
Bachus	Green (TX)	Phelps
Baker	Green (WI)	Pickering
Ballenger	Gutknecht	Pickett
Barcia	Hall (TX)	Pitts
Barr	Hansen	Pombo
Barrett (NE)	Hastert	Portman
Bartlett	Hastings (WA)	Radanovich
Barton	Hayes	Rahall
Bass	Hayworth	Reyes
Biggert	Hefley	Reynolds
Bilirakis	Herger	Riley
Bishop	Hill (IN)	Rodriguez
Bliley	Hill (MT)	Rogers
Blunt	Hilleary	Rohrabacher
Boehner	Hilliard	Royce
Bonilla	Hobson	Ryan (WI)
Boswell	Hoekstra	Ryun (KS)
Boucher	Holden	Sandlin
Boyd	Hostettler	Sanford
Brady (TX)	Hulshof	Saxton
Bryant	Hunter	Schaffer
Burr	Hutchinson	Sensenbrenner
Burton	Isakson	Sessions
Buyer	Istook	Shadegg
Callahan	Jenkins	Sherwood
Calvert	John	Shimkus
Camp	Johnson, Sam	Shows
Canady	Jones (NC)	Shuster
Cannon	Kanjorski	Simpson
Chabot	Kasich	Sisisky
Chambliss	Kingston	Skeen
Chenoweth	Knollenberg	Skelton
Clement	Kolbe	Smith (MI)
Coble	LaHood	Smith (TX)
Coburn	Lampson	Souder
Collins	Largent	Spence
Combust	Latham	Stearns
Cook	LaTourette	Stenholm
Cooksey	Lewis (CA)	Strickland
Costello	Lewis (KY)	Stump
Cox	Linder	Sununu
Cramer	LoBiondo	Sweeney
Crane	Lucas (KY)	Talent
Cubin	Lucas (OK)	Tancredo
Cunningham	Manzullo	Tanner
Danner	Martinez	Tauzin
Deal	Mascara	Taylor (MS)
DeLay	McCrery	Taylor (NC)
DeMint	McHugh	Terry
Dickey	McInnis	Thornberry
Dingell	McIntosh	Thune
Dreier	McIntyre	Tiahrt
Duncan	McKeon	Toomey
Ehrlich	Metcalf	Trafficant
Emerson	Mica	Turner
English	Miller, Gary	Vitter
Everett	Mollohan	Walden
Ewing	Moran (KS)	Walsh
Fletcher	Murtha	Wamp
Foley	Myrick	Watkins
Fowler	Nethercutt	Watts (OK)
Gallegly	Ney	Weldon (FL)
Gekas	Norwood	Weldon (PA)
Gibbons	Nussle	Weller
Gillmor	Oberstar	Whitfield
Gilman	Obey	Wicker
Goode	Ortiz	Wilson
Goodlatte	Oxley	Wise
Goodling	Packard	Young (AK)
Gordon	Paul	

NOES—211

Abercrombie	Bonior	Davis (FL)
Ackerman	Bono	Davis (IL)
Allen	Borski	Davis (VA)
Andrews	Brady (PA)	DeFazio
Baird	Brown (FL)	DeGette
Baldacci	Brown (OH)	Delahunt
Baldwin	Campbell	DeLauro
Barrett (WI)	Capps	Deutsch
Bateman	Capuano	Diaz-Balart
Becerra	Cardin	Dicks
Bentsen	Castle	Dixon
Bereuter	Clay	Doggett
Berkley	Clayton	Dooley
Berman	Clyburn	Doolittle
Berry	Condit	Doyle
Bilbray	Conyers	Dunn
Blagojevich	Coyne	Edwards
Blumenauer	Crowley	Ehlers
Boehert	Cummings	Engel

Eshoo	Lazio	Rangel
Etheridge	Leach	Regula
Evans	Lee	Rivers
Farr	Levin	Roemer
Fattah	Lewis (GA)	Rogan
Filner	Lipinski	Ros-Lehtinen
Forbes	Lofgren	Rothman
Ford	Lowe	Roukema
Fossella	Luther	Roybal-Allard
Frank (MA)	Maloney (CT)	Rush
Franks (NJ)	Maloney (NY)	Sabo
Frelinghuysen	Markey	Sanchez
Frost	Matsui	Sanders
Ganske	McCarthy (MO)	Sawyer
Gejdenson	McCarthy (NY)	Scarborough
Gephardt	McCollum	Schakowsky
Gilchrest	McDermott	Scott
Gonzalez	McGovern	Serrano
Greenwood	McKinney	Shaw
Gutierrez	McNulty	Shays
Hall (OH)	Meehan	Sherman
Hastings (FL)	Meeke (FL)	Slaughter
Hinchee	Meeke (NY)	Smith (NJ)
Hinojosa	Menendez	Smith (WA)
Hoefel	Millender-	Snyder
Holt	McDonald	Spratt
Hooley	Miller (FL)	Stabenow
Horn	Miller, George	Stark
Hoyer	Mink	Stupak
Hyde	Moakley	Tauscher
Inslee	Moore	Thompson (CA)
Jackson (IL)	Moran (VA)	Thompson (MS)
Jackson-Lee	Morella	Thurman
(TX)	Nadler	Tierney
Jefferson	Napolitano	Towns
Johnson (CT)	Neal	Udall (CO)
Johnson, E. B.	Northup	Udall (NM)
Jones (OH)	Olver	Upton
Kaptur	Ose	Velazquez
Kelly	Owens	Vento
Kennedy	Pallone	Visclosky
Kildee	Pascrell	Waters
Kilpatrick	Pastor	Watt (NC)
Kind (WI)	Payne	Waxman
King (NY)	Pelosi	Weiner
Kleczka	Peterson (MN)	Wexler
Klink	Pomeroy	Weygand
Kucinich	Porter	Wolf
Kuykendall	Price (NC)	Woolsey
LaFalce	Pryce (OH)	Wu
Lantos	Quinn	Wynn
Larson	Ramstad	Young (FL)

## NOT VOTING—6

Brown (CA)	Houghton	Salmon
Carson	Minge	Thomas

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

**FRIDAY, JUNE 18 (LEGISLATIVE  
DAY OF JUNE 17), 1999**

## ¶66.33 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mrs. MCCARTHY of New York:

Strike section 2(b) and all that follows through the end of the bill and insert the following:

(b) DEFINITIONS.—Section 921(a) of title 18, United States Code, is amended by adding at the end the following:

“(35) GUN SHOW.—The term ‘gun show’ means any event—

“(A) at which 50 or more firearms are offered or exhibited for sale, transfer, or exchange, if 1 or more of the firearms has been shipped or transported in, or otherwise affects, interstate or foreign commerce; and

“(B) at which there are 2 or more gun show vendors.

