

It was decided in the negative { Yeas 162 Nays 263

36.24 [Roll No. 137] AYES—162

- Abercrombie, Andrews (ME), Becerra, Beilenson, Berman, Bishop, Blackwell, Boehlert, Bonior, Brooks, Browder, Brown (FL), Brown (OH), Bryant, Cardin, Castle, Clay, Clayton, Clyburn, Coleman, Collins (IL), Collins (MI), Condit, Conyers, Coyne, de la Garza, de Lugo (VI), Dellums, Derrick, Dixon, Edwards (CA), Edwards (TX), Engel, English, Evans, Faleomavaega (AS), Fazio, Fields (LA), Filner, Flake, Foglietta, Ford (MI), Ford (TN), Frank (MA), Frost, Furse, Gejdenson, Gephardt, Gilman, Gonzalez, Goodling, Green, Greenwood, Gutierrez, Hall (OH), Hamburg, Hastings, Hilliard, Hinchey, Hobson, Horn, Houghton, Hoyer, Hughes, Jacobs, Jefferson, Johnson (GA), Johnson (SD), Johnson, E.B., Johnston, Kennedy, Kennelly, Kildee, Kingston, Kopetski, Kreidler, Conyers, LaFalce, Leach, Levin, Lewis (GA), Lowey, Maloney, Mann, Markey, Martinez, Matsui, McDermott, McKinney, Meeke, Menendez, Mfume, Miller (CA), Mineta, Mink, Mollohan, Montgomery, Moran, Nadler, Norton (DC), Oberstar, Olver, Owens, Pastor, Payne (NJ), Payne (VA), Pelosi, Pickle, Pomeroy, Price (NC), Quillen, Rahall, Rangel, Reed, Regula, Reynolds, Romero-Barcelo (PR), Rose, Roybal-Allard, Rush, Sabo, Sanders, Sawyer, Schroeder, Schumer, Scott, Serrano, Sharp, Shepherd, Skaggs, Slattery, Slaughter, Spratt, Stark, Stenholm, Stokes, Strickland, Studds, Swett, Swift, Synar, Tanner, Thompson, Towns, Tucker, Underwood (GU), Unsoeld, Velazquez, Vento, Vucanovich, Walsh, Washington, Watt, Waxman, Wheat, Williams, Wilson, Wise, Wolf, Woolsey, Wynn, Yates

NOES—263

- Ackerman, Allard, Andrews (NJ), Andrews (TX), Applegate, Archer, Arney, Bacchus (FL), Bachus (AL), Baesler, Baker (CA), Baker (LA), Ballenger, Barca, Barcia, Barlow, Barrett (NE), Barrett (WI), Bartlett, Barton, Bateman, Bentley, Bereuter, Bevill, Bilbray, Bilirakis, Bliley, Blute, Boehner, Bonilla, Borski, Boucher, Brewster, Bunning, Burton, Buyer, Byrne, Callahan, Calvert, Camp, Canady, Cantwell, Carr, Chapman, Clement, Clinger, Coble, Collins (GA), Combust, Cooper, Coppersmith, Costello, Cox, Cramer, Crapo, Cunningham, Danner, Darden, DeFazio, DeLauro, DeLay, Deutsch, Diaz-Balart, Dickey, Dicks, Dingell, Dooley, Doolittle, Dornan, Dreier, Duncan, Dunn, Durbin, Ehlers, Emerson, Eshoo, Everett, Ewing, Farr, Fawell, Fields (TX), Fingerhut, Fowler, Franks (CT), Franks (NJ), Gallegly, Gekas, Geren, Gibbons, Gilchrest, Gillmor, Gingrich, Glickman, Goodlatte, Gordon, Goss, Grams, Gunderson, Hall (TX), Hamilton, Hancock, Hansen, Harman, Hastert, Hayes, Hefley, Hefner, Hergert, Hoagland, Hochbrueckner, Hoekstra, Hoke, Holden, Huffington, Hunter, Hutchinson, Hutto, Hyde, Inglis, Inhofe, Inslee, Istook, Johnson (CT), Johnson, Sam, Kanjorski, Kaptur, Kasich, Kim, King, Kleczka, Klein, Klink, Klug, Knollenberg, Kolbe, Kyl, Lambert, Lancaster, Lantos, LaRocco, Laughlin, Lazio, Lehman, Levy, Lewis (CA), Lewis (FL), Lightfoot, Linder, Lipinski, Livingston, Lloyd, Long, Macthley, Manton, Manzullo, Margolies-Mezvinsky, Mazzoli, McCandless, McCloskey, McCollum, McCreary, McCurdy, McHale, McInnis, McKeon, McMillan, Meehan, Meyers, Mica, Michel, Miller (FL), Minge, Moakley, Molinari, Moorhead, Morella, Murphy, Murtha, Myers, Neal (MA), Neal (NC), Nussle, Obey, Ortiz, Orton, Oxley, Packard, Pallone, Parker, Paxon, Penny, Peterson (FL), Peterson (MN), Pickett, Pombo, Porter, Portman, Poshard, Pryce (OH), Quinn, Ramstad, Ravenel, Richardson, Ridge, Roberts, Roemer, Rogers, Rohrabacher, Ros-Lehtinen, Rostenkowski, Roth, Roukema, Rowland, Royce, Sangmeister, Santorum, Sarpaluis, Saxton, Schaefer, Schenk, Schiff, Sensenbrenner, Shaw, Shays, Shuster, Sisisky, Skeen, Skelton, Smith (IA), Smith (MI), Smith (NJ), Smith (OR), Smith (TX), Snowe, Solomon, Spence, Stearns, Stump, Stupak, Sundquist, Talent, Tauzin, Taylor (MS), Taylor (NC), Tejeda, Thomas (CA), Thomas (WY), Thornton, Thurman, Torkildsen, Torricelli, Traficant, Upton, Valentine, Visclosky, Volkmer, Walker, Weldon, Wyden, Young (AK), Young (FL), Zeliff, Zimmer

NOT VOTING—12

- Brown (CA), Crane, Fish, Gallo, Grandy, McDade, McHugh, McNulty, Petri, Torres, Waters, Whitten

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

36.25 RECORDED VOTE

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

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

TITLE ___ POLICE CORPS AND LAW ENFORCEMENT SCHOLARSHIP ACT

SEC. ___. PURPOSES.

The purposes of this title are to— (1) address violent crime by increasing the number of police with advanced education and training on community patrol; and (2) provide educational assistance to law enforcement personnel and to students who possess a sincere interest in public service in the form of law enforcement.

(2) provide educational assistance to law enforcement personnel and to students who possess a sincere interest in public service in the form of law enforcement.

SEC. ___. DEFINITIONS.

For purposes of this title—

(1) the term "academic year" means a traditional academic year beginning in August or September and ending in the following May or June;

(2) the term "dependent child" means a natural or adopted child or stepchild of a law enforcement officer who at the time of the officer's death—

(A) was no more than 21 years old; or (B) if older than 21 years, was in fact dependent on the child's parents for at least one-half of the child's support (excluding educational expenses), as determined by the Director;

(3) the term "Director" means the Director of the Office of the Police Corps and Law Enforcement Education appointed under section ___.

(4) the term "educational expenses" means expenses that are directly attributable to—

(A) a course of education leading to the award of the baccalaureate degree in legal- or criminal justice-related studies; or

(B) a course of graduate study legal or criminal justice studies following award of a baccalaureate degree,

including the cost of tuition, fees, books, supplies, transportation, room and board and miscellaneous expenses.

(5) the term "institution of higher education" has the meaning stated in the first sentence of section 1201(a) of the Higher Education Act of 1965 (20 U.S.C. 1141(a));

(6) the term "participant" means a participant in the Police Corps program selected pursuant to section ___;

(7) the term "State" means a State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, American Samoa, Guam, and the Commonwealth of the Northern Mariana Islands; and

(8) the term "State Police Corps program" means a State police corps program that meets the requirements of section ___.

Subtitle A—Police Corps

SEC. ___. ESTABLISHMENT OF OFFICE OF THE POLICE CORPS AND LAW ENFORCEMENT EDUCATION.

(a) ESTABLISHMENT.—There is established in the Department of Justice, under the general authority of the Attorney General, an Office of the Police Corps and Law Enforcement Education.

(b) APPOINTMENT OF DIRECTOR.—The Office of the Police Corps and Law Enforcement Education shall be headed by a Director who shall be appointed by the President, by and with the advice and consent of the Senate.

(c) RESPONSIBILITIES OF DIRECTOR.—The Director shall be responsible for the administration of the Police Corps program established by this subtitle and shall have authority to promulgate regulations to implement this subtitle.

SEC. ___. DESIGNATION OF LEAD AGENCY AND SUBMISSION OF STATE PLAN.

(a) LEAD AGENCY.—A State that desires to participate in the Police Corps program under this subtitle shall designate a lead agency that will be responsible for—

(1) submitting to the Director a State plan described in subsection (b); and

(2) administering the program in the State.

(b) STATE PLANS.—A State plan shall—

(1) contain assurances that the lead agency shall work in cooperation with the local law enforcement liaisons, representatives of police labor organizations and police management organizations, and other appropriate State and local agencies to develop and implement interagency agreements designed to carry out the program;

(2) contain assurances that the State shall advertise the assistance available under this subtitle;

(3) contain assurances that the State shall screen and select law enforcement personnel for participation in the program; and

(4) meet the requirements of section ___.

SEC. ___. SCHOLARSHIP ASSISTANCE.

(a) SCHOLARSHIPS AUTHORIZED.—(1) The Director may award scholarships to participants who agree to work in a State or local police force in accordance with agreements entered into pursuant to subsection (d).

(2)(A) Except as provided in subparagraph (B), each scholarship payment made under this section for each academic year shall not exceed—

(i) \$7,500; or

(ii) the cost of the educational expenses related to attending an institution of higher education.

(B) In the case of a participant who is pursuing a course of educational study during substantially an entire calendar year, the amount of scholarship payments made during such year shall not exceed \$10,000.

(C) The total amount of scholarship assistance received by any one participant under this section shall not exceed \$30,000.

(3) Participants who receive scholarship assistance under this section shall continue to receive such scholarship payments only during such periods as the Director finds that the recipient is maintaining satisfactory progress as determined by the institution of higher education the recipient is attending.

(4)(A) The Director shall make scholarship payments under this section directly to the institution of higher education that the student is attending.

(B) Each institution of higher education receiving a payment on behalf of a participant pursuant to subparagraph (A) shall remit to such student any funds in excess of the costs of tuition, fees, and room and board payable to the institution.

(b) REIMBURSEMENT AUTHORIZED.—(1) The Director may make payments to a participant to reimburse such participant for the costs of educational expenses if the student agrees to work in a State or local police force in accordance with the agreement entered into pursuant to subsection (d).