“(36) GUN SHOW PROMOTER.—The term ‘gun show promoter’ means any person who organizes, plans, promotes, or operates a gun show.

“(37) GUN SHOW VENDOR.—The term ‘gun show vendor’ means any person who exhibits, sells, offers for sale, transfers, or exchanges 1 or more firearms at a gun show, regardless of whether or not the person arranges with the gun show promoter for a fixed location

from which to exhibit, sell, offer for sale, transfer, or exchange 1 or more firearms.”

(c) REGULATION OF FIREARMS TRANSFERS AT GUN SHOWS.—

(1) IN GENERAL.—Chapter 44 of title 18, United States Code, is amended by adding at the end the following:

**“§931. Regulation of firearms transfers at gun shows**

“(a) REGISTRATION OF GUN SHOW PROMOTERS.—It shall be unlawful for any person to organize, plan, promote, or operate a gun show unless that person—

“(1) registers with the Secretary in accordance with regulations promulgated by the Secretary; and

“(2) pays a registration fee, in an amount determined by the Secretary.

“(b) RESPONSIBILITIES OF GUN SHOW PROMOTERS.—It shall be unlawful for any person to organize, plan, promote, or operate a gun show unless that person—

“(1) before admitting a gun show vendor, verifies the identity of each gun show vendor participating in the gun show by examining a valid identification document (as defined in section 1028(d)(1)) of the vendor containing a photograph of the vendor;

“(2) before admitting a gun show vendor, requires such gun show vendor to sign—

“(A) a ledger with identifying information concerning the vendor; and

“(B) a notice advising the vendor of the obligations of the vendor under this chapter; and

“(3) notifies each person who attends the gun show of the applicable requirements of this section, in accordance with such regulations as the Secretary shall prescribe; and

“(4) maintains a copy of the records described in paragraphs (1) and (2) at the permanent place of business of the gun show promoter for such period of time and in such form as the Secretary shall require by regulation.

“(c) RESPONSIBILITIES OF TRANSFERORS OTHER THAN LICENSEES.—

“(1) IN GENERAL.—If any part of a firearm transaction takes place at a gun show, it shall be unlawful for any person who is not licensed under this chapter to transfer a firearm to another person who is not licensed under this chapter, unless the firearm is transferred through a licensed importer, licensed manufacturer, or licensed dealer in accordance with subsection (e).

“(2) CRIMINAL BACKGROUND CHECKS.—A person who is subject to the requirement of paragraph (1)—

“(A) shall not transfer the firearm to the transferee until the licensed importer, licensed manufacturer, or licensed dealer through which the transfer is made under subsection (e) makes the notification described in subsection (e)(3)(A); and

“(B) notwithstanding subparagraph (A), shall not transfer the firearm to the transferee if the licensed importer, licensed manufacturer, or licensed dealer through which the transfer is made under subsection (e) makes the notification described in subsection (e)(3)(B).

“(3) ABSENCE OF RECORDKEEPING REQUIREMENTS.—Nothing in this section shall permit or authorize the Secretary to impose recordkeeping requirements on any nonlicensed vendor.

“(d) RESPONSIBILITIES OF TRANSFEREES OTHER THAN LICENSEES.—

“(1) IN GENERAL.—If any part of a firearm transaction takes place at a gun show, it shall be unlawful for any person who is not licensed under this chapter to receive a firearm from another person who is not licensed under this chapter, unless the firearm is transferred through a licensed importer, licensed manufacturer, or licensed dealer in accordance with subsection (e).

“(2) CRIMINAL BACKGROUND CHECKS.—A person who is subject to the requirement of paragraph (1)—

“(A) shall not receive the firearm from the transferor until the licensed importer, licensed manufacturer, or licensed dealer through which the transfer is made under subsection (e) makes the notification described in subsection (e)(3)(A); and

“(B) notwithstanding subparagraph (A), shall not receive the firearm from the transferor if the licensed importer, licensed manufacturer, or licensed dealer through which the transfer is made under subsection (e) makes the notification described in subsection (e)(3)(B).

“(e) RESPONSIBILITIES OF LICENSEES.—A licensed importer, licensed manufacturer, or licensed dealer who agrees to assist a person who is not licensed under this chapter in carrying out the responsibilities of that person under subsection (c) or (d) with respect to the transfer of a firearm shall—

“(1) enter such information about the firearm as the Secretary may require by regulation into a separate bound record;

“(2) record the transfer on a form specified by the Secretary;

“(3) comply with section 922(t) as if transferring the firearm from the inventory of the licensed importer, licensed manufacturer, or licensed dealer to the designated transferee (although a licensed importer, licensed manufacturer, or licensed dealer complying with this subsection shall not be required to comply again with the requirements of section 922(t) in delivering the firearm to the nonlicensed transferor), and notify the nonlicensed transferor and the nonlicensed transferee—

“(A) of such compliance; and

“(B) if the transfer is subject to the requirements of section 922(t)(1), of any receipt by the licensed importer, licensed manufacturer, or licensed dealer of a notification from the national instant criminal background check system that the transfer would violate section 922 or would violate State law;

“(4) not later than 10 days after the date on which the transfer occurs, submit to the Secretary a report of the transfer, which report—

“(A) shall be on a form specified by the Secretary by regulation; and

“(B) shall not include the name of or other identifying information relating to any person involved in the transfer who is not licensed under this chapter;

“(5) if the licensed importer, licensed manufacturer, or licensed dealer assists a person other than a licensee in transferring, at 1 time or during any 5 consecutive business days, 2 or more pistols or revolvers, or any combination of pistols and revolvers totaling 2 or more, to the same nonlicensed person, in addition to the reports required under paragraph (4), prepare a report of the multiple transfers, which report shall be—

“(A) prepared on a form specified by the Secretary; and

“(B) not later than the close of business on the date on which the transfer occurs, forwarded to—

“(i) the office specified on the form described in subparagraph (A); and

“(ii) the appropriate State law enforcement agency of the jurisdiction in which the transfer occurs; and

“(6) retain a record of the transfer as part of the permanent business records of the licensed importer, licensed manufacturer, or licensed dealer.

“(f) RECORDS OF LICENSEE TRANSFERS.—If any part of a firearm transaction takes place at a gun show, each licensed importer, licensed manufacturer, and licensed dealer who transfers 1 or more firearms to a person who is not licensed under this chapter shall,

not later than 10 days after the date on which the transfer occurs, submit to the Secretary a report of the transfer, which report—

“(1) shall be in a form specified by the Secretary by regulation;

“(2) shall not include the name of or other identifying information relating to the transferee; and

“(3) shall not duplicate information provided in any report required under subsection (e)(4).

“(g) FIREARM TRANSACTION DEFINED.—In this section, the term ‘firearm transaction’—

“(1) includes the offer for sale, sale, transfer, or exchange of a firearm; and

“(2) does not include the mere exhibition of a firearm.”.