(2)(A) Each payment made pursuant to paragraph (1) for each academic year of study shall not exceed—

(i) \$7,500; or

(ii) the cost of educational expenses related to attending an institution of higher education.

(B) In the case of a participant who is pursuing a course of educational study during substantially an entire calendar year, the amount of scholarship payments made during such year shall not exceed \$10,000.

(C) The total amount of payments made pursuant to subparagraph (A) to any 1 student shall not exceed \$30,000.

(c) USE OF SCHOLARSHIP.—Scholarships awarded under this subsection shall only be used to attend a 4-year institution of higher education, except that—

(1) scholarships may be used for graduate and professional study; and

(2) if a participant has enrolled in the program upon or after transfer to a 4-year institution of higher education, the Director may reimburse the participant for the participant's prior educational expenses.

(d) AGREEMENT.—(1)(A) Each participant receiving a scholarship or a payment under this section shall enter into an agreement with the Director.

(B) An agreement under subparagraph (A) shall contain assurances that the participant shall—

(i) after successful completion of a baccalaureate program and training as prescribed in section ____, work for 4 years in a State or local police force without there having arisen sufficient cause for the participant's dismissal under the rules applicable to members of the police force of which the participant is a member;

(ii) complete satisfactorily—

(I) an educational course of study and receipt of a baccalaureate degree (in the case of undergraduate study) or the reward of credit to the participant for having completed one or more graduate courses (in the case of graduate study); and

(II) Police Corps training and certification by the Director that the participant has met such performance standards as may be established pursuant to section ____; and

(iii) repay all of the scholarship or payment received plus interest at the rate of 10

percent if the conditions of clauses (i) and (ii) are not complied with.

(2)(A) A participant who receives a scholarship or payment under this section shall not be considered to be in violation of the agreement entered into pursuant to paragraph (1) if the recipient—

(i) dies; or

(ii) becomes permanently and totally disabled as established by the sworn affidavit of a qualified physician.

(B) If the participant who has received a scholarship is unable to comply with the repayment provision set forth in paragraph (1)(B)(ii) because of a physical or emotional disability or for good cause as determined by the Director, the Director may substitute community service in a form prescribed by the Director for the required repayment.

(C) The Director shall expeditiously seek repayment from a participant who violates an agreement described in paragraph (1).

(e) DEPENDENT CHILD.—(1) A dependent child of an individual referred to in paragraph (2) shall be entitled to the scholarship assistance authorized in this section for any course of study in any accredited institution of higher education. Such dependent child shall not incur any repayment obligation in exchange for the scholarship assistance provided in this section.

(2) For purposes of paragraph (1), an individual is a law enforcement officer—

(A) who is a member of a State or local police force or is a Federal criminal investigator or uniformed police officer;

(B) who is not a participant in the Police Corps program, but who serves in a State for which the Director has approved a State Police Corps plan; and

(C) who is killed in the course of performing police duties.

(f) APPLICATION.—Each participant desiring a scholarship or payment under this section shall submit an application as prescribed by the Director in such manner and accompanied by such information as the Director may reasonably require.

SEC. ____. SELECTION OF PARTICIPANTS.

(a) IN GENERAL.—Participants in State Police Corps programs shall be selected on a competitive basis by each State under regulations prescribed by the Director.

(b) SELECTION CRITERIA AND QUALIFICATIONS.—(1) In order to participate in a State Police Corps program, a participant shall—

(A) be a citizen of the United States or an alien lawfully admitted for permanent residence in the United States;

(B) meet the requirements for admission as a trainee of the State or local police force to which the participant will be assigned pursuant to section ____ (c) (5), including achievement of satisfactory scores on any applicable examination, except that failure to meet the age requirement for a trainee of the State or local police shall not disqualify the applicant if the applicant will be of sufficient age upon completing an undergraduate course of study;

(C) possess the necessary mental and physical capabilities and emotional characteristics to discharge effectively the duties of a law enforcement officer;

(D) be of good character and demonstrate sincere motivation and dedication to law enforcement and public service;

(E) in the case of an undergraduate, agree in writing that the participant will complete an educational course of study leading to the award of a baccalaureate degree and will then accept an appointment and complete 4 years of service as an officer in the State police or in a local police department within the State;

(F) in the case of a participant desiring to undertake or continue graduate study, agree in writing that the participant will accept an

appointment and complete 4 years of service as an officer in the State police or in a local police department within the State before undertaking or continuing graduate study;

(G) contract, with the consent of the participant's parent or guardian if the participant is a minor, to serve for 4 years as an officer in the State police or in a local police department, if an appointment is offered; and

(H) except as provided in paragraph (2), be without previous law enforcement experience.

(2)(A) Until the date that is 5 years after the date of enactment of this title, up to 10 percent of the applicants accepted into a State Police Corps program may be persons who—

(i) have had some law enforcement experience; and

(ii) have demonstrated special leadership potential and dedication to law enforcement.

(B)(i) The prior period of law enforcement of a participant selected pursuant to subparagraph (A) shall not be counted toward satisfaction of the participant's 4-year service obligation under section ____, and such a participant shall be subject to the same benefits and obligations under this subtitle as other participants, including those stated in subsection (b) (1) (E) and (F).

(ii) Clause (i) shall not be construed to preclude counting a participant's previous period of law enforcement experience for purposes other than satisfaction of the requirements of section ____, such as for purposes of determining such a participant's pay and other benefits, rank, and tenure.

(3) It is the intent of this subtitle that there shall be no more than 20,000 participants in each graduating class. The Director shall approve State plans providing in the aggregate for such enrollment of applicants as shall assure, as nearly as possible, annual graduating classes of 20,000. In a year in which applications are received in a number greater than that which will produce, in the judgment of the Director, a graduating class of more than 20,000, the Director shall, in deciding which applications to grant, give preference to those who will be participating in State plans that provide law enforcement personnel to areas of greatest need.

(c) RECRUITMENT OF MINORITIES.—Each State participating in the Police Corps program shall make special efforts to seek and recruit applicants from among members of all racial, ethnic or gender groups. This subsection does not authorize an exception from the competitive standards for admission established pursuant to subsections (a) and (b).

(d) ENROLLMENT OF APPLICANT.—(1) An applicant shall be accepted into a State Police Corps program on the condition that the applicant will be matriculated in, or accepted for admission at, a 4-year institution of higher education—

(A) as a full-time student in an undergraduate program; or

(B) for purposes of taking a graduate course.

(2) If the applicant is not matriculated or accepted as set forth in paragraph (1), the applicant's acceptance in the program shall be revoked.

(e) LEAVE OF ABSENCE.—(1) A participant in a State Police Corps program who requests a leave of absence from educational study, training or service for a period not to exceed 1 year (or 18 months in the aggregate in the event of multiple requests) due to temporary physical or emotional disability shall be granted such leave of absence by the State.

(2) A participant who requests a leave of absence from educational study, training or service for a period not to exceed 1 year (or 18 months in the aggregate in the event of multiple requests) for any reason other than those listed in paragraph (1) may be granted such leave of absence by the State.

(3) A participant who requests a leave of absence from educational study or training for a period not to exceed 30 months to serve on an official church mission may be granted such leave of absence.

(f) ADMISSION OF APPLICANTS.—An applicant may be admitted into a State Police Corps program either before commencement of or during the applicant's course of educational study.

SEC. ____ POLICE CORPS TRAINING.

(a) IN GENERAL.—(1) The Director shall establish programs of training for State Police Corps participants. Such programs may be carried out at up to 3 training centers established for this purpose and administered by the Director, or by contracting with existing State training facilities. The Director shall contract with a State training facility upon request of such facility if the Director determines that such facility offers a course of training substantially equivalent to the Police Corps training program described in this subtitle.

(2) The Director may enter into contracts with individuals, institutions of learning, and government agencies (including State and local police forces) to obtain the services of persons qualified to participate in and contribute to the training process.

(3) The Director may enter into agreements with agencies of the Federal Government to utilize on a reimbursable basis space in Federal buildings and other resources.

(4) The Director may authorize such expenditures as are necessary for the effective maintenance of the training centers, including purchases of supplies, uniforms, and educational materials, and the provision of subsistence, quarters, and medical care to participants.

(b) TRAINING SESSIONS.—A participant in a State Police Corps program shall attend two 8-week training sessions at a training center, one during the summer following completion of sophomore year and one during the summer following completion of junior year. If a participant enters the program after sophomore year, the participant shall complete 16 weeks of training at times determined by the Director.

(c) FURTHER TRAINING.—The 16 weeks of State Police Corps training authorized in this section is intended to serve as basic law enforcement training but not to exclude further training of participants by the State and local authorities to which they will be assigned. Each State plan approved by the Director under section ____ shall include assurances that following completion of a participant's course of education each participant shall receive appropriate additional training by the State or local authority to which the participant is assigned. The time spent by a participant in such additional training, but not the time spent in State Police Corps training, shall be counted toward fulfillment of the participant's 4-year service obligation.

(d) COURSE OF TRAINING.—The training sessions at training centers established under this section shall be designed to provide basic law enforcement training, including vigorous physical and mental training to teach participants self-discipline and organizational loyalty and to impart knowledge and understanding of legal processes and law enforcement.

(e) EVALUATION OF PARTICIPANTS.—A participant shall be evaluated during training for mental, physical, and emotional fitness, and shall be required to meet performance standards prescribed by the Director at the conclusion of each training session in order to remain in the Police Corps program.

(f) STIPEND.—The Director shall pay participants in training sessions a stipend of \$250 a week during training.

SEC. ____ SERVICE OBLIGATION.

(a) SWEARING IN.—Upon satisfactory completion of the participant's course of education and training program established in section ____ and meeting the requirements of the police force to which the participant is assigned, a participant shall be sworn in as a member of the police force to which the participant is assigned pursuant to the State Police Corps plan, and shall serve for 4 years as a member of that police force.

(b) RIGHTS AND RESPONSIBILITIES.—A participant shall have all of the rights and responsibilities of and shall be subject to all rules and regulations applicable to other members of the police force of which the participant is a member, including those contained in applicable agreements with labor organizations and those provided by State and local law.

(c) DISCIPLINE.—If the police force of which the participant is a member subjects the participant to discipline such as would preclude the participant's completing 4 years of service, and result in denial of educational assistance under section ____, the Director may, upon a showing of good cause, permit the participant to complete the service obligation in an equivalent alternative law enforcement service and, if such service is satisfactorily completed, section ____ (d)(1)(B)(iii) shall not apply.