(2) PENALTIES.—Section 924(a) of title 18, United States Code, is amended by adding at the end the following:

“(7)(A) Whoever knowingly violates section 931(a) shall be fined under this title, imprisoned not more than 5 years, or both.

“(B) Whoever knowingly violates subsection (b) or (c) of section 931, shall be—

“(i) fined under this title, imprisoned not more than 2 years, or both; and

“(ii) in the case of a second or subsequent conviction, such person shall be fined under this title, imprisoned not more than 5 years, or both.

“(C) Whoever willfully violates section 931(d), shall be—

“(i) fined under this title, imprisoned not more than 2 years, or both; and

“(ii) in the case of a second or subsequent conviction, such person shall be fined under this title, imprisoned not more than 5 years, or both.

“(D) Whoever knowingly violates subsection (e) or (f) of section 931 shall be fined under this title, imprisoned not more than 5 years, or both.

“(E) In addition to any other penalties imposed under this paragraph, the Secretary may, with respect to any person who knowingly violates any provision of section 931—

“(i) if the person is registered pursuant to section 931(a), after notice and opportunity for a hearing, suspend for not more than 6 months or revoke the registration of that person under section 931(a); and

“(ii) impose a civil fine in an amount equal to not more than \$10,000.”.

(3) TECHNICAL AND CONFORMING AMENDMENTS.—Chapter 44 of title 18, United States Code, is amended—

(A) in the chapter analysis, by adding at the end the following:

“931. Regulation of firearms transfers at gun shows.”;

and (B) in the first sentence of section 923(j), by striking “a gun show or event” and inserting “an event”;

(d) INSPECTION AUTHORITY.—Section 923(g)(1) is amended by adding at the end the following:

“(E) Notwithstanding subparagraph (B), the Secretary may enter during business hours the place of business of any gun show promoter and any place where a gun show is held for the purposes of examining the records required by sections 923 and 931 and the inventory of licensees conducting business at the gun show. Such entry and examination shall be conducted for the purposes of determining compliance with this chapter by gun show promoters and licensees conducting business at the gun show and shall not require a showing of reasonable cause or a warrant.”.

(e) INCREASED PENALTIES FOR SERIOUS RECORDKEEPING VIOLATIONS BY LICENSEES.—Section 924(a)(3) of title 18, United States Code, is amended to read as follows:

“(3)(A) Except as provided in subparagraph (B), any licensed dealer, licensed importer,

licensed manufacturer, or licensed collector who knowingly makes any false statement or representation with respect to the information required by this chapter to be kept in the records of a person licensed under this chapter, or violates section 922(m) shall be fined under this title, imprisoned not more than 1 year, or both.

“(B) If the violation described in subparagraph (A) is in relation to an offense—

“(i) under paragraph (1) or (3) of section 922(b), such person shall be fined under this title, imprisoned not more than 5 years, or both; or

“(ii) under subsection (a)(6) or (d) of section 922, such person shall be fined under this title, imprisoned not more than 10 years, or both.”.

(f) INCREASED PENALTIES FOR VIOLATIONS OF CRIMINAL BACKGROUND CHECK REQUIREMENTS.—

(1) PENALTIES.—Section 924 of title 18, United States Code, is amended—

(A) in paragraph (5), by striking “subsection (s) or (t) of section 922” and inserting “section 922(s)”;

(B) by adding at the end the following:

“(8) Whoever knowingly violates section 922(t) shall be fined under this title, imprisoned not more than 5 years, or both.”.

(2) ELIMINATION OF CERTAIN ELEMENTS OF OFFENSE.—Section 922(t)(5) of title 18, United States Code, is amended by striking “and, at the time” and all that follows through “State law”.

(g) GUN OWNER PRIVACY AND PREVENTION OF FRAUD AND ABUSE OF SYSTEM INFORMATION.—Section 922(t)(2)(C) of title 18, United States Code, is amended by inserting before the period at the end the following: “, as soon as possible, consistent with the responsibility of the Attorney General under section 103(h) of the Brady Handgun Violence Prevention Act to ensure the privacy and security of the system and to prevent system fraud and abuse, but in no event later than 90 days after the date which the licensee first contacts the system with respect to the transfer. In no event shall such records be used for the creation of a national firearms registry”.

(h) INTERSTATE SHIPMENT OF LICENSEES.—Nothing in this section shall affect the right of a licensed importer, licensed manufacturer or licensed dealer to receive or ship firearms in interstate commerce in accordance with the provisions of this chapter.

(i) EFFECTIVE DATE.—This section and the amendments made by this section shall take effect 180 days after the date of enactment of this Act.

It was decided in the { Yeas ..... 193 negative ..... } Nays ..... 235

¶66.34 [Roll No. 235] AYES—193

- Abercrombie Capps Dooley Ackerman Capuano Doyle Allen Cardin Edwards Andrews Castle Engel Baldacci Clay Eshoo Baldwin Clayton Evans Barrett (WI) Clyburn Farr Bateman Condit Fattah Becerra Conyers Filner Bentsen Coyne Forbes Bereuter Crowley Ford Berkley Cummings Frank (MA) Berman Davis (FL) Franks (NJ) Berry Davis (IL) Frelinghuysen Bilbray Davis (VA) Frost Blagojevich DeFazio Ganske Blumenauer DeGette Gejdenson Boehlert Delahunt Gephart Bonior DeLauro Gilchrist Borski Deutsch Gonzales Brady (PA) Diaz-Balart Goodling Brown (FL) Dicks Greenwood Brown (OH) Dixon Gutierrez Campbell Doggett Hall (OH)

- Hastings (FL) Matsui Rothman Hinchey McCarthy (MO) Roukema Hinojosa McCarthy (NY) Roybal-Allard Hoefel McDermott Rush Holt McGovern Sabo Hooley McKinney Sanchez Horn McNulty Sanders Hoyer Meehan Sawyer Inslee Meek (FL) Schakowsky Jackson (IL) Meeks (NY) Scott Jackson-Lee Menendez Serrano (TX) Millender Shaw Jefferson McDonald Shays Johnson (CT) Miller, George Sherman Johnson, E. B. Mink Slaughter Jones (OH) Moakley Smith (NJ) Kaptur Moore Snyder Kennedy Moran (VA) Spratt Kildee Morella Stabenow Kilpatrick Nadler Stark King (NY) Napolitano Stupak Kleczka Neal Tauscher Klink Olver Thompson (CA) Kucinich Ose Thompson (MS) Kuykendall Owens Tierney LaFalce Pallone Towns Lantos Pascrell Udall (CO) Larson Pastor Udall (NM) Lazio Payne Upton Leach Pelosi Velazquez Lee Pomeroy Vento Levin Porter Visclosky Lewis (GA) Price (NC) Waters Lipinski Quinn Watt (NC) Lofgren Ramstad Waxman Lowey Rangel Weiner Luther Reyes Wexler Maloney (CT) Rivers Weygand Maloney (NY) Rodriguez Woolsey Markey Rogan Wu Martinez Ros-Lehtinen Wynn