(d) LAYOFFS.—If the police force of which the participant is a member lays off the participant such as would preclude the participant's completing 4 years of service, and result in denial of educational assistance under section ____, the Director may permit the participant to complete the service obligation in an equivalent alternative law enforcement service and, if such service is satisfactorily completed, section ____ (d)(1)(B)(iii) shall not apply.

SEC. ____ STATE PLAN REQUIREMENTS.

A State Police Corps plan shall—

(1) provide for the screening and selection of participants in accordance with the criteria set out in section ____;

(2) State procedures governing the assignment of participants in the Police Corps program to State and local police forces (no more than 10 percent of all the participants assigned in each year by each State to be assigned to a statewide police force or forces);

(3) provide that participants shall be assigned to those geographic areas in which—

(A) there is the greatest need for additional law enforcement personnel; and

(B) the participants will be used most effectively;

(4) provide that to the extent consistent with paragraph (3), a participant shall be assigned to an area near the participant's home or such other place as the participant may request;

(5) provide that to the extent feasible, a participant's assignment shall be made at the time the participant is accepted into the program, subject to change—

(A) prior to commencement of a participant's fourth year of undergraduate study, under such circumstances as the plan may specify; and

(B) from commencement of a participant's fourth year of undergraduate study until completion of 4 years of police service by participant, only for compelling reasons or to meet the needs of the State Police Corps program and only with the consent of the participant;

(6) provide that no participant shall be assigned to serve with a local police force—

(A) whose size has declined by more than 5 percent since June 21, 1989; or

(B) which has members who have been laid off but not retired;

(7) provide that participants shall be placed and to the extent feasible kept on community and preventive patrol;

(8) ensure that participants will receive effective training and leadership;

(9) provide that the State may decline to offer a participant an appointment following completion of Federal training, or may remove a participant from the State Police Corps program at any time, only for good cause (including failure to make satisfactory progress in a course of educational study) and after following reasonable review procedures stated in the plan; and

(10) provide that a participant shall, while serving as a member of a police force, be compensated at the same rate of pay and benefits and enjoy the same rights under applicable agreements with labor organizations and under State and local law as other police officers of the same rank and tenure in the police force of which the participant is a member.

SEC. ____ ASSISTANCE TO STATES AND LOCALITIES EMPLOYING POLICE CORPS OFFICERS.

Each jurisdiction directly employing State Police Corps participants during the 4-year term of service prescribed by section ____ shall receive \$10,000 on account of each such participant at the completion of each such year of service, but—

(1) no such payment shall be made on account of service in any State or local police force—

(A) whose average size, in the year for which payment is to be made, not counting State Police Corps participants assigned under section ____, has declined more than 2 percent since January 1, 1993; or

(B) which has members who have been laid off but not retired; and

(2) no such payment shall be made on account of any State Police Corps participant for years of service after the completion of the term of service prescribed in section ____.

SEC. ____ AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to carry out this subtitle—

(1) \$100,000,000 for fiscal year 1995 and \$250,000,000 for fiscal year 1996; and

(2) such sums as are necessary for each of the fiscal years 1997, 1998, and 1999.

SEC. ____ REPORTS TO CONGRESS.

(a) IN GENERAL.—Not later than April 1 of each year, the Director shall submit a report to the Attorney General, the President, the Speaker of the House of Representatives, and the President of the Senate.

(b) CONTENTS.—A report under subsection (a) shall—

(1) state the number of current and past participants in the State Police Corps program, broken down according to the levels of educational study in which they are engaged and years of service they have served on police forces (including service following completion of the 4-year service obligation);

(2) describe the geographic, racial, and gender dispersion of participants in the State Police Corps program; and

(3) describe the progress of the State Police Corps program and make recommendations for changes in the program.

Subtitle B—Law Enforcement Scholarship Program

SEC. ____ ALLOTMENT.

From amounts appropriated under section ____, the Director shall allot—

(1) 80 percent of such amounts to States on the basis of the number of law enforcement officers in each State compared to the number of law enforcement officers in all States; and

(2) 20 percent of such amounts to States on the basis of the shortage of law enforcement personnel and the need for assistance under this subtitle in the State compared to the shortage of law enforcement personnel and the need for assistance under this subtitle in all States.

SEC. 202. ESTABLISHMENT OF PROGRAM.

(a) USE OF ALLOTMENT.—

(1) IN GENERAL.—A State that receives an allotment pursuant to section ___ shall use the allotment to pay the Federal share of the costs of—

(A) awarding scholarships to in-service law enforcement personnel to enable such personnel to seek further education; and

(B) providing—

(i) full-time employment in summer; or

(ii) part-time (not to exceed 20 hours per week) employment for a period not to exceed 1 year.

(2) EMPLOYMENT.—The employment described in paragraph (1)(B)—

(A) shall be provided by State and local law enforcement agencies for students who are juniors or seniors in high school or are enrolled in an institution of higher education and who demonstrate an interest in undertaking a career in law enforcement;

(B) shall not be in a law enforcement position; and

(C) shall consist of performing meaningful tasks that inform students of the nature of the tasks performed by law enforcement agencies.

(b) PAYMENTS; FEDERAL SHARE; NON-FEDERAL SHARE.—

(1) PAYMENTS.—The Secretary shall pay to each State that receives an allotment under section ___ the Federal share of the cost of the activities described in the application submitted pursuant to section ___.

(2) FEDERAL SHARE.—The Federal share shall not exceed 60 percent.

(3) NON-FEDERAL SHARE.—The non-Federal share of the cost of scholarships and student employment provided under this subtitle shall be supplied from sources other than the Federal Government.

(c) RESPONSIBILITIES OF DIRECTOR.—The Director shall be responsible for the administration of the programs conducted pursuant to this subtitle and shall, in consultation with the Assistant Secretary for Postsecondary Education, issue rules to implement this subtitle.

(d) ADMINISTRATIVE EXPENSES.—A State that receives an allotment under section ___ may reserve not more than 8 percent of the allotment for administrative expenses.

(e) SPECIAL RULE.—A State that receives an allotment under section ___ shall ensure that each scholarship recipient under this subtitle be compensated at the same rate of pay and benefits and enjoy the same rights under applicable agreements with labor organizations and under State and local law as other law enforcement personnel of the same rank and tenure in the office of which the scholarship recipient is a member.

(f) SUPPLEMENTATION OF FUNDING.—Funds received under this subtitle shall only be used to supplement, and not to supplant, Federal, State, or local efforts for recruitment and education of law enforcement personnel.

SEC. ___. SCHOLARSHIPS.

(a) PERIOD OF AWARD.—Scholarships awarded under this subtitle shall be for a period of 1 academic year.

(b) USE OF SCHOLARSHIPS.—Each individual awarded a scholarship under this subtitle may use the scholarship for educational expenses at an institution of higher education.

SEC. ___. ELIGIBILITY.

(a) SCHOLARSHIPS.—A person shall be eligible to receive a scholarship under this subtitle if the person has been employed in law enforcement for the 2-year period immediately preceding the date on which assistance is sought.

(b) INELIGIBILITY FOR STUDENT EMPLOYMENT.—A person who has been employed as a law enforcement officer is ineligible to participate in a student employment program carried out under this subtitle.

SEC. ___. STATE APPLICATION.

(a) IN GENERAL.—Each State desiring an allotment under section ___ shall submit an application to the Director at such time, in such manner, and accompanied by such information as the Director may reasonably require.

(b) CONTENTS.—An application under subsection (a) shall—

(1) describe the scholarship program and the student employment program for which assistance under this subtitle is sought;

(2) contain assurances that the lead agency will work in cooperation with the local law enforcement liaisons, representatives of police labor organizations and police management organizations, and other appropriate State and local agencies to develop and implement interagency agreements designed to carry out this subtitle;

(3) contain assurances that the State will advertise the scholarship assistance and student employment it will provide under this subtitle and that the State will use such programs to enhance recruitment efforts;

(4) contain assurances that the State will screen and select law enforcement personnel for participation in the scholarship program under this subtitle;

(5) contain assurances that under such student employment program the State will screen and select, for participation in such program, students who have an interest in undertaking a career in law enforcement;

(6) contain assurances that under such scholarship program the State will make scholarship payments to institutions of higher education on behalf of persons who receive scholarships under this subtitle;

(7) with respect to such student employment program, identify—

(A) the employment tasks that students will be assigned to perform;

(B) the compensation that students will be paid to perform such tasks; and

(C) the training that students will receive as part of their participation in the program;

(8) identify model curriculum and existing programs designed to meet the educational and professional needs of law enforcement personnel; and

(9) contain assurances that the State will promote cooperative agreements with educational and law enforcement agencies to enhance law enforcement personnel recruitment efforts in institutions of higher education.

SEC. ___. LOCAL APPLICATION.

(a) IN GENERAL.—A person who desires a scholarship or employment under this subtitle shall submit an application to the State at such time, in such manner, and accompanied by such information as the State may reasonably require.

(b) CONTENTS.—An application under subsection (a) shall describe—

(1) the academic courses for which a scholarship is sought; or

(2) the location and duration of employment that is sought.

(c) PRIORITY.—In awarding scholarships and providing student employment under this subtitle, each State shall give priority to applications from persons who are—

(1) members of racial, ethnic, or gender groups whose representation in the law enforcement agencies within the State is substantially less than in the population eligible for employment in law enforcement in the State;

(2) pursuing an undergraduate degree; and

(3) not receiving financial assistance under the Higher Education Act of 1965.

SEC. ___. SCHOLARSHIP AGREEMENT.

(a) IN GENERAL.—A person who receives a scholarship under this subtitle shall enter into an agreement with the Director.

(b) CONTENTS.—An agreement described in subsection (a) shall—

(1) provide assurances that the scholarship recipient will work in a law enforcement position in the State that awarded the scholarship in accordance with the service obligation described in subsection (c) after completion of the scholarship recipient's academic courses leading to an associate, bachelor, or graduate degree;

(2) provide assurances that the scholarship recipient will repay the entire scholarship in accordance with such terms and conditions as the Director shall prescribe if the requirements of the agreement are not complied with, unless the scholarship recipient—

(A) dies;

(B) becomes physically or emotionally disabled, as established by the sworn affidavit of a qualified physician; or

(C) has been discharged in bankruptcy; and

(3) set forth the terms and conditions under which the scholarship recipient may seek employment in the field of law enforcement in a State other than the State that awarded the scholarship.

(c) SERVICE OBLIGATION.—

(1) IN GENERAL.—Except as provided in paragraph (2), a person who receives a scholarship under this subtitle shall work in a law enforcement position in the State that awarded the scholarship for a period of 1 month for each credit hour for which funds are received under the scholarship.

(2) SPECIAL RULE.—For purposes of satisfying the requirement of paragraph (1), a scholarship recipient shall work in a law enforcement position in the State that awarded the scholarship for not less than 6 months but shall not be required to work in such a position for more than 2 years.