NOES—235

- Aderholt Dreier Kingston Archer Duncan Knollenberg Armey Dunn Kolbe Bachus Ehlers LaHood Baird Ehrlich Lamson Baker Emerson Largent Ballenger English Latham Barcia Etheridge LaTourette Barr Everett Lewis (CA) Barrett (NE) Ewing Lewis (KY) Bartlett Fletcher Linder Barton Foley LoBiondo Bass Fossella Lucas (KY) Biggart Fowler Lucas (OK) Bilirakis Gallegly Manzullo Bishop Gekas Mascara Bilely Gibbons McCollum Blunt Gillmor McCrery Boehner Gilman McHugh Bonilla Goode McInnis Bono Goodlatte McIntosh Boswell Gordon McIntyre Boucher Goss McKeon Boyd Graham Metcalf Brady (TX) Granger Mica Bryant Green (TX) Miller (FL) Burr Green (WI) Miller, Gary Burton Gutknecht Mollohan Buyer Hall (TX) Moran (KS) Callahan Hansen Murtha Calvert Hastings (WA) Myrick Camp Hayes Nethercutt Canady Hayworth Ney Cannon Hefley Northup Chabot Herger Norwood Chambliss Hill (IN) Nussle Chenoweth Hill (MT) Oberstar Clement Hilleary Obey Coble Hilliard Ortiz Coburn Hobson Oxley Collins Hoekstra Packard Combest Holden Paul Cook Hostettler Pease Cooksey Hulshof Peterson (MN) Costello Hunter Peterson (PA) Cox Hutchinson Petri Cramer Hyde Phelps Crane Isakson Pickering Cubin Istook Pickett Cunningham Jenkins Pitts Danner John Pombo Deal Johnson, Sam Portman DeLay Jones (NC) Pryce (OH) DeMint Kanjorski Radanovich Dickey Kasich Rahall Dingell Kelly Regula Doolittle Kind (WI) Reynolds

Riley	Skelton	Tiaht
Roemer	Smith (MI)	Toomey
Rogers	Smith (TX)	Trafficant
Rohrabacher	Smith (WA)	Turner
Royce	Souder	Vitter
Ryan (WI)	Spence	Walden
Ryun (KS)	Stearns	Walsh
Sandin	Stenholm	Wamp
Sanford	Strickland	Watkins
Saxton	Stump	Watts (OK)
Scarborough	Sununu	Weldon (FL)
Schaffer	Sweeney	Weldon (PA)
Sensenbrenner	Talent	Weller
Sessions	Tancredo	Whitfield
Shadegg	Tanner	Wicker
Sherwood	Tauzin	Wilson
Shimkus	Taylor (MS)	Wise
Shows	Taylor (NC)	Wolf
Shuster	Terry	Young (AK)
Simpson	Thornberry	Young (FL)
Sisisky	Thune	
Skeen	Thurman	

## NOT VOTING—6

Brown (CA)	Houghton	Salmon
Carson	Minge	Thomas

So the amendment was not agreed to. After some further time, The SPEAKER pro tempore, Mr. BARR, assumed the Chair.

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

## ¶66.35 SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 361. An Act to direct the Secretary of the Interior to transfer to John R. and Margaret J. Lowe of Big Horn County, Wyoming, certain land so as to correct an error in the patent issued to their predecessors in interest; to the Committee on Resources.

S. 449. An Act to direct the Secretary of the Interior to transfer to the personal representative of the estate of Fred Steffens of Big Horn County, Wyoming, certain land comprising the Steffens family property; to the Committee on Resources.

## ¶66.36 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted—

To Ms. CARSON, for today; and  
To Mr. SHAYS, for today from 3 p.m. to 9:30 p.m.

And then,

## ¶66.37 ADJOURNMENT

On motion of Mr. THORNBERRY, at 2 o'clock and 8 minutes a.m., Friday, June 18 (legislative day of Thursday, June 17), 1999, the House adjourned.

## ¶66.38 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

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

Mr. ARCHER: Committee on Ways and Means. H.R. 434. A bill to authorize a new trade and investment policy for sub-Saharan Africa; with an amendment (Rept. No. 106-19, Pt. 2). Referred to the Committee of the Whole House on the State of the Union.

Mr. YOUNG of Alaska: Committee on Resources. H.R. 791. A bill to amend the National Trails System Act to designate the route of the War of 1812 British invasion of Maryland and Washington, District of Columbia, and the route of the American defense, for study for potential addition to the

national trails system; with an amendment (Rept. No. 106-189). Referred to the Committee of the Whole House on the State of the Union.

## ¶66.39 DISCHARGE OF COMMITTEE

Pursuant to clause 5 of rule X, the Committee on Banking and Financial Services discharged. H.R. 434 referred to the Committee of the Whole House on the State of the Union.

## ¶66.40 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. CAMP (for himself, Mr. LEVIN, Mr. RAMSTAD, Mr. MATSUI, Ms. DUNN, Mr. LEWIS of Kentucky, Mr. BOEHLERT, Mr. CANNON, Mr. COOK, Mrs. NORTHUP, Mr. BILBRAY, Mr. MARKEY, Mr. BECERRA, and Mr. MCINNIS):

H.R. 2252. A bill to amend the Internal Revenue Code of 1986 to provide increased tax incentives for the purchase of alternative fuel and electric vehicles, and for other purposes; to the Committee on Ways and Means.

By Mr. CALVERT:

H.R. 2253. A bill to amend the Endangered Species Act of 1973 to prohibit the use under that Act of any item or information obtained by trespassing on privately owned property, or otherwise taken from privately owned property without the consent of the owner of the property; to the Committee on Resources.

By Mr. DUNCAN:

H.R. 2254. A bill to amend the trade adjustment assistance provisions of the Trade Act of 1974 to allow the reimbursement of training costs incurred and for which payment became due within 30 days before the training is approved by the Secretary of Labor; to the Committee on Ways and Means.

By Mr. DOGGETT (for himself, Mr. STARK, Mr. HINCHEY, Mr. TIERNEY, Mr. ALLEN, Mr. LUTHER, Mr. BONIOR, and Mr. FARR of California):

H.R. 2255. A bill to amend the Internal Revenue Code of 1986 to curb tax abuses by disallowing tax benefits claimed to arise from transactions without substantial economic substance to the Committee on Ways and Means.