SEC. ___. DEFINITIONS.

For purposes of this subtitle—

(1) the term "Director" means the Director of the Bureau of Justice Assistance;

(2) the term "educational expenses" means expenses that are directly attributable to—

(A) a course of education leading to the award of an associate degree;

(B) a course of education leading to the award of a baccalaureate degree; or

(C) a course of graduate study following award of a baccalaureate degree,

including the cost of tuition, fees, books, supplies, and related expenses;

(3) the term "institution of higher education" has the meaning stated in the first sentence of section 1201(a) of the Higher Education Act of 1965 (20 U.S.C. 1141(a));

(4) the term "law enforcement position" means employment as an officer in a State or local police force, or correctional institution; and

(5) the term "State" means a State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands of the United States, American Samoa, Guam, and the Commonwealth of the Northern Mariana Islands.

SEC. ___. AUTHORIZATION OF APPROPRIATIONS.

(a) GENERAL AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this subtitle \$30,000,000 for each of fiscal years 1995, 1996, 1997, 1998, and 1999.

(b) USES OF FUNDS.—Of the funds appropriated under subsection (a) for a fiscal year—

(1) 80 percent shall be available to provide scholarships described in section ___(a)(1)(A); and

(2) 20 percent shall be available to provide employment described in sections ___(a)(1)(B) and ___(a)(2).

It was decided in the affirmative { Yeas 250
 Nays 174

36.26 [Roll No. 138]
 AYES—250

Abercrombie	Hall (OH)	Owens
Ackerman	Hamilton	Oxley
Andrews (ME)	Hastert	Pallone
Andrews (NJ)	Hastings	Parker
Andrews (TX)	Hayes	Pastor
Applegate	Hefner	Payne (NJ)
Bacchus (FL)	Hinchey	Payne (VA)
Barca	Hobson	Pelosi
Barcia	Hochbrueckner	Penny
Barlow	Holden	Peterson (FL)
Barrett (WI)	Houghton	Peterson (MN)
Bateman	Hoyer	Petri
Beilenson	Huffington	Pickett
Bentley	Hunter	Pickle
Berman	Hutto	Pombo
Bevill	Hyde	Pomeroy
Bilbray	Inhofe	Poshard
Bishop	Inslee	Price (NC)
Blackwell	Jefferson	Rahall
Bonior	Johnson (GA)	Rangel
Borski	Johnson (SD)	Regula
Boucher	Johnston	Reynolds
Brewster	Kanjorski	Richardson
Browder	Kaptur	Roemer
Brown (CA)	Kennedy	Romero-Barcelo
Brown (FL)	Kennelly	(PR)
Brown (OH)	Kildee	Ros-Lehtinen
Bryant	Kleczka	Rose
Byrne	Klein	Roukema
Calvert	Klink	Rowland
Camp	Kreidler	Roybal-Allard
Cantwell	LaFalce	Rush
Cardin	Lambert	Sanders
Carr	Lancaster	Sangmeister
Chapman	Lantos	Santorum
Clayton	LaRocco	Sarpalius
Clement	Laughlin	Sawyer
Clinger	Lazio	Schenk
Clyburn	Leach	Schiff
Coleman	Lehman	Schroeder
Condit	Levin	Schumer
Cooper	Lewis (GA)	Scott
Coppersmith	Lightfoot	Sharp
Costello	Lipinski	Shepherd
Cramer	Lloyd	Shuster
Danner	Long	Sisisky
Darden	Lowe	Skeen
de la Garza	Machtley	Skelton
de Lugo (VI)	Maloney	Slaughter
Deal	Manton	Smith (NJ)
DeFazio	Margolies-	Smith (OR)
DeLauro	Mezvinsky	Spratt
Derrick	Markey	Stenholm
Deutsch	Martinez	Strickland
Diaz-Balart	Mazzoli	Studds
Dixon	McCloskey	Stupak
Dornan	McCurdy	Swett
Durbin	McHale	Swift
Edwards (TX)	McKinney	Tanner
Emerson	McMillan	Taylor (MS)
Engel	Meehan	Tejeda
Eshoo	Meek	Thompson
Evans	Menendez	Thornton
Faleomavaega	Meyers	Thurman
(AS)	Mfume	Torres
Farr	Michel	Torricelli
Fazio	Miller (CA)	Towns
Fields (LA)	Mineta	Tucker
Filner	Mink	Unsoeld
Fingerhut	Moakley	Upton
Flake	Molinari	Valentine
Foglietta	Mollohan	Velazquez
Frank (MA)	Montgomery	Vento
Frost	Moran	Volkmer
Furse	Morella	Vucanovich
Galleghy	Murphy	Watt
Gejdenson	Myers	Waxman
Gephardt	Nadler	Weldon
Geren	Neal (MA)	Wheat
Gillmor	Neal (NC)	Wise
Gilman	Norton (DC)	Woolsey
Gingrich	Obey	Wyden
Gonzalez	Olver	Wynn
Gordon	Ortiz	
Gutierrez	Orton	

NOES—174

Allard	Ballenger	Bliley
Archer	Barrett (NE)	Blute
Army	Bartlett	Boehert
Bacchus (AL)	Barton	Boehner
Baesler	Becerra	Bonilla
Baker (CA)	Bereuter	Brooks
Baker (LA)	Bilirakis	Bunning