By Mr. GONZALEZ:

H.R. 2256. A bill to designate the San Antonio International Airport in San Antonio, Texas, as an airport at which certain private aircraft arriving in the United States from a foreign area may land for processing by the Customs Service; to the Committee on Ways and Means.

By Mr. GREEN of Texas (for himself, Mr. DINGELL, Mr. BROWN of Ohio, Mr. WAXMAN, Mr. STRICKLAND, Mr. BARRITT of Wisconsin, Mr. PALLONE, Mr. STUPAK, Mr. TOWNS, Mrs. CAPPS, Ms. DEGETTE, Mr. DEUTSCH, Ms. ESHOO, and Mr. HALL of Texas):

H.R. 2257. A bill to provide for a 1-year moratorium on the disclosure of certain submissions under section 112(r) of the Clean Air Act to provide for the reporting of certain site security information to the Congress, and for other purposes; to the Committee on Commerce, and in addition to the Committees on Government Reform, 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 Mr. GUTIERREZ (for himself, Mr. VENTO, Mr. KUCINICH, Mr. BROWN of California, Ms. EDDIE BERNICE JOHNSON of Texas, and Mrs. CHRISTENSEN):

H.R. 2258. A bill to treat arbitration clauses which are unilaterally imposed on

consumers as an unfair and deceptive trade practice and prohibit their use in consumer transactions, and for other purposes; to the Committee on Banking and Financial Services.

By Mrs. JOHNSON of Connecticut (for herself, Mr. SHOWS, Mr. ABERCROMBIE, Mr. HILLIARD, and Mr. SERRANO):

H.R. 2259. A bill to amend the Internal Revenue Code of 1986 to expand the dependent care credit; to the Committee on Ways and Means.

By Mr. HYDE (for himself, Mr. STUPAK, Mr. ADERHOLT, Mr. BAKER, Mr. BALLENGER, Mr. BARCIA, Mr. BARTON of Texas, Mr. BLUNT, Mr. BRYANT, Mr. BURR of North Carolina, Mr. BURTON of Indiana, Mr. CANADY of Florida, Mr. CHABOT, Mr. COBURN, Mr. COLLINS, Mr. CUNNINGHAM, Mr. DICKEY, Mr. DOOLITTLE, Mr. DOYLE, Mrs. EMERSON, Mr. EVERETT, Mr. FOSSELLA, Mr. GRAHAM, Mr. GOODE, Mr. GOODLATTE, Mr. HALL of Texas, Mr. HAYES, Mr. HERGER, Mr. HOEKSTRA, Mr. HUTCHINSON, Mr. ISTOOK, Mr. JOHN, Mr. KING, Mr. KNOLLENBERG, Mr. LAFALCE, Mr. LAHOOD, Mr. LARGENT, Mr. LEWIS of Kentucky, Mr. LUCAS of Kentucky, Mr. LUCAS of Oklahoma, Mr. MCINTYRE, Mr. MILLER of Florida, Mrs. MYRICK, Mr. NUSSLE, Mr. NETHERCUTT, Mr. PETERSON of Pennsylvania, Mr. PETERSON of Minnesota, Mr. PHELPS, Mr. PICKERING, Mr. PITTS, Mr. PORTMAN, Mr. RAHALL, Mr. ROGAN, Mr. ROGERS, Mr. SALMON, Mr. SCHAFER, Mr. SENSENBRENNER, Mr. SHIMKUS, Mr. SHOWS, Mr. SKELTON, Mr. SMITH of Texas, Mr. SMITH of New Jersey, Mr. SPENCE, Mr. STEARNS, Mr. TANCREDO, Mr. TERRY, Mr. WALSH, Mr. WAMP, and Mr. WELDON of Florida):

H.R. 2260. A bill to amend the Controlled Substances Act to promote pain management and palliative care without permitting assisted suicide and euthanasia, and for other purposes; to the Committee on Commerce, 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 Mrs. JOHNSON of Connecticut (for herself and Mr. PETERSON of Pennsylvania):

H.R. 2261. A bill to amend the Internal Revenue Code of 1986 to provide incentives for health coverage; to the Committee on Ways and Means.

By Mrs. JOHNSON of Connecticut (for herself, Mr. BLUMENAUER, Mr. BERREUTER, Mr. SHAYS, and Mr. MALONEY of Connecticut):

H.R. 2262. A bill to amend the Internal Revenue Code of 1986 to restore the deduction for the cost of demolishing structures other than certified historic structures and other than historically residential structures; to the Committee on Ways and Means.

By Mrs. JOHNSON of Connecticut (for herself, Mr. BLUMENAUER, Mr. BERREUTER, and Mr. MALONEY of Connecticut):

H.R. 2263. A bill to amend the Internal Revenue Code of 1986 to encourage contributions by individuals of capital gain real property for conservation purposes, to encourage qualified conservation contributions, and to modify the rules governing the estate tax exclusion for land subject to a qualified conservation easement; to the Committee on Ways and Means.

By Mrs. JOHNSON of Connecticut (for herself, Mr. BLUMENAUER, Mr. BERREUTER, Mr. SHAYS, and Mr. MALONEY of Connecticut):

H.R. 2264. A bill to amend the Internal Revenue Code of 1986 to extend the expensing of environmental remediation costs to contaminated sites located outside of targeted areas; to the Committee on Ways and Means.

By Mr. LEVIN (for himself, Mr. ENGLISH, Mr. WAXMAN, Mr. COYNE, Mr. MCGOVERN, Ms. KILPATRICK, Mr. BALDACCI, Mr. FROST, Mr. REYES, Mr. EVANS, Mr. PASTOR, Mr. NEAL of Massachusetts, Mr. GEJDENSON, Mr. POMEROY, Mr. KENNEDY of Rhode Island, Mr. PALLONE, and Mr. HINCHEY):

H.R. 2265. A bill to amend the Internal Revenue Code of 1986 to provide that certain educational benefits provided by an employer to children of employees shall be excludable from gross income as a scholarship; to the Committee on Ways and Means.

By Mrs. LOWEY (for herself and Mr. QUINN):

H.R. 2266. A bill to amend title XVIII of the Social Security Act to increase certain payment amounts made to hospitals furnishing services under the Medicare Program; to the Committee on Ways and Means.

By Mr. MCINNIS (for himself, Mr. HEFLEY, Mr. SCHAFFER, Mr. TANCREDO, Mr. UDALL of Colorado, Mr. BARRETT of Wisconsin, Mr. KIND, Mr. WHITFIELD, Mr. POMBO, Mr. BERREUTER, and Mr. VENTO):

H.R. 2267. A bill to amend the National Trails System Act to clarify Federal authority relating to land acquisition from willing sellers for the majority of the trails, and for other purposes; to the Committee on Resources.

By Mr. MCINNIS (for himself, Mr. NUSSLE, Mr. HERGER, Mr. RAMSTAD, and Mr. UDALL of Colorado):

H.R. 2268. A bill to amend title XVIII of the Social Security Act to assure that Medicare beneficiaries have continued access under current contracts to managed health care through the Medicare cost contract program; to the Committee on Ways and Means, and in addition to the Committee on Commerce, 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 Ms. MCKINNEY (for herself, Mr. ROHRBACHER, Mr. LEACH, Ms. RIVERS, Mr. PASCRELL, Mr. BONIOR, Mr. MEEHAN, Mr. MCGOVERN, Mr. GEORGE MILLER of California, Mr. PORTER, Mrs. CAPPS, Mr. FRANK of Massachusetts, Mr. WEINER, Mr. UNDERWOOD, Mrs. MINK of Hawaii, Ms. SLAUGHTER, Mr. MARKEY, Mr. WAXMAN, Mr. CONYERS, Mr. BARRETT of Wisconsin, Mr. DIXON, Mr. STARK, Mr. BROWN of Ohio, Mrs. MORELLA, Mr. WYNN, Mr. LANTOS, Ms. WOOLSEY, Mr. NADLER, Mr. TIERNEY, Mr. CAMPBELL, Mr. ALLEN, Mr. MOAKLEY, Mr. LUTHER, Mr. FARR of California, Mr. ENGEL, Mr. ABERCROMBIE, Mr. SMITH of New Jersey, Mr. DELAHUNT, Mr. HINCHEY, Mr. DEFazio, Ms. NORTON, Mr. BLUMENAUER, Mr. ANDREWS, Mr. HILLIARD, Mr. FALCONE, Mr. MINGE, Mr. FATTAH, Mr. DOYLE, Mr. LEWIS of Georgia, Ms. KILPATRICK, Mr. OBERSTAR, Mr. LOBIONDO, Mr. KUCINICH, Mr. EVANS, Mr. CLAY, Mr. WATT of North Carolina, Ms. PELOSI, Ms. ROYBAL-ALLARD, Mr. BROWN of California, Mr. TOWNS, Ms. HOOLEY of Oregon, Mr. KILDEE, Mr. CARDIN, Mr. BERMAN, Mr. CLYBURN, and Ms. LEE):

H.R. 2269. A bill to prohibit United States military assistance and arms transfers to foreign governments that are undemocratic, do not adequately protect human rights, are engaged in acts of armed aggression, or are not fully participating in the United Nations Register of Conventional Arms; to the Com-

mittee on International Relations, and in addition to the Committee on Armed Services, 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. PORTMAN (for himself and Mr. MATSUI):

H.R. 2270. A bill to amend the Internal Revenue Code of 1986 to reform the interest allocation rules; to the Committee on Ways and Means.

By Mr. REYES:

H.R. 2271. A bill to amend the National Trails System Act to designate El Camino Real de Tierra Adentro as a National Historic Trail; to the Committee on Resources.

By Mr. SAXTON (for himself, Mr. SCARBOROUGH, and Mr. CUNNINGHAM):

H.R. 2272. A bill to ensure the equitable treatment of graduates of the Uniformed Services University of the Health Sciences of the Class of 1987; to the Committee on Armed Services.

By Mr. TALENT (for himself and Mr. ENGLISH):

H.R. 2273. A bill to amend the Internal Revenue Code of 1986 to clarify that certain small businesses are permitted to use the cash method of accounting even if they use merchandise or inventory; to the Committee on Ways and Means.

By Mr. TRAFICANT:

H.R. 2274. A bill to provide for the transfer of 10 percent of a State's apportionment of certain highway funds to the State's highway safety apportionment if the State does not suspend the driver's license of individuals under the age of 21 convicted of driving while under the influence of alcohol; to the Committee on Transportation and Infrastructure.

By Mr. FLETCHER (for himself, Mr. NORWOOD, and Mr. MCKEON):

H.R. 2275. A bill to amend title I of the Employee Retirement Income Security Act to ensure choice of physicians; to the Committee on Education and the Workforce.

By Mr. MANZULLO:

H.J. Res. 59. A joint resolution proposing an amendment to the Constitution of the United States prohibiting courts from levying or increasing taxes; to the Committee on the Judiciary.

By Mr. SAXTON:

H.J. Res. 60. A joint resolution designating the square dance as the national folk dance of the United States; to the Committee on Government Reform.

By Ms. WOOLSEY:

H. Con. Res. 136. Concurrent resolution expressing the sense of the Congress relating to the timely distribution of payments to local educational agencies under the Impact Aid program; to the Committee on Education and the Workforce.

#### ¶66.41 MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

115. The SPEAKER presented a memorial of the Senate of the State of Hawaii, relative to Senate Resolution No. 17 memorializing the appropriate federal agencies to amend federal acquisition regulations to incorporate language in President Clinton's June 5, 1997, Memorandum encouraging the use of project labor agreements in federal construction contracts; to the Committee on Education and the Workforce.

116. Also, a memorial of the Legislature of the State of Nebraska, relative to Legislative Resolution No. 69 memorializing the Congress of the United States to oppose the enactment of S. 626 and H.R. 1117 or any version thereof which would have the effect of waiving interest or penalties of any kind with regard to natural gas producer refunds

of state ad valorem taxes charged to consumers on the sale of natural gas before 1989; to the Committee on Commerce.

117. Also, a memorial of the Legislature of the State of Colorado, relative to Senate Joint Resolution 99-027 memorializing the United States Congress to introduce and pass legislation to strengthen the oversight power and the authority of the Postal Rate Commission; to the Committee on Government Reform.

118. Also, a memorial of the General Assembly of the State of Colorado, relative to Senate Joint Resolution No. 99-32 memorializing the Congress of the United States to pass the Post-Census Local Review legislation, H.R. 472; to the Committee on Government Reform.

119. Also, a memorial of the General Assembly of the State of Colorado, relative to Senate Joint Memorial 99-004 memorializing the United States Congress to repeal the Federal Unified Gift and Estate Tax; to the Committee on Ways and Means.

120. Also, a memorial of the House of Representatives of the State of Michigan, relative to House Concurrent Resolution No. 26 memorializing the Congress of the United States to Enact Legislation to Affirm the Regulation of Insurance Matters By the States; jointly to the Committees on Commerce and Banking and Financial Services.

#### ¶66.42 PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII,

Mr. ISAKSON introduced a bill (H.R. 2276) to provide for the liquidation or reliquidation of certain entries of antifurcation bearings; which was referred to the Committee on Ways and Means.

#### ¶66.43 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 24: Mr. QUINN, Mr. ACKERMAN, and Mr. SWENEY.

H.R. 25: Mrs. ROUKEMA and Mr. RANGEL.

H.R. 26: Mr. MENENDEZ, Mr. SMITH of Washington, and Ms. MCKINNEY.