Burton	Harman	Quillen
Buyer	Hefley	Quinn
Callahan	Herger	Ramstad
Canady	Hilliard	Ravenel
Castle	Hoagland	Reed
Clay	Hoekstra	Ridge
Coble	Hoke	Roberts
Collins (GA)	Horn	Rogers
Collins (IL)	Hughes	Rohrabacher
Collins (MI)	Hutchinson	Roth
Combest	Inglis	Royce
Conyers	Istook	Sabo
Cox	Jacobs	Saxton
Coyne	Johnson (CT)	Schaefer
Crapo	Johnson, E. B.	Sensenbrenner
Cunningham	Johnson, Sam	Serrano
DeLay	Kasich	Shaw
Dellums	Kim	Shays
Dickey	King	Skaggs
Dicks	Kingston	Slattery
Dingell	Klug	Smith (IA)
Dooley	Knollenberg	Smith (MI)
Doolittle	Kolbe	Smith (TX)
Dreier	Kopetski	Snowe
Duncan	Kyl	Solomon
Dunn	Levy	Spence
Edwards (CA)	Lewis (CA)	Stark
Ehlers	Lewis (FL)	Stearns
English	Linder	Stokes
Everett	Livingston	Stump
Ewing	Mann	Sundquist
Fawell	Manzullo	Synar
Fields (TX)	McCandless	Talent
Ford (MI)	McCollum	Tauzin
Fowler	McCrery	Taylor (NC)
Franks (CT)	McDermott	Thomas (CA)
Franks (NJ)	McHugh	Thomas (WY)
Gekas	McInnis	Torkildsen
Gilchrest	McKeon	Trafficant
Glickman	Mica	Underwood (GU)
Goodlatte	Miller (FL)	Visclosky
Goodling	Minge	Walker
Goss	Moorhead	Walsh
Grams	Murtha	Williams
Green	Nussle	Wilson
Greenwood	Oberstar	Wolf
Gunderson	Packard	Yates
Hall (TX)	Paxon	Young (AK)
Hamburg	Porter	Young (FL)
Hancock	Portman	Zeliff
Hansen	Pryce (OH)	Zimmer

NOT VOTING—13

Crane	Grandy	Washington
Fish	Matsui	Waters
Ford (TN)	McDade	Whitten
Gallo	McNulty	
Gibbons	Rostenkowski	

So the amendment was agreed to.

36.27 RECORDED VOTE

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

At the end of title X, add the following:

Subtitle —Private Security Officers

SEC. 1. SHORT TITLE.

This subtitle may be cited as the "Private Security Officers Quality Assurance Act of 1994".

SEC. 2. FINDINGS.

Congress finds the following:

- (1) Employment of private security officers in the United States is growing rapidly.
- (2) The private security industry provides numerous opportunities for entry-level job applicants, including individuals suffering from unemployment due to economic conditions or dislocations.
- (3) The American public is more likely to have contact with private security officers in the course of a day than with law enforcement officers.
- (4) Juveniles in the United States, including those at risk of delinquency, are most likely to have their earliest contact with private security officers because of the significant presence of such officers in schools, shopping malls, and retail establishments.
- (5) The American public demands the employment of qualified, well-trained private security officers.

(6) The States and employers should be required to determine the qualifications of applicants for employment as private security officers.

(7) Employers should be required to ensure at least minimum training for newly hired private security officers and refresher training for experienced private security officers, based on State-imposed standards.

(8) State requirements, if any, for screening and training private security officers vary widely.

(9) Public safety would be improved if all States required appropriate screening and training of private security officers.

(10) States should enact laws imposing minimum standards that are uniform nationwide for the screening and training of private security officers.

(11) State law applicable to private security officers should apply to all private security personnel.

SEC. 3. DEFINITIONS.

As used in this subtitle:

(1) The term "employee" includes an applicant for employment.

(2) The term "employer" means any person that—

(A) employs one or more private security officers, or

(B) provides, as an independent contractor for consideration, the services of one or more private security officers (including oneself).

(3) The term "felony" means an offense for which a term of imprisonment exceeding 1 year may be imposed.

(4) The term "misdemeanor" means an offense for which a maximum term of imprisonment of 1 year or less may be imposed.

(5) The term "person" shall have the meaning given it in section 1 of title 1 of the United States Code.

(6) The term "private security officer" means—

(A) an individual (other than an individual while on active duty as a member of the military service or while performing official duties as a law enforcement officer) who performs security services, full time or part time, for consideration as an independent contractor or an employee, whether armed or unarmed and in uniform or plain clothes,

(B) an individual who is the immediate supervisor of an individual described in subparagraph (A), or

(C) an individual who—

(i) is employed by an electronic alarm company and whose duties include servicing or installing alarm systems, or

(ii) monitors electronic alarm systems from a location in the State in which such systems are situated.

(7) The term "registration permit" means a license, permit, certificate, registration card, or other formal written permission, to provide security services.

(8) The term "security services" means the performance of one or more of the following:

(A) The observation and reporting of intrusion, larceny, vandalism, fire, or trespass.

(B) The prevention of theft or misappropriation of any goods, money, or other item of value.

(C) The observation or reporting of any unlawful activity.

(D) The protection of individuals or property, including proprietary information, from harm or misappropriation.

(E) The control of access to premises being protected.

(F) The secure movement of prisoners.

(G) The maintenance of order and safety at athletic, entertainment, or other public activities.

(H) Providing canine services for guarding premises or for the detection of any unlawful device or substance.

(I) The transportation of money or other valuables by armored vehicle.