H.R. 49: Mr. ENGEL.

H.R. 184: Mr. UNDERWOOD.

H.R. 363: Mr. BALDACCI.

H.R. 372: Mr. PAUL and Mr. PASTOR.

H.R. 528: Mr. BENTSEN.

H.R. 541: Mr. RUSH and Mr. DEUTSCH.

H.R. 583: Mr. MOAKLEY, Mr. FILNER, and Mr. FATTAH.

H.R. 614: Mr. KUYKENDALL.

H.R. 623: Mr. TAYLOR of North Carolina.

H.R. 732: Mr. LANTOS and Mr. KIND.

H.R. 773: Mr. LUCAS of Oklahoma and Mr. LIPINSKI.

H.R. 852: Mr. EHLERS, Mr. PASTOR, and Mr. CANADY of Florida.

H.R. 875: Mr. ROMERO-BARCELÓ and Mr. SHAYS.

H.R. 922: Mrs. EMERSON and Mr. RUSH.

H.R. 993: Mr. SMITH of Washington.

H.R. 1046: Mr. UDALL of New Mexico.

H.R. 1071: Ms. DANNER.

H.R. 1102: Mr. SIMPSON, Mr. TRAFICANT, Mr. RODRIGUEZ, Mr. LAFALCE, and Ms. LEE.

H.R. 1111: Mr. UNDERWOOD and Ms. LEE.

H.R. 1130: Mr. JEFFERSON, Mr. HOYER, and Mr. MENENDEZ.

H.R. 1182: Mr. TERRY.

H.R. 1202: Mr. CLYBURN, Mr. NADLER, Mr. LARSON, and Mr. MEEHAN.

H.R. 1221: Mr. LAFALCE.

H.R. 1228: Mr. GORDON, Mr. BRADY of Pennsylvania, Mr. MARTINEZ, and Mr. GREEN of Texas.

H.R. 1239: Mr. KENNEDY of Rhode Island, Mr. CLYBURN, Ms. BERKLEY, and Ms. MILLENDER-MCDONALD.

H.R. 1247: Mr. PICKERING, Mr. REYES, and Mr. BUYER.  
 H.R. 1287: Mr. LEACH.  
 H.R. 1288: Ms. KILPATRICK and Ms. NORTON.  
 H.R. 1290: Mr. RYAN of Wisconsin.  
 H.R. 1293: Mr. LaFALCE, Mrs. JONES of Ohio, Mr. UDALL of New Mexico, Mr. MOORE, Mr. HILL of Indiana, Mr. PHELPS, and Mr. PASCRELL.  
 H.R. 1304: Mr. LAMPSON, Mr. TIAHRT, Mr. SNYDER, Mr. SHAW, Mr. ABERCROMBIE, and Mr. MORAN of Virginia.  
 H.R. 1305: Mr. BROWN of Ohio.  
 H.R. 1312: Ms. SLAUGHTER.  
 H.R. 1315: Mr. HORN.  
 H.R. 1327: Mr. WALDEN of Oregon, Mr. BLUMENAUER, Mr. DEFAZIO, and Mr. WU.  
 H.R. 1382: Mr. GILLMOR, Mr. HOUGHTON, Mr. SENSENBRENNER, Mr. PALLONE, and Mr. MCINNIS.  
 H.R. 1389: Mr. HASTERT and Mrs. EMERSON.  
 H.R. 1413: Mr. HALL of Texas.  
 H.R. 1421: Mr. MARTINEZ and Mr. ANDREWS.  
 H.R. 1432: Mr. GILMAN.  
 H.R. 1433: Mr. SCARBOROUGH, Ms. DUNN, Mr. COMBEST, Mr. WAMP, Mr. HILLEARY, Mr. METCALF, and Mr. NETHERCUTT.  
 H.R. 1452: Mr. GARY MILLER of California.  
 H.R. 1592: Mr. DUNCAN, Mr. OSE, Mr. ROGERS, and Mr. THUNE.  
 H.R. 1601: Ms. DUNN, Mr. KASICH, Mr. WU, Mr. RAMSTAD, and Mr. DOOLITTLE.  
 H.R. 1606: Mr. GEJDENSON.  
 H.R. 1634: Mr. GOODE.  
 H.R. 1649: Mr. SCARBOROUGH and Mr. TANCREDO.  
 H.R. 1658: Mr. COBLE and Mr. PAUL.  
 H.R. 1665: Mr. LANTOS, Mr. SKELTON, Mr. NEAL of Massachusetts, Mr. FROST, and Mr. SNYDER.  
 H.R. 1684: Mr. DIXON.  
 H.R. 1687: Mrs. MYRICK.  
 H.R. 1706: Mr. GRAHAM.  
 H.R. 1746: Mr. REYNOLDS and Mr. CHABOT.  
 H.R. 1760: Mr. MINGE.  
 H.R. 1777: Mr. BONIOR and Mr. KLECZKA.  
 H.R. 1794: Mr. ANDREWS and Mr. HALL of Texas.  
 H.R. 1806: Mr. ABERCROMBIE, Mr. BOUCHER, Ms. BERKLEY, and Mr. CALLAHAN.  
 H.R. 1837: Mr. MCINTOSH, Mr. GARY MILLER of California, Mr. HULSHOF, Mr. ANDREWS, Mr. TRAFICANT, Mr. DEUTSCH, Mr. RAHALL, Mr. BARCIA, Ms. ESHOO, Mr. FRANK of Massachusetts, Mr. FORD, and Mr. HILLIARD.  
 H.R. 1841: Mr. ABERCROMBIE.  
 H.R. 1844: Mr. RAHALL.  
 H.R. 1858: Mr. CLAY, Ms. ESHOO, Mr. DEAL of Georgia, and Mr. THOMPSON of Mississippi.  
 H.R. 1881: Ms. EDDIE BERNICE JOHNSON of Texas and Mr. HILLIARD.  
 H.R. 1883: Mr. NORWOOD, Mr. SHOWS, Mr. PASTOR, Mr. BACHUS, Mr. FORBES, Mr. STUMP, Mr. CAMPBELL, Mr. KING, Mr. GORDON, Mr. ACKERMAN, Mr. BILIRAKIS, Mr. CROWLEY, Mr. SHERMAN, Mr. TIERNEY, Mr. GUTIERREZ, Mr. SALMON, Mr. MCGOVERN, Mr. GRAHAM, Mr. MCINTOSH, Mr. HOLT, Ms. SCHAKOWSKY, Mr. FORD, Mr. PALLONE, Mr. DIXON, Mrs. MYRICK, Mrs. MORELLA, Mr. ARMEY, Ms. WOOLSEY, Mr. DOYLE, Mr. WYNN, Mr. WEINER, Mr. MCCOLLUM, Mr. SCARBOROUGH, Mr. COBLE, Mrs. NORTHUP, Mr. SHADEGG, Mr. GONZALEZ, Mr. FROST, Mr. MENENDEZ, Mr. HAYES, Mr. FOLEY, Mrs. LOWEY, Mr. WEXLER, Mr. DEUTSCH, Mr. McNULTY, Mr. HAYWORTH, and Mr. KINGSTON.  
 H.R. 1890: Mr. GEORGE MILLER of California.  
 H.R. 1907: Mrs. KELLY.  
 H.R. 1993: Mr. BOHLERT.  
 H.R. 2028: Mr. COBURN.  
 H.R. 2040: Mr. DOYLE and Mr. REYES.  
 H.R. 2125: Mr. HILLIARD and Mr. BECERRA.  
 H.R. 2238: Mr. BRADY of Pennsylvania and Ms. KILPATRICK.  
 H.R. 2240: Mr. MURTHA and Mr. BONIOR.  
 H.R. 2241: Mr. DIAZ-BALART.  
 H.R. 2243: Mr. TRAFICANT and Mr. DUNCAN.

H.J. Res. 55: Mr. BAIRD and Mr. TANCREDO.  
 H.J. Res. 57: Ms. PELOSI and Mr. LIPINSKI.  
 H. Con. Res. 30: Mr. JONES of North Carolina.  
 H. Con. Res. 109: Mr. BURTON of Indiana, Ms. KAPTUR, Mr. SAWYER, and Mr. BERREUTER.  
 H. Con. Res. 112: Mr. SERRANO, Mr. HALL of Texas, Mr. CONDIT, Mr. CRAMER, Mr. SISISKY, Mr. MCINTYRE, Mr. ROGAN, Mr. CALLAHAN, Mrs. CUBIN, Mr. EVERETT, Mr. FOSSELLA, Mr. TIAHRT, Mr. NEAL of Massachusetts, Mr. CAPUANO, Mr. MOAKLEY, Mr. MEEHAN, Mr. VITTER, Mr. JONES of North Carolina, Mr. WHITFIELD, Mr. FRELINGHUYSEN, Mr. BASS, Mr. NORWOOD, Mr. GREEN of Wisconsin, Mr. EHLERS, Mr. BACHUS, Mr. OSE, Mr. GARY MILLER of California, Mr. KASICH, Mr. HOEKSTRA, Mr. PACKARD, Mr. GEKAS, Mr. LEWIS of Kentucky, Mr. BARRETT of Nebraska, Mr. HOBSON, Mr. PORTMAN, and Mrs. MYRICK.  
 H. Con. Res. 124: Mr. BLBRAY and Mr. OBERSTAR.  
 H. Con. Res. 129: Mr. MCHUGH and Mr. MORAN of Virginia.  
 H. Con. Res. 130: Mr. WATT of North Carolina, Mr. GUTIERREZ, Ms. BROWN of Florida, Mr. TOWNS, Mr. MEEKS of New York, and Mr. PAYNE.  
 H. Con. Res. 132: Mr. CAMPBELL.  
 H. Con. Res. 133: Mr. ROMERO-BARCELO and Mrs. KELLY.  
 H. Res. 41: Mr. KUYKENDALL and Ms. SANCHEZ.  
 H. Res. 107: Mrs. CAPPS, Ms. VELAZQUEZ, Ms. BALDWIN, and Ms. EDDIE BERNICE JOHNSON of Texas.  
 H. Res. 109: Mr. LEWIS of Kentucky, Mr. GOODLATTE, and Mr. WATKINS.  
 H. Res. 115: Ms. KAPTUR.  
 H. Res. 211: Mrs. MYRICK, Mr. LAZIO, Mr. HAYWORTH, Mr. WATT of North Carolina, and Mr. RUSH.

#### FRIDAY, JUNE 18, 1999 (67)

The House was called to order by the SPEAKER.

#### ¶67.1 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Thursday, June 17, 1999.

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

#### ¶67.2 COMMUNICATIONS

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

2665. A letter from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting the Department's final rule—Horses From Australia and New Zealand; Quarantine Requirements [Docket No. 98-069-2] received June 15, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2666. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Propamocarb Hydrochloride; Extension of Tolerance for Emergency Exemptions [OPP-300826; FRL-6070-1] (RIN: 2070-AB78) received April 6, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2667. A letter from the Assistant General Counsel for Regulations, Department of Housing and Urban Development, transmitting the Department's final rule—Public Housing Development Rule: Information Collection Approval Numbers [Docket No. FR-4443-F-05] received April 8, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

2668. A letter from the General Counsel, Federal Emergency Management Agency, transmitting the Agency's final rule—Final Flood Elevation Determinations—received June 9, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

2669. A letter from the General Counsel, Federal Emergency Management Agency, transmitting the Agency's final rule—Changes in Flood Elevation Determinations—received June 9, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

2670. A letter from the General Counsel, Federal Emergency Management Agency, transmitting the Agency's final rule—Changes in Flood Elevation Determinations [Docket No. FEMA-7288] received June 9, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

2671. A letter from the Director, Corporate Policy and Research Department, Pension Benefit Guaranty Corporation, transmitting the Corporation's final rule—Allocation of Assets in Single-Employer Plans; Interest Assumptions for Valuing Benefits—received June 9, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

2672. A letter from the Special Assistant to the Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations. (Leesville, Louisiana) [MM Docket No. 98-191] (RM-9351) received June 9, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

2673. A letter from the Deputy Associate Administrator, Office of Acquisition Policy, Office of Governmentwide Policy, General Services Administration, transmitting the Administration's final rule—Federal Acquisition Circular 97-12; Introduction—received June 14, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

2674. A letter from the Chairman, Federal Election Commission, transmitting the Commission's final rule—Matching Credit Card and Debit Card Contributions in Presidential Campaigns [Notice 1999-9] received June 14, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on House Administration.

2675. A letter from the Assistant Secretary for Fish and Wildlife and Parks, Department of the Interior, transmitting the Department's final rule—Migratory Bird Special Canada Goose Permit (RIN: 1018-AE46) received June 9, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

2676. A letter from the Deputy Assistant Administrator for Fisheries, National Marine Fisheries Service, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Taking and Importing Marine Mammals; Taking of Marine Mammals Incidental to Power Plant Operations [Docket No. 970703165-9117-03; I.D. 062397A] (RIN: 0648-AK00) received June 15, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

2677. A letter from the Secretary of Health and Human Services, transmitting a draft of proposed legislation to amend title XVIII of the Social Security Act to increase flexibility in Medicare claims processing; jointly to the Committees on Ways and Means and Commerce.

#### ¶67.3 MESSAGE FROM THE SENATE

A message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate had passed a concurrent resolution of the following title, in which the concurrence of the House is requested: