

tions may be shipped: *Airports*: Luanda and Katumbela, Benguela Province; *Ports*: Luanda and Lobito, Benguela Province; and Namibe, Namibe Province; and *Entry Points*: Malongo, Cabinda Province. Although no specific license is required by the Department of the Treasury for shipments to these designated points of entry (unless the item is destined for UNITA), any such exports remain subject to the licensing requirements of the Departments of State and/or Commerce.

2. The FAC has worked closely with the U.S. financial community to assure a heightened awareness of the sanctions against UNITA—through the dissemination of publications, seminars, and notices to electronic bulletin boards. This educational effort has resulted in frequent calls from banks to assure that they are not routing funds in violation of these prohibitions. United States exporters have also been notified of the sanctions through a variety of media, including special fliers and computer bulletin board information initiated by FAC and posted through the Department of Commerce and the Government Printing Office. There have been no license applications under the program.

3. The expenses incurred by the Federal Government in the 6-month period from March 25, 1995, through September 25, 1995, that are directly attributable to the exercise of powers and authorities conferred by the declaration of a national emergency with respect to Angola (UNITA) are reported to be about \$170,000, most of which represents wage and salary costs for Federal personnel. Personnel costs were largely centered in the Department of the Treasury (particularly in the Office of Foreign Assets Control, the Customs Service, the Office of the Under Secretary for Enforcement, and the Office of the General Counsel) and the Department of State (particularly the Office of Southern African Affairs).

I will continue to report periodically to the Congress on significant developments, pursuant to 50 U.S.C. 1703(c).

WILLIAM J. CLINTON.

THE WHITE HOUSE, *September 18, 1995.*

By unanimous consent, the message was referred to the Committee on International Relations and ordered to be printed (H. Doc. 104-118).

¶116.28 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. SISISKY, for today and the balance of the week.

And then,

¶116.29 ADJOURNMENT

On motion of Mr. DOGGETT, at 7 o'clock and 40 minutes p.m., the House adjourned.

¶116.30 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

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

Mr. GOODLING: Committee on Economic and Educational Opportunities. H.R. 743. A

bill to amend the National Labor Relations Act to allow labor management cooperative efforts that improve economic competitiveness in the United States to continue to thrive, and for other purposes; with an amendment (Rept. No. 104-248). Referred to the Committee of the Whole House on the state of the Union.

Mrs. WALDHOLTZ: Committee on Rules. House Resolution 222. Resolution providing for the consideration of the bill (H.R. 1617) to consolidate and reform workforce development and literacy programs, and for other purposes (Rept. No. 104-249). Referred to the House Calendar.

¶116.31 PUBLIC BILLS AND RESOLUTIONS

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

By Mr. BURTON of Indiana:

H.R. 2347. A bill to seek international sanctions against the Castro government in Cuba, to plan for support of a transition government leading to a democratically elected government in Cuba, and for other purposes; to the Committee on International Relations, and in addition to the Committees on Ways and Means, Banking and Financial Services, the Judiciary, and Rules, 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. GILMAN:

H.R. 2348. A bill to authorize the transfer of naval vessels to certain foreign countries; to the Committee on International Relations.

By Mr. SHUSTER (for himself, Mr. PETRI, Mr. MINETA, Mr. RAHALL, and Mr. OBERSTAR):

H.R. 2349. A bill to amend title 23, United States Code, to designate the National Highway System, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. COBURN:

H.R. 2350. A bill to amend title XVIII of the Social Security Act to provide protections for Medicare beneficiaries who enroll in Medicare managed care plans; 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.

¶116.32 MEMORIALS

Under clause 4 of rule XXII memorials were presented and referred as follows:

159. By the SPEAKER: Memorial of the Senate of the State of Alaska, relative to the conversion of the Naval Air Facility in Adak, AK; to the Committee on National Security.

160. Also, memorial of the Senate of the State of Alaska, relative to requesting the Congress to clarify that the Reindeer Industry Act of 1937 no longer applies in the State of Alaska; to the Committee on Resources.

¶116.33 ADDITIONAL SPONSORS

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

H.R. 60: Mr. MOORHEAD.

H.R. 387: Mr. MOORHEAD.

H.R. 528: Mr. PICKETT, Mr. BLILEY, Mr. BEVILL, Mr. WATTS of Oklahoma, Mr. FOX, and Mr. JONES.

H.R. 530: Mr. POMBO.

H.R. 632: Mr. FIELDS of Texas.

H.R. 743: Mr. BROWNBACK, Mrs. WALDHOLTZ, and Mrs. LINCOLN.

H.R. 783: Mr. RAMSTAD, Mr. THORNTON, and Mr. DOOLITTLE.

H.R. 784: Mr. NORWOOD, Mr. JONES, Mr. COOLEY, Mr. BARR, Mr. FOX, Mr. HUNTER, Mr. BUNN of Oregon, Mr. HASTINGS of Washington, Mr. STOCKMAN, Mr. BRYANT of Tennessee, Mr. BAKER of California, and Mrs. KELLY.

H.R. 1161: Mr. LINDER and Mr. STEARNS.

H.R. 1221: Mr. HORN.

H.R. 1226: Mr. KNOLLENBERG.

H.R. 1227: Mr. ENGEL and Mrs. MEYERS of Kansas.

H.R. 1264: Mr. MFUME.

H.R. 1506: Mr. BLILEY.

H.R. 1589: Mr. BURR and Mr. RIGGS.

H.R. 1651: Mr. LOBONDO.

H.R. 1692: Mr. PETRI.

H.R. 1693: Mr. PETRI and Mr. HAMILTON.

H.R. 1694: Mr. PETRI.

H.R. 1715: Mr. BRYANT of Tennessee, Mr. CHAMBLISS, Mr. COOLEY, Mr. CRAPO, Mr. EWING, Mr. GOODLATTE, Mr. HASTINGS of Washington, Mr. HERGER, Mr. LIGHTFOOT, Mr. RADANOVICH, Mr. ROBERTS, Ms. PRYCE, Mr. SPENCE, and Mr. WOLF.

H.R. 1733: Mr. BISHOP.

H.R. 1744: Mr. BRYANT of Tennessee.

H.R. 1764: Mr. HANCOCK and Mrs. CHENOWETH.

H.R. 1965: Mr. CASTLE, Mr. MATSUI, Mr. TORRICELLI, Ms. HARMAN, Mr. DIXON, Mr. DEUTSCH, Mr. PETERSON of Florida, Mr. STEARNS, Mr. LIPINSKI, and Mr. LONGLEY.

H.R. 1975: Mr. EHRlich.

H.R. 2006: Mrs. MORELLA.

H.R. 2066: Mr. DORNAN.

H.R. 2143: Mr. MFUME.

H.R. 2179: Mr. LIPINSKI.

H.R. 2249: Ms. RIVERS.

H.R. 2265: Mr. HANCOCK, Mr. ROBERTS, and Mr. CALLAHAN.

H.R. 2331: Mr. ZELIFF and Mr. CHRYSLER.

H.J. Res: 61: Mr. TALENT.

H. Con. Res. 51: Mr. DAVIS, Mr. SHAYS, Mr. FRANKS of Connecticut, Mr. DURBIN, Mr. LIPINSKI, and Mr. ROHRBACHER.

TUESDAY, SEPTEMBER 19, 1995 (117)

¶117.1 DESIGNATION OF SPEAKER PRO TEMPORE

The House was called to order at 9:00 a.m., by the SPEAKER pro tempore, Mr. FOLEY, who laid before the House the following communication:

WASHINGTON, DC,

September 19, 1995.

I hereby designate the Honorable NATHAN DEAL to act as Speaker pro tempore on this day.

NEWT GINGRICH,

Speaker of the House of Representatives.

Whereupon, pursuant to the order of the House of Friday, May 12, 1995, Members were recognized for "morning hour" debates.

¶117.2 RECESS—9:43 A.M.

The SPEAKER pro tempore, Mr. FOLEY, pursuant to clause 12 of rule I, declared the House in recess at 9 o'clock and 43 minutes a.m., until 10 o'clock a.m.

¶117.3 AFTER RECESS—10:00 A.M.

The SPEAKER pro tempore, Mr. FOLEY, called the House to order.

¶117.4 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. FOLEY, announced he had examined

and approved the Journal of the proceedings of Monday, September 18, 1995.

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

¶117.5 COMMUNICATIONS

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

1447. A letter from the Secretary of Energy, transmitting the Department's report entitled the "Low Emission Boiler System Program"; jointly, to the Committees on Appropriations and Commerce.

1448. A letter from the Secretary of Transportation, transmitting notification of the actions the Secretary has taken regarding security measures at Eldorado International Airport, Bogota, Colombia, pursuant to 49 U.S.C. 44907(d)(3); jointly, to the Committees on Transportation and Infrastructure and International Relations.

¶117.6 PROVIDING FOR THE CONSIDERATION OF H.R. 1617

Mrs. WALDHOLTZ, by direction of the Committee on Rules, called up the following resolution (H. Res. 222):

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 1617) to consolidate and reform workforce development and literacy programs, and for other purposes. The first reading of the bill shall be dispensed with. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Economic and Educational Opportunities. After general debate the bill shall be considered for amendment under the five-minute rule. In lieu of the amendment recommended by the Committee on Economic and Educational Opportunities now printed in the bill, it shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule an amendment in the nature of a substitute consisting of the text of H.R. 2332. That amendment in the nature of a substitute shall be considered by title rather than by section. The first six sections and each title shall be considered as read. Points of order against that amendment in the nature of a substitute for failure to comply with clause 5(a) of rule XXI or section 302(f) or 401(b) of the Congressional Budget Act of 1974 are waived. Before consideration of any other amendment it shall be in order to consider the amendment printed in the report of the Committee on Rules accompanying this resolution, if offered by Representative Goodling or his designee. That amendment shall be considered as read, may amend the portions of the bill not yet read for amendment, shall be debatable for ten minutes equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against that amendment are waived. After disposition of that amendment, the provisions of the bill as then perfected shall be considered as original text. During further consideration of the bill for amendment, the Chairman of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 6 of rule XXIII. Amendments so printed shall be con-

sidered as read. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the amendment in the nature of a substitute made in order as original text. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

When said resolution was considered. After debate,

On motion of Mrs. WALDHOLTZ, the previous question was ordered on the resolution to its adoption or rejection.

The question being put, viva voce,

Will the House agree to said resolution?

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

Mr. HALL of Ohio 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 388 Nays 2

¶117.7 [Roll No. 664] YEAS—388

Abercrombie	Chambliss	Ewing
Ackerman	Chenoweth	Farr
Allard	Christensen	Fattah
Andrews	Chryslers	Fawell
Archer	Clay	Fazio
Armye	Clayton	Fields (TX)
Bachus	Clement	Filner
Baesler	Clinger	Flake
Baker (CA)	Coble	Flanagan
Baker (LA)	Coburn	Foglietta
Baldacci	Coleman	Foley
Ballenger	Collins (GA)	Forbes
Barcia	Combest	Fox
Barr	Conyers	Franks (CT)
Barrett (NE)	Cooley	Franks (NJ)
Bartlett	Costello	Frelinghuysen
Barton	Cox	Frisa
Bass	Coyne	Frost
Bateman	Cramer	Funderburk
Becerra	Crane	Furse
Beilenson	Crapo	Galleghy
Bentsen	Cremeans	Ganske
Bereuter	Cubin	Gekas
Berman	Cunningham	Gephardt
Bevill	Davis	Geren
Bilbray	de la Garza	Gilchrest
Bilirakis	Deal	Gillmor
Bishop	DeFazio	Gilman
Bliley	DeLauro	Gonzalez
Blute	DeLay	Goodlatte
Boehlert	Dellums	Goodling
Boehner	Deutsch	Gordon
Bonilla	Diaz-Balart	Goss
Bonior	Dickey	Graham
Bono	Dicks	Green
Borski	Dingell	Greenwood
Boucher	Doggett	Gunderson
Brewster	Dooley	Gutierrez
Browder	Doolittle	Gutknecht
Brown (CA)	Doyle	Hall (OH)
Brown (OH)	Dreier	Hall (TX)
Brownback	Duncan	Hamilton
Bryant (TX)	Dunn	Hancock
Bunn	Durbin	Hansen
Bunning	Edwards	Harman
Burr	Ehlers	Hastert
Burton	Ehrlich	Hastings (FL)
Buyer	Emerson	Hastings (WA)
Calvert	Engel	Hayes
Camp	English	Hayworth
Canady	Ensign	Hefley
Cardin	Eshoo	Hefner
Castle	Evans	Heineman
Chabot	Everett	Herger

Hilleary	Meehan	Scott
Hilliard	Meek	Seastrand
Hinchey	Menendez	Sensenbrenner
Hobson	Metcalf	Serrano
Hoekstra	Meyers	Shadegg
Hoke	Mica	Shaw
Horn	Miller (CA)	Shays
Hostettler	Miller (FL)	Shuster
Houghton	Minge	Skaggs
Hoyer	Mink	Skeen
Hunter	Molinari	Skelton
Hutchinson	Mollohan	Slaughter
Hyde	Montgomery	Smith (MI)
Inglis	Moorhead	Smith (NJ)
Istook	Moran	Smith (TX)
Jackson-Lee	Morella	Smith (WA)
Jacobs	Murtha	Solomon
Johnson (CT)	Myers	Souder
Johnson (SD)	Myrick	Spence
Johnson, E. B.	Nadler	Spratt
Johnson, Sam	Neal	Stark
Johnston	Nethercutt	Stearns
Jones	Ney	Stenholm
Kanjorski	Norwood	Stokes
Kasich	Nussle	Studds
Kelly	Obey	Stump
Kennedy (MA)	Olver	Stupak
Kennedy (RI)	Ortiz	Talent
Kennelly	Orton	Tanner
Kildee	Owens	Tate
Kim	Oxley	Tauzin
King	Packard	Taylor (MS)
Klecaska	Pallone	Taylor (NC)
Klink	Pastor	Tejeda
Klug	Paxon	Thomas
Knollenberg	Payne (NJ)	Thompson
Kolbe	Payne (VA)	Thornberry
LaFalce	Pelosi	Thornton
LaHood	Peterson (FL)	Thurman
Largent	Peterson (MN)	Tiahrt
Latham	Petri	Torres
Laughlin	Pickett	Torricelli
Lazio	Pombo	Towns
Leach	Pomeroy	Traficant
Levin	Porter	Upton
Lewis (CA)	Portman	Velazquez
Lewis (KY)	Poshard	Vento
Lightfoot	Quillen	Vucanovich
Lincoln	Quinn	Waldholtz
Linder	Radanovich	Walker
Lipinski	Rahall	Walsh
Livingston	Ramstad	Wamp
LoBiondo	Rangel	Ward
Lofgren	Reed	Waters
Longley	Regula	Watt (NC)
Lowey	Richardson	Watts (OK)
Lucas	Riggs	Waxman
Luther	Rivers	Weldon (FL)
Maloney	Roemer	Weldon (PA)
Manton	Rogers	Weller
Manzullo	Rohrabacher	White
Markey	Ros-Lehtinen	Whitfield
Martini	Roth	Wicker
Mascara	Roukema	Williams
Matsui	Roybal-Allard	Wilson
McCollum	Royce	Wolf
McCrery	Rush	Woolsey
McDade	Sabo	Wyden
McDermott	Salmon	Wynn
McHale	Sanders	Yates
McHugh	Sanford	Young (AK)
McInnis	Saxton	Young (FL)
McIntosh	Scarborough	Zeliff
McKeon	Schaefer	Zimmer
McKinney	Schiff	
McNulty	Schroeder	
	NAYS—2	
Martinez	Stockman	
	Goss	
	Graham	
	Green	
Barrett (WI)	Frank (MA)	Oberstar
Brown (FL)	Gejdenson	Parker
Bryant (TN)	Gibbons	Pryce
Callahan	Holden	Reynolds
Chapman	Jefferson	Roberts
Clyburn	Kaptur	Rose
Collins (IL)	Kingston	Sawyer
Collins (MI)	Lantos	Schumer
Condit	LaTourette	Sisisky
Danner	Lewis (GA)	Torkildsen
Dixon	McCarthy	Tucker
Dornan	Mfume	Visclosky
Fields (LA)	Mineta	Volkmmer
Ford	Moakley	Wise
Fowler	Neumann	
	NOT VOTING—44	

So the resolution was agreed to. A motion to reconsider the vote whereby said resolution was agreed to

was, by unanimous consent, laid on the table.

¶117.8 H.R. 402—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. FOLEY, pursuant to clause 5, rule I, announced the unfinished business to be the motion to suspend the rules and agree to the Senate amendment to (H.R. 402) to amend the Alaska Native Claims Settlement Act, and for other purposes.

The question being put,
Will the House suspend the rules and agree to the Senate amendment?

The vote was taken by electronic device.

It was decided in the { Yeas 392
affirmative { Nays 10

¶117.9 [Roll No. 665]
YEAS—392

Abercrombie	Cox	Greenwood
Ackerman	Coyne	Gunderson
Allard	Cramer	Gutierrez
Andrews	Crane	Gutknecht
Archer	Crapo	Hall (OH)
Armey	Creameans	Hall (TX)
Bachus	Cubin	Hamilton
Baesler	Cunningham	Hancock
Baker (CA)	Davis	Hansen
Baker (LA)	de la Garza	Harman
Baldacci	Deal	Hastert
Ballenger	DeLauro	Hastings (FL)
Barcia	DeLay	Hastings (WA)
Barr	Dellums	Hayes
Barrett (NE)	Deutsch	Hayworth
Bartlett	Diaz-Balart	Hefley
Barton	Dickey	Hefner
Bass	Dicks	Heineman
Bateman	Dingell	Herger
Becerra	Dixon	Hilleary
Beilenson	Doggett	Hilliard
Bentsen	Doolittle	Hinchesy
Bereuter	Doolittle	Hobson
Berman	Doyle	Hoekstra
Bevill	Dreier	Hoke
Bilbray	Duncan	Holden
Bilirakis	Dunn	Horn
Bishop	Durbin	Hostettler
Bliley	Edwards	Houghton
Blute	Ehlers	Hoyer
Boehlert	Ehrlich	Hunter
Boehner	Emerson	Hutchinson
Bonilla	Engel	Hyde
Bonior	English	Inglis
Bono	Ensign	Istook
Borski	Eshoo	Jackson-Lee
Boucher	Evans	Jacobs
Brewster	Everett	Johnson (CT)
Browder	Ewing	Johnson (SD)
Brown (CA)	Farr	Johnson, E. B.
Brown (OH)	Fattah	Johnson, Sam
Brownback	Fawell	Johnston
Bryant (TX)	Fazio	Jones
Bunn	Fields (TX)	Kanjorski
Bunning	Flake	Kasich
Burr	Flanagan	Kelly
Burton	Foglietta	Kennedy (MA)
Buyer	Foley	Kennedy (RI)
Calvert	Forbes	Kennelly
Camp	Fox	Kim
Canady	Franks (CT)	King
Cardin	Franks (NJ)	Kingston
Castle	Frelinghuysen	Klecza
Chabot	Frisa	Klink
Chambliss	Frost	Klug
Chapman	Funderburk	Knollenberg
Chenoweth	Gallely	Kolbe
Christensen	Ganske	LaFalce
Chrysler	Gekas	LaHood
Clay	Gephardt	Largent
Clayton	Geren	Latham
Clement	Gibbons	Laughlin
Clinger	Gilchrest	Lazio
Clyburn	Gillmor	Leach
Coble	Gilman	Levin
Coburn	Gonzalez	Lewis (CA)
Coleman	Goodlatte	Lewis (GA)
Collins (GA)	Goodling	Lewis (KY)
Combest	Gordon	Lightfoot
Conyers	Goss	Lincoln
Cooley	Graham	Linder
Costello	Green	Lipinski

Livingston	Pastor	Smith (WA)
LoBiondo	Paxon	Solomon
Lofgren	Payne (NJ)	Souder
Longley	Payne (VA)	Spence
Lowe	Pelosi	Spratt
Lucas	Peterson (FL)	Stark
Luther	Peterson (MN)	Stearns
Maloney	Petri	Stenholm
Manton	Pickett	Stockman
Manzullo	Pombo	Stokes
Markey	Pomeroy	Studds
Martinez	Porter	Stump
Martini	Portman	Stupak
Mascara	Poshard	Talent
Matsui	Quillen	Tanner
McCollum	Quinn	Tate
McCrery	Radanovich	Tauzin
McDade	Rahall	Taylor (MS)
McDermott	Ramstad	Taylor (NC)
McHale	Rangel	Tejeda
McHugh	Reed	Thomas
McInnis	Regula	Thompson
McIntosh	Richardson	Thornberry
McKeon	Riggs	Thornton
McKinney	Rivers	Thurman
McNulty	Roberts	Tiahrt
Meehan	Roemer	Torres
Meek	Rogers	Torricelli
Menendez	Rohrabacher	Towns
Metcalfe	Ros-Lehtinen	Trafigant
Meyers	Rose	Upton
Mica	Roth	Velazquez
Miller (CA)	Roukema	Vucanovich
Miller (FL)	Roybal-Allard	Waldholtz
Mineta	Royce	Walker
Minge	Rush	Walsh
Mink	Sabo	Wamp
Molinari	Salmon	Ward
Mollohan	Sanders	Waters
Montgomery	Sanford	Watt (NC)
Moorhead	Saxton	Watts (OK)
Moran	Scarborough	Waxman
Morella	Schaefer	Weldon (FL)
Murtha	Schiff	Weldon (PA)
Myers	Schroeder	Weller
Myrick	Scott	White
Nadler	Seastrand	Whitfield
Neal	Sensenbrenner	Wicker
Nethercutt	Serrano	Wilson
Ney	Shadegg	Wise
Norwood	Shaw	Wolf
Nussle	Shays	Woolsey
Olver	Shuster	Wyden
Ortiz	Skeen	Wynn
Orton	Skelton	Young (AK)
Owens	Slaughter	Young (FL)
Oxley	Smith (MI)	Zeliff
Packard	Smith (NJ)	Zimmer
Pallone	Smith (TX)	

NAYS—10

DeFazio	Obey	Williams
Filner	Skaggs	Yates
Furse	Vento	
Kildee	Visclosky	

NOT VOTING—32

Barrett (WI)	Fowler	Oberstar
Brown (FL)	Frank (MA)	Parker
Bryant (TN)	Gejdenson	Pryce
Callahan	Jefferson	Reynolds
Collins (IL)	Kaptur	Sawyer
Collins (MI)	Lantos	Schumer
Condit	LaTourette	Sisisky
Danner	McCarthy	Torkildsen
Dornan	Mfume	Tucker
Fields (LA)	Moakley	Volkmer
Ford	Neumann	

The SPEAKER pro tempore, Mr. FOLEY, announced that two-thirds of the Members present had voted in the affirmative.

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

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

Ordered, That the Clerk notify the Senate thereof.

¶117.10 H.R. 1091—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. FOLEY, pursuant to clause 5, rule I, announced the further unfinished business to be the motion to suspend the rules and pass the bill (H.R. 1091) to improve the National Park System in the Commonwealth of Virginia; as amended.

The question being put,
Will the House suspend the rules and pass said bill, as amended?

The vote was taken by electronic device.

It was decided in the { Yeas 377
affirmative { Nays 31

¶117.11 [Roll No. 666]
YEAS—377

Abercrombie	Cunningham	Hastert
Ackerman	Danner	Hastings (FL)
Allard	Davis	Hastings (WA)
Andrews	de la Garza	Hayes
Archer	Deal	Hayworth
Armey	DeFazio	Hefley
Bachus	DeLauro	Hefner
Baesler	DeLay	Heineman
Baker (CA)	Dellums	Herger
Baker (LA)	Deutsch	Hilleary
Baldacci	Diaz-Balart	Hilliard
Ballenger	Dickey	Hinchesy
Barcia	Dicks	Hobson
Barr	Dixon	Hoke
Barrett (NE)	Doggett	Holden
Bartlett	Dooley	Horn
Bartlett	Doolittle	Houghton
Bass	Doyle	Hoyer
Bateman	Dreier	Hunter
Bentsen	Duncan	Hutchinson
Bereuter	Dunn	Hyde
Berman	Durbin	Istook
Bevill	Edwards	Jackson-Lee
Bilbray	Ehlers	Jacobs
Bilirakis	Ehrlich	Johnson (CT)
Bishop	Emerson	Johnson (SD)
Bliley	Engel	Johnson, E.B.
Blute	English	Johnston
Boehlert	Eshoo	Jones
Boehner	Evans	Kanjorski
Bonilla	Everett	Kasich
Bonior	Ewing	Kennedy (MA)
Bono	Farr	Kennedy (RI)
Borski	Fattah	Kennelly
Boucher	Fawell	Kildee
Brewster	Fazio	Kim
Browder	Fields (TX)	King
Brown (CA)	Filner	Kingston
Brown (OH)	Flake	Klecza
Brownback	Flanagan	Klink
Bryant (TX)	Foglietta	Knollenberg
Bunn	Foley	Kolbe
Bunning	Forbes	LaFalce
Burr	Fox	LaHood
Burton	Franks (CT)	Largent
Buyer	Franks (NJ)	Latham
Callahan	Frelinghuysen	Laughlin
Calvert	Frisa	Lazio
Camp	Frost	Leach
Canady	Funderburk	Levin
Cardin	Furse	Lewis (CA)
Castle	Gallely	Lewis (GA)
Chabot	Ganske	Lewis (KY)
Chambliss	Gekas	Lightfoot
Chapman	Gephardt	Lincoln
Chenoweth	Geren	Linder
Christensen	Gibbons	Lipinski
Chrysler	Gilchrest	Livingston
Clay	Gillmor	LoBiondo
Clayton	Gilman	Lofgren
Clement	Gilman	Longley
Clinger	Goodlatte	Lowe
Clyburn	Goodling	Lucas
Coble	Gordon	Luther
Coleman	Goss	Maloney
Collins (GA)	Graham	Malone
Combest	Green	Manton
Condit	Greenwood	Manzullo
Conyers	Gunderson	Markey
Cooley	Cooley	Martinez
Costello	Costello	Martini
Cox	Cox	Martini
Coyne	Coyne	Martini
Cramer	Cramer	Matsui
Crane	Crane	Matsui
Crapo	Crane	McCarty
Creameans	Creameans	McCormack
Cubin	Cubin	McCrery

McDade	Porter	Stearns
McDermott	Portman	Stenholm
McHale	Poshard	Stokes
McHugh	Quillen	Studds
McInnis	Quinn	Stump
McIntosh	Radanovich	Stupak
McKeon	Rahall	Talent
McKinney	Ramstad	Tanner
McNulty	Rangel	Tate
Meehan	Reed	Tauzin
Meek	Regula	Taylor (MS)
Menendez	Richardson	Taylor (NC)
Metcalf	Riggs	Tejeda
Meyers	Rivers	Thomas
Mfume	Roberts	Thompson
Mica	Roemer	Thornberry
Miller (CA)	Rogers	Thurman
Miller (FL)	Rohrabacher	Torres
Mineta	Ros-Lehtinen	Torricelli
Mink	Rose	Towns
Molinari	Roth	Traficant
Mollohan	Roukema	Upton
Montgomery	Rush	Velazquez
Moorhead	Sabo	Vucanovich
Moran	Sanders	Waldholtz
Morella	Sanford	Walker
Murtha	Sawyer	Walsh
Myers	Saxton	Wamp
Myrick	Schaefer	Ward
Nadler	Schiff	Waters
Neal	Schroeder	Watt (NC)
Nethercutt	Scott	Watts (OK)
Ney	Seastrand	Weldon (FL)
Norwood	Serrano	Weldon (PA)
Nussle	Shadegg	Weller
Obey	Shaw	White
Olver	Shays	Whitfield
Ortiz	Shuster	Wicker
Orton	Skaggs	Williams
Owens	Skeen	Wilson
Oxley	Skelton	Wise
Packard	Slaughter	Wolf
Pallone	Smith (MI)	Woolsey
Pastor	Smith (NJ)	Wyden
Paxon	Smith (TX)	Wynn
Payne (NJ)	Smith (WA)	Yates
Payne (VA)	Solomon	Young (AK)
Pelosi	Souder	Young (FL)
Pickett	Spence	Zeliff
Pombo	Spratt	Zimmer
Pomeroy	Stark	

NAYS—31

Becerra	Hostettler	Salmon
Beilenson	Inglis	Scarborough
Chabot	Johnson, Sam	Sensenbrenner
Chenoweth	Kelly	Stockman
Christensen	Klug	Thornton
Coburn	Minge	Tiahrt
Dingell	Peterson (FL)	Vento
Ensign	Peterson (MN)	Visclosky
Gonzalez	Petri	Waxman
Gutknecht	Royal-Allard	
Hoekstra	Royce	

NOT VOTING—26

Barrett (WI)	Frank (MA)	Parker
Brown (FL)	Gejdenson	Pryce
Bryant (TN)	Jefferson	Reynolds
Collins (IL)	Kaptur	Schumer
Collins (MI)	Lantos	Sisisky
Dornan	LaTourette	Torkildsen
Fields (LA)	Moakley	Tucker
Ford	Neumann	Volkmer
Fowler	Oberstar	

The SPEAKER pro tempore, Mr. FOLEY, announced that two-thirds of the Members present had voted in the affirmative.

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

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

117.12 H.R. 260—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. FOLEY, pursuant to clause 5, rule I, announced the further unfinished business to be the motion to suspend the rules and pass the bill (H.R. 260) to provide for the development of a plan and a management review of the National Park System and to reform the process

by which areas are considered for addition to the National Park System, and for other purposes; as amended.

The question being put, Will the House suspend the rules and pass said bill, as amended?

The vote was taken by electronic device.

It was decided in the negative { Yeas 180 Nays 231

117.13

[Roll No. 667]

YEAS—180

Abercrombie	Gillmor	Myers
Allard	Gilman	Myrick
Archer	Goodling	Nethercutt
Army	Graham	Ney
Baker (CA)	Gunderson	Norwood
Baker (LA)	Gutknecht	Nussle
Ballenger	Hall (TX)	Obey
Barr	Hancock	Oxley
Barrett (NE)	Hansen	Packard
Bartlett	Hastert	Paxon
Barton	Hastings (WA)	Pelosi
Bateman	Hayes	Peterson (MN)
Biiley	Hayworth	Pickett
Boehlert	Hefley	Pombo
Boehner	Heineman	Quillen
Bonilla	Heger	Radanovich
Bonior	Hoekstra	Rangel
Brewster	Hoke	Regula
Bunn	Horn	Riggs
Bunning	Hostettler	Roberts
Burton	Houghton	Rogers
Buyer	Hunter	Rohrabacher
Callahan	Hyde	Rose
Calvert	Inglis	Roth
Camp	Istook	Roukema
Canady	Johnson (CT)	Royce
Castle	Johnson, Sam	Sabo
Chabot	Johnston	Salmon
Chambliss	Jones	Saxton
Christensen	Kasich	Schaefer
Collins (GA)	Kim	Schiff
Combest	King	Seastrand
Cooley	Klug	Shadegg
Cox	Knollenberg	Shaw
Crane	Kolbe	Shuster
Crapo	Largent	Skeen
Creameans	Latham	Smith (MI)
Cubin	Laughlin	Smith (TX)
Cunningham	Lewis (CA)	Smith (WA)
DeLay	Lewis (KY)	Stark
Dickey	Lightfoot	Stearns
Doolittle	Linder	Stockman
Dornan	Livingston	Stump
Dreier	Longley	Tate
Duncan	Lucas	Tauzin
Dunn	Manzullo	Taylor (NC)
Ehrlich	McCrery	Thomas
Emerson	McDade	Thornberry
Ensign	McDermott	Tiahrt
Everett	McIntosh	Torkildsen
Ewing	McKeon	Vento
Fawell	McNulty	Vucanovich
Fields (TX)	Meehan	Waldholtz
Flanagan	Metcalf	Walker
Flanigan	Meyers	Watts (OK)
Franks (CT)	Mica	Weldon (FL)
Franks (NJ)	Miller (CA)	Weller
Galleghy	Miller (FL)	Wicker
Ganske	Mineta	Wilson
Gekas	Moorhead	Young (AK)
Gilchrist		

NAYS—231

Ackerman	Brown (OH)	Danner
Andrews	Brownback	Davis
Bachus	Bryant (TX)	de la Garza
Baessler	Burr	Deal
Baldacci	Cardin	DeFazio
Barcia	Chapman	DeLauro
Bass	Chrysler	Dellums
Becerra	Clay	Deutsch
Beilenson	Clayton	Diaz-Balart
Bentsen	Clement	Dicks
Bereuter	Clinger	Dingell
Berman	Clyburn	Dixon
Bevill	Coble	Doggett
Bilbray	Coburn	Dooley
Bilirakis	Coleman	Doyle
Bishop	Collins (IL)	Durbin
Blute	Condit	Edwards
Borski	Conyers	Ehlers
Boucher	Costello	Engel
Browder	Coyne	English
Brown (CA)	Cramer	Eshoo

Evans	Lewis (GA)	Rush
Farr	Lincoln	Sanders
Fattah	Lipinski	Sanford
Fazio	LoBiondo	Sawyer
Filner	Lofgren	Scarborough
Flake	Lowey	Schroeder
Foglietta	Luther	Schumer
Foley	Maloney	Scott
Forbes	Manton	Sensenbrenner
Fox	Markey	Serrano
Frelinghuysen	Martinez	Shays
Frisa	Martini	Skaggs
Frost	Mascara	Skelton
Funderburk	Matsui	Slaughter
Furse	McCarthy	Smith (NJ)
Gephardt	McCollum	Solomon
Geren	McHale	Souder
Gibbons	McHugh	Spence
Gonzalez	McInnis	Spratt
Goodlatte	McKinney	Stenholm
Gordon	Meek	Stokes
Goss	Menendez	Studds
Green	Mfume	Stupak
Greenwood	Minge	Talent
Gutierrez	Mink	Tanner
Hall (OH)	Molinari	Taylor (MS)
Hamilton	Mollohan	Tejeda
Harman	Montgomery	Thompson
Hastings (FL)	Moran	Thornton
Hefner	Morella	Thurman
Hilleary	Murtha	Torres
Hilliard	Nadler	Torricelli
Hinchey	Neal	Towns
Hobson	Olver	Traficant
Holden	Ortiz	Upton
Hoyer	Orton	Velazquez
Hutchinson	Owens	Visclosky
Jackson-Lee	Pallone	Walsh
Jacobs	Pastor	Wamp
Johnson (SD)	Payne (NJ)	Ward
Rose	Payne (VA)	Waters
Kanjorski	Peterson (FL)	Watt (NC)
Kelly	Petri	Waxman
Kennedy (MA)	Pomeroy	Weldon (PA)
Kennedy (RI)	Porter	White
Kennelly	Portman	Whitfield
Kildee	Poshard	Williams
Kingston	Quinn	Wise
Klecza	Rahall	Wolf
Klink	Ramstad	Woolsey
LaFalce	Reed	Wyden
LaHood	Richardson	Wynn
LaTourette	Rivers	Yates
Lazio	Roemer	Young (FL)
Leach	Ros-Lehtinen	Zeliff
Levin	Royal-Allard	Zimmer

NOT VOTING—23

Barrett (WI)	Fowler	Oberstar
Bono	Frank (MA)	Parker
Brown (FL)	Gejdenson	Pryce
Bryant (TN)	Jefferson	Reynolds
Chenoweth	Kaptur	Sisisky
Collins (MI)	Lantos	Tucker
Fields (LA)	Moakley	Volkmer
Ford	Neumann	

The SPEAKER pro tempore, Mr. FOLEY, announced that two-thirds of the Members present had not voted in the affirmative.

So, less than two-thirds of the Members present having voted in favor thereof, the rules were not suspended and said bill, as amended, was not passed.

117.14 H.R. 1296—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. FOLEY, pursuant to clause 5, rule I, announced the further unfinished business to be the motion to suspend the rules and pass the bill (H.R. 1296) to provide for the Administration of certain Presidio properties at minimal cost to the Federal taxpayer; as amended.

The question being put,

Will the House suspend the rules and pass said bill, as amended?

The vote was taken by electronic device.

It was decided in the affirmative { Yeas 317
Nays 101

117.15

[Roll No. 668]
YEAS—317

Abercrombie	Fazio	Martini
Ackerman	Fields (TX)	Mascara
Allard	Filner	Matsui
Andrews	Flake	McCarthy
Bachus	Flanagan	McCollum
Baesler	Foglietta	McDade
Baker (CA)	Foley	McDermott
Baker (LA)	Forbes	McHale
Baldacci	Ford	McInnis
Ballenger	Fox	McIntosh
Barr	Frank (MA)	McKeon
Barrett (NE)	Franks (CT)	McKinney
Barrett (WI)	Franks (NJ)	McNulty
Bartlett	Frelinghuysen	Meek
Barton	Frost	Menendez
Bateman	Furse	Metcalf
Becerra	Gallegly	Meyers
Beilenson	Ganske	Mfume
Bentsen	Gekas	Mica
Bereuter	Gephardt	Miller (CA)
Berman	Geren	Miller (FL)
Bevill	Gibbons	Mineta
Bilbray	Gilchrest	Mink
Bilirakis	Gillmor	Mollohan
Bishop	Gilman	Montgomery
Bliley	Gonzalez	Moorhead
Blute	Gordon	Moran
Boehlert	Goss	Morella
Bonilla	Graham	Murtha
Bonior	Green	Nadler
Bono	Greenwood	Neal
Borski	Gunderson	Nethercutt
Boucher	Gutierrez	Ney
Brewster	Hall (OH)	Obey
Browder	Hall (TX)	Olver
Brown (CA)	Hamilton	Ortiz
Brown (OH)	Hancock	Orton
Brownback	Hansen	Owens
Bryant (TX)	Harman	Oxley
Bunn	Hastings (FL)	Packard
Buyer	Hastings (WA)	Pallone
Callahan	Hayes	Pastor
Calvert	Hayworth	Payne (NJ)
Cardin	Hefner	Payne (VA)
Castle	Heineman	Pelosi
Chapman	Hilliard	Peterson (FL)
Clay	Hinchey	Pickett
Clayton	Hobson	Pombo
Clement	Holden	Pomeroy
Clinger	Horn	Porter
Clyburn	Hostettler	Portman
Coble	Houghton	Quinn
Coleman	Hoyer	Radanovich
Collins (IL)	Hunter	Rahall
Condit	Hyde	Rangel
Conyers	Jackson-Lee	Reed
Cooley	Jacobs	Regula
Cox	Johnson (CT)	Richardson
Coyne	Johnson (SD)	Riggs
Cramer	Johnson, E. B.	Rivers
Crane	Johnston	Roberts
Creameans	Kanjorski	Roemer
Cubin	Kasich	Ros-Lehtinen
Cunningham	Kelly	Rose
Danner	Kennedy (MA)	Roukema
Davis	Kennedy (RI)	Roybal-Allard
de la Garza	Kennelly	Rush
DeFazio	Kildee	Sabo
DeLauro	Kim	Sanders
Dellums	King	Sawyer
Deutsch	Klecza	Saxton
Diaz-Balart	Klink	Schiff
Dickey	Knollenberg	Schroeder
Dicks	Kolbe	Schumer
Dingell	LaFalce	Scott
Dixon	Latham	Seastrand
Doggett	LaTourette	Serrano
Dooley	Laughlin	Shaw
Doolittle	Lazio	Shays
Doyle	Leach	Shuster
Dreier	Levin	Skaggs
Dunn	Lewis (CA)	Skelton
Durbin	Lewis (GA)	Slaughter
Edwards	Lightfoot	Smith (NJ)
Ehlers	Lincoln	Smith (TX)
Ehrlich	Linder	Smith (WA)
Emerson	Lofgren	Spence
Engel	Longley	Spratt
Ensign	Lowe	Stark
Eshoo	Luther	Stenholm
Evans	Maloney	Stokes
Everett	Manton	Studds
Farr	Markey	Stupak
Fattah	Martinez	Talent

Tate	Velazquez	Weller
Tauzin	Vento	White
Tejeda	Visclosky	Williams
Thomas	Vucanovich	Wilson
Thompson	Waldholtz	Wise
Thornton	Walsh	Wolf
Thurman	Ward	Woolsey
Torkildsen	Waters	Wyden
Torres	Watt (NC)	Wynn
Torrice	Waxman	Yates
Towns	Weldon (FL)	Young (AK)
Traficant	Weldon (PA)	

NAYS—101

Archer	Hefley	Quillen
Armey	Heger	Ramstad
Barcia	Hilleary	Rogers
Bass	Hoekstra	Rohrabacher
Boehner	Hoke	Roth
Bryant (TN)	Hutchinson	Royce
Bunning	Inglis	Salmon
Burr	Istook	Sanford
Burton	Johnson, Sam	Scarborough
Camp	Jones	Schaefer
Canady	Kingston	Sensenbrenner
Chabot	Klug	Shadegg
Chambliss	LaHood	Skeen
Chenoweth	Largent	Smith (MI)
Christensen	Lewis (KY)	Solomon
Chrysler	Lipinski	Souder
Coburn	Livingston	Stearns
Collins (GA)	LoBiondo	Stockman
Combust	Lucas	Stump
Costello	Manzullo	Tanner
Crapo	McCrery	Taylor (MS)
Deal	McHugh	Taylor (NC)
DeLay	Minge	Thornberry
Dornan	Molinari	Tiahrt
Duncan	Myers	Upton
English	Myrick	Walker
Ewing	Neumann	Wamp
Fawell	Norwood	Watts (OK)
Frisa	Nussle	Whitfield
Funderburk	Parker	Wicker
Ganske	Paxon	Young (FL)
Gordon	Peterson (MN)	Zeliff
Graham	Petri	Zimmer
Green	Poshard	

NOT VOTING—16

Brown (FL)	Kaptur	Reynolds
Collins (MI)	Lantos	Sisisky
Fields (LA)	Meehan	Tucker
Fowler	Moakley	Volkmer
Jefferson	Oberstar	
	Pryce	

The SPEAKER, pro tempore, Mr. FOLEY, announced that two-thirds of the Members present had voted in the affirmative.

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

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

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

117.16 H.R. 558—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. FOLEY, pursuant to clause 5, rule 1, announced the further unfinished business to be the motion to suspend the rules and pass the bill (H.R. 558) to grant the consent of the Congress to the Texas Low-Level Radioactive Waste Disposal Compact.

The question being put, Will the House suspend the rules and pass said bill?

The vote was taken by electronic device.

It was decided in the negative { Yeas 176
Nays 243

117.17

[Roll No. 669]
YEAS—176

Allard	Fields (TX)	McKeon
Andrews	Foley	Metcalf
Archer	Franks (CT)	Mica
Armey	Frelinghuysen	Miller (FL)
Baker (CA)	Frisa	Minge
Baker (LA)	Funderburk	Molinari
Baldacci	Gallegly	Moorhead
Ballenger	Ganske	Moran
Barr	Geren	Myrick
Barrett (NE)	Gillmor	Neumann
Bartlett	Goodlatte	Ney
Barton	Goodling	Norwood
Bateman	Gordon	Nussle
Bentsen	Graham	Orton
Bereuter	Green	Oxley
Bilbray	Greenwood	Pallone
Bilirakis	Gunderson	Parker
Bliley	Hall (OH)	Paxon
Blute	Hall (TX)	Payne (VA)
Boehlert	Hancock	Peterson (MN)
Boehner	Hansen	Pombo
Brewster	Hastert	Pomeroy
Brownback	Hastings (WA)	Quillen
Bryant (TN)	Hayes	Roberts
Bunn	Hayworth	Rogers
Bunning	Hefley	Rohrabacher
Burr	Heineman	Royce
Buyer	Herger	Sanders
Callahan	Hilleary	Sanford
Calvert	Hostettler	Saxton
Camp	Houghton	Scarborough
Cardin	Hutchinson	Schaefer
Chabot	Hyde	Schroeder
Chenoweth	Inglis	Seastrand
Chrysler	Jackson-Lee	Shadegg
Clement	Johnson (CT)	Shaw
Clinger	Johnson, Sam	Shuster
Coble	Johnston	Skeen
Coburn	Kelly	Smith (WA)
Crane	Kennelly	Solomon
Crapo	Kim	Souder
Creameans	King	Stearns
Danner	Klug	Stenholm
DeLauro	Knollenberg	Stump
DeLay	Kolbe	Tanner
Dingell	Laughlin	Tauzin
Doolittle	Lazio	Thomas
Dornan	Levin	Thornberry
Dreier	Lewis (KY)	Tiahrt
Duncan	Lightfoot	Torkildsen
Dunn	Lincoln	Upton
Edwards	Longley	Waldholtz
Ehlers	Lucas	Walker
Ehrlich	Manzullo	Walsh
Emerson	McCollum	Watts (OK)
English	McCrery	Weller
Everett	McDade	Whitfield
Ewing	McHugh	Young (AK)
Fawell	McIntosh	

NAYS—243

Abercrombie	Combust	Flanagan
Ackerman	Condit	Foglietta
Bachus	Conyers	Forbes
Baesler	Cooley	Ford
Barcia	Costello	Fox
Barrett (WI)	Cox	Frank (MA)
Bass	Coyne	Franks (NJ)
Becerra	Cramer	Frost
Beilenson	Cubin	Furse
Berman	Cunningham	Gekas
Bevill	Davis	Gephardt
Bishop	de la Garza	Gibbons
Bonilla	Deal	Gilchrest
Bonior	DeFazio	Gilman
Bono	Dellums	Gonzalez
Borski	Deutsch	Goss
Boucher	Diaz-Balart	Gutierrez
Browder	Dickey	Gutknecht
Brown (CA)	Dicks	Hamilton
Brown (OH)	Dixon	Harman
Bryant (TX)	Doggett	Hastings (FL)
Burton	Dooley	Hefner
Canady	Doyle	Hilliard
Castle	Durbin	Hinchey
Chambliss	Engel	Hobson
Chapman	Ensign	Hoekstra
Christensen	Eshoo	Hoke
Clay	Evans	Holden
Clayton	Farr	Horn
Clyburn	Fattah	Hoyer
Coleman	Fazio	Hunter
Collins (GA)	Filner	Istook
Collins (IL)	Flake	Jacobs

Table listing names of members: Johnson (SD), Johnson, E. B., Jones, Kanjorski, Kasich, Kennedy (MA), Kennedy (RI), Kildee, Kingston, Kleczka, Klink, LaFalce, LaHood, Largent, Latham, LaTourette, Leach, Lewis (CA), Lewis (GA), Linder, Lipinski, Livingston, LoBiondo, Lofgren, Lowey, Luther, Maloney, Manton, Markey, Martinez, Martini, Mascara, Matsui, McCarthy, McDermott, McHale, McInnis, McKinney, McNulty, Meehan, Meek, Menendez, Meyers, Mfume, Miller (CA), Mineta, Mink, Mollohan, Montgomery, Morella, Murtha, Myers, Nadler, Neal, Nethercutt, Obey, Olver, Ortiz, Owens, Packard, Pastor, Payne (NJ), Pelosi, Peterson (FL), Petri, Pickett, Porter, Portman, Poshard, Quinn, Radanovich, Rahall, Ramstad, Rangel, Reed, Regula, Richardson, Riggs, Rivers, Roemer, Ros-Lehtinen, Rose, Roth, Roukema, Roybal-Allard, Rush, Sabo, Salmon, Sawyer, Schiff, Schumer, Scott, Sensenbrenner, Serrano, Shays, Skaggs, Skelton, Slaughter, Smith (MI), Smith (NJ), Smith (TX), Spence, Spratt, Stark, Stockman, Stokes, Studds, Stupak, Talent, Tate, Taylor (MS), Taylor (NC), Tejeda, Thompson, Thornton, Thurman, Torres, Torricelli, Towns, Traficant, Velazquez, Vento, Visclosky, Vucanovich, Wamp, Ward, Waters, Watt (NC), Waxman, Weldon (FL), Weldon (PA), White, Wickert, Williams, Wilson, Wise, Wolf, Woolsey, Wyden, Wynn, Yates, Young (FL), Zeliff, Zimmer

NOT VOTING—15

Table listing names of members: Brown (FL), Collins (MI), Fields (LA), Fowler, Gejdenson, Jefferson, Pryce, Reynolds, Sisisky, Tucker, Volkmer

The SPEAKER pro tempore, Mr. FOLEY, announced that two-thirds of the Members present had not voted in the affirmative.

So, less than two-thirds of the Members present having voted in favor thereof, the rules were not suspended and said bill was not passed.

117.18 EDUCATION, EMPLOYMENT, AND REHABILITATION SYSTEMS

The SPEAKER pro tempore, Mr. FOLEY, pursuant to House Resolution 222 and rule XXIII, 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. 1617) to consolidate and reform work-force development and literacy programs, and for other purposes.

The SPEAKER pro tempore, Mr. FOLEY, by unanimous consent, designated Mr. MCINNIS as Chairman of the Committee of the Whole; and after some time spent therein,

117.19 RECORDED VOTE

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

Strike title V of the bill and insert the following:

TITLE V—MISCELLANEOUS PROVISIONS
SEC. 501. EFFECT ON REHABILITATION ACT OF 1973.

Notwithstanding any other provision of this Act, this Act does not have any legal effect on any program under the Rehabilitation Act of 1973.

It was decided in the affirmative { Yeas 231 Nays 192

117.20 [Roll No. 670] AYES—231

Table listing names of members: Abercrombie, Ackerman, Andrews, Baesler, Baker (LA), Baldacci, Barcia, Barrett (WI), Barton, Becerra, Beilenson, Bentsen, Berman, Bevill, Bishop, Blute, Bonior, Borski, Boucher, Brewster, Browder, Brown (CA), Brown (OH), Bryant (TX), Horn, Hoyer, Jackson-Lee, Jacobs, Johnson (SD), Johnson, E. B., Johnston, Jones, Kanjorski, Kaptur, Kennedy (MA), Kennedy (RI), Kennelly, Kildee, Kleczka, Klink, LaFalce, Lantos, LaTourette, Lazio, Leach, Levin, Lewis (GA), Lightfoot, Lincoln, Lipinski, LoBiondo, Lofgren, Lowey, Luther, Maloney, Manton, Markey, Martinez, Mascara, Matsui, McCarthy, McCrery, McDermott, McKinney, McNulty, Meehan, Meek, Menendez, Metcalf, Mfume, Miller (CA), Mineta, Minge, Mink, Mollohan, Montgomery, Morella, Murtha, Funderburk, Furse, Gejdenson, Gephardt, Geren, Gibbons, Gilchrest, Gonzalez, Gordon, Green, Gutierrez, Hall (OH), Hall (TX), Hamilton, Harman, Hastings (FL), Hayes, Hefner, Heineman, Hilliard, Hinchey, Hobson, Holden, Holden, Horn, Hoyer, Jackson-Lee, Rivers, Roemer, Rose, Roybal-Allard, Rush, Sabo, Sanders, Sawyer, Schiff, Schroeder, Schumer, Scott, Serrano, Skaggs, Skelton, Slaughter, Smith (NJ), Spratt, Stark, Stenholm, Stockman, Stokes, Studds, Stupak, Tanner, Taylor (MS), Tejeda, Thompson, Thornton, Thurman, Turkildsen, Torres, Torricelli, Towns, Traficant, Velazquez, Vento, Visclosky, Waldholtz, Ward, Waters, Watt (NC), Watts (OK), Waxman, Williams, Wilson, Wise, Woolsey, Wyden, Wynn, Yates, Zimmer, Nadler, Neal, Ney, Nussle, Obey, Olver, Ortiz, Orton, Owens, Pallone, Pastor, Payne (NJ), Payne (VA), Pelosi, Peterson (FL), Peterson (MN), Pickett, Pomeroy, Poshard, Pryce, Rahall, Ramstad, Rangel, Reed, Richardson, Rivers, Roemer, Roybal-Allard, Sabo, Sanders, Sawyer, Schiff, Schroeder, Schumer, Scott, Serrano, Skaggs, Skelton, Slaughter, Smith (NJ), Spratt, Stark, Stenholm, Stockman, Stokes, Studds, Stupak, Tanner, Taylor (MS), Tejeda, Thompson, Thornton, Thurman, Turkildsen, Torres, Torricelli, Towns, Traficant, Velazquez, Vento, Visclosky, Waldholtz, Ward, Waters, Watt (NC), Watts (OK), Waxman, Williams, Wilson, Wise, Woolsey, Wyden, Wynn, Yates, Zimmer

NOES—192

Table listing names of members: Allard, Archer, Arney, Bachus, Baker (CA), Ballenger, Barr, Barrett (NE), Bartlett, Bass, Bateman, Bereuter, Bilbray, Bilirakis, Bliley, Boehlert, Boehner, Bonilla

Table listing names of members: Bono, Brownback, Bryant (TN), Bunn, Bunning, Burr, Burton, Callahan, Calvert, Camp, Canady, Castle, Chabot, Chambliss, Christensen, Chrysler, Clinger, Collins (GA), Combest, Cooley, Cox, Crane, Cubin, Cunningham, Davis, Deal, DeLay, Diaz-Balart, Doolittle, Dornan, Dreier, Dunn, Ehlers, Emerson, Everett, Ewing, Fawell, Foley, Fowler, Fox, Franks (CT), Franks (NJ), Frelinghuysen, Frisa, Gallegly, Ganske, Gekas, Gillmor, Gilman, Goodlatte, Goodling, Goss, Graham, Greenwood, Gunderson, Gutknecht, Hancock, Hansen, Hastert, Hastings (WA), Hayworth, Hefley, Herger, Hilleary, Hoekstra, Hoke, Hostettler, Houghton, Hunter, Hutchinson, Hyde, Inglis, Istook, Johnson (CT), Johnson, Sam, Kasich, Kelly, Kim, King, Kingston, Klug, Knollenberg, Kolbe, LaHood, Largent, Latham, Laughlin, Lewis (CA), Lewis (KY), Linder, Livingston, Longley, Lucas, Manzullo, Martini, McCollum, McDade, McHale, McHugh, McInnis, McIntosh, McKeon, Meyers, Mica, Miller (FL), Molinari, Moorhead, Moran, Myers, Myrick, Nethercutt, Neumann, Norwood, Oxley, Packard, Parker, Paxon, Petri, Pombo, Porter, Portman, Quillen, Quinn, Radanovich, Regula, Riggs, Roberts, Rogers, Rohrabacher, Ros-Lehtinen, Roth, Roukema, Royce, Salmon, Sanford, Saxton, Scarborough, Schaefer, Seastrand, Sensenbrenner, Shadegg, Shaw, Shays, Shuster, Skeen, Smith (MI), Smith (TX), Smith (WA), Solomon, Souder, Spence, Stearns, Stump, Talent, Tate, Tauzin, Taylor (NC), Thomas, Thornberry, Tiahrt, Upton, Vucanovich, Walker, Wamp, Weldon (FL), Weldon (PA), Weller, White, Whitfield, Wickert, Wolf, Young (AK), Young (FL), Zeliff

NOT VOTING—11

Table listing names of members: Brown (FL), Fields (LA), Fields (TX), Jefferson, Moakley, Oberstar, Reynolds, Sisisky, Tucker, Volkmer, Walsh

So the amendment was agreed to. After some further time, The SPEAKER pro tempore, Mr. GILLMOR, assumed the Chair.

When Mr. MCINNIS, Chairman, pursuant to House Resolution 222, reported the bill back to the House with an amendment adopted by the Committee.

The previous question having been ordered by said resolution.

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

Strike out all after the enacting clause and insert:

SECTION 1. SHORT TITLE.

This Act may be cited as the— (1) "Consolidated and Reformed Education, Employment, and Rehabilitation Systems Act"; or (2) "CAREERS Act".

SEC. 2. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

- Sec. 1. Short title.
Sec. 2. Table of contents.
Sec. 3. Purpose.

Sec. 4. Authorization of appropriations.

Sec. 5. Definitions.

Sec. 6. Transition.

TITLE I—WORKFORCE DEVELOPMENT INFRASTRUCTURE

Sec. 101. Purpose of title.

Subtitle A—State and Local Responsibilities

Sec. 102. State requirements.

Sec. 103. Collaborative process regarding State system.

Sec. 104. Consolidated State workforce development and literacy plan.

Sec. 105. Establishment of workforce development areas.

Sec. 106. Provisions regarding local workforce development boards.

Sec. 107. Establishment of integrated career center systems.

Sec. 108. Identification of eligible education, training, and vocational rehabilitation service providers.

Sec. 109. Management information systems.

Sec. 110. Performance accountability system.

Sec. 111. Limitation on Federal regulations.

Sec. 112. General provision.

Sec. 113. Liability.

Subtitle B—Amendments to Wagner-Peyser Act

Sec. 131. General program requirements.

Sec. 132. Labor market information.

Subtitle C—General Provisions

Sec. 141. Worker rights.

Sec. 142. Transferability.

TITLE II—YOUTH DEVELOPMENT AND CAREER PREPARATION CONSOLIDATION GRANT

Sec. 201. Purposes.

Sec. 202. Definitions.

Subtitle A—State Funding

Sec. 211. National and State funding.

Sec. 212. Within State allocation.

Subtitle B—State Organizational, Planning, and Reporting Responsibilities

Sec. 221. State plan.

Sec. 222. State programs and State activities.

Sec. 223. Incentive awards.

Subtitle C—Subgrants for In-School and At-Risk Youth

Sec. 231. Partnership agreements.

Sec. 232. Distribution of funds.

CHAPTER 1—IN-SCHOOL YOUTH

Sec. 241. Uses of funds for in-school youth.

CHAPTER 2—AT-RISK YOUTH

Sec. 245. Uses of funds for at-risk youth.

Sec. 246. At-risk youth providers.

Subtitle D—National Programs

Sec. 251. Research activities.

Sec. 252. Assessment and data collection of youth development and career preparation programs.

Sec. 253. National center or centers for research.

Sec. 254. Purchase of American-made equipment and products.

TITLE III—ADULT EMPLOYMENT AND TRAINING CONSOLIDATION GRANT

Sec. 301. Purpose.

Subtitle A—Adult Employment and Training Consolidation Grant

Sec. 311. Authorization.

Sec. 312. Allotment among States.

Sec. 313. Allocation within States.

Sec. 314. Additional State plan requirements.

Sec. 315. Use of amounts.

Subtitle B—Federal Programs

Sec. 321. National discretionary grants.

Sec. 322. Disaster relief employment assistance.

Sec. 323. Research, demonstration, evaluation, and capacity building.

Sec. 324. Workforce skills and development loans.

Sec. 325. Employment, training, and education assistance for Native Americans.

Sec. 326. Employment, training, and education assistance for migrant and seasonal farmworkers.

TITLE IV—ADULT EDUCATION AND FAMILY LITERACY CONSOLIDATION GRANT AND LIBRARY SERVICES AND TECHNOLOGY CONSOLIDATION GRANT

Sec. 401. Findings.

Sec. 402. Definitions.

Subtitle A—Adult Education and Family Literacy Consolidation Grant

Sec. 411. Purposes.

CHAPTER 1—FUNDING

Sec. 421. Reservations from amounts appropriated.

Sec. 422. Allotment.

CHAPTER 2—GRANTS TO STATES

Sec. 431. Requirement to make grants.

Sec. 432. Uses of funds.

Sec. 433. Additional grant requirements.

CHAPTER 3—NATIONAL PROGRAMS

Sec. 441. National Institute for Literacy.

Sec. 442. National leadership activities.

Subtitle B—Library Services and Technology Consolidation Grant

Sec. 451. Purposes.

Sec. 452. Authorization of appropriations.

Sec. 453. Allotments.

Sec. 454. Grants to States.

Sec. 455. Uses of funds.

Sec. 456. Annual applications.

TITLE V—MISCELLANEOUS PROVISIONS

Sec. 501. Effect on Rehabilitation Act of 1973.

TITLE VI—HIGHER EDUCATION PRIVATIZATION

Sec. 601. Reorganization of the Student Loan Marketing Association through the formation of a holding company.

Sec. 602. Privatization of College Construction Loan Insurance Association.

TITLE VII—REPEALERS AND OTHER AMENDMENTS

Sec. 701. Higher education provisions.

Sec. 702. Eligible institution.

Sec. 703. Carl D. Perkins Vocational and Applied Technology Education Act.

Sec. 704. Smith-Hughes Act.

Sec. 705. School-to-Work Opportunities Act of 1994.

Sec. 706. School Dropout Assistance Act.

Sec. 707. Adult Education Act.

Sec. 708. National Literacy Act.

Sec. 709. Library Services and Construction Act.

Sec. 710. Technology for Education Act of 1994.

Sec. 711. Job Training Partnership Act.

Sec. 712. Stewart B. McKinney Homeless Assistance Act.

Sec. 713. Effective date.

SEC. 3. PURPOSE.

The purpose of this Act is to transform the vast array of Federal workforce development and literacy programs from a collection of fragmented and duplicative categorical programs into a streamlined, comprehensive, coherent, high-quality, cost-effective, market-based, and accountable workforce development and literacy system that is designed to meet the education, economic, employment, and training needs of the workforce and the competitiveness needs of employers of the United States, both today and in the future.

SEC. 4. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—There are authorized to be appropriated—

(1) for title II, \$2,324,600,000 for fiscal year 1997 and such sums as may be necessary for each of the fiscal years 1998 through 2002 to carry out the programs under such title;

(2) for title III, \$2,183,000,000 for fiscal year 1997 and such sums as may be necessary for each of the fiscal years 1998 through 2002 to carry out the programs under such title; and

(3) for subtitle A of title IV, \$280,000,000 for fiscal year 1997 and such sums as may be necessary for each of the fiscal years 1998 through 2002 to carry out the programs under such subtitle.

(b) PROGRAM YEAR.—

(1) IN GENERAL.—Beginning in fiscal year 1997, and each year thereafter, appropriations for any fiscal year for programs and activities under titles II, III, and IV of this Act shall be available for obligation only on the basis of a program year. The program year shall begin on July 1 in the fiscal year for which the appropriation is made.

(2) OBLIGATION.—Funds obligated for any program year under titles II, III, and IV, may be expended by each recipient during that program year and the two succeeding program years, except that the Secretary shall, in accordance with paragraph (3), reallocate to eligible States the funds allotted to States from funds appropriated for reallocations.

(3) AMOUNTS AVAILABLE FOR REALLOTMENT.—The amount available for reallocation is equal to—

(A) the amount by which the unobligated balance of the State allotment at the end of the program year prior to the program year for which the determination under this section is made exceeds 20 percent of such allotment for the prior program year; plus

(B) the unexpended balance of the State allotment from any program year prior to the program year in which there is such excess.

SEC. 5. DEFINITIONS.

For purposes of this Act, except as otherwise provided:

(1) ADULT.—The term “adult” means an individual who is 16 years of age, or beyond the age of compulsory school attendance under State law (whichever age is higher), and who is not enrolled or required to be enrolled in secondary school.

(2) ADULT EDUCATION.—The term “adult education” means services or instruction below the postsecondary level for adults—

(A) who are not enrolled in secondary school;

(B) who lack sufficient mastery of basic educational skills to enable them to function effectively in society or who do not have a certificate of graduation from a school providing secondary education and who have not achieved an equivalent level of education;

(C) who are not currently required to be enrolled in school; and

(D) whose lack of mastery of basic skills results in an inability to speak, read, or write the English language which constitutes a substantial impairment of their ability to get or retain employment commensurate with their real ability, and thus are in need of programs to help eliminate such inability and raise the level of education of such individuals with a view to making them less likely to become dependent on others.

(3) AREA VOCATIONAL EDUCATION SCHOOL.—The term “area vocational education school” means—

(A) a specialized high school used exclusively or principally for the provision of vocational education to individuals who are available for study in preparation for entering the labor market;

(B) the department of a high school exclusively or principally used for providing vocational education in not less than 5 different

occupational fields to individuals who are available for study in preparation for entering the labor market;

(C) a technical institute or vocational school used exclusively or principally for the provision of vocational education to individuals who have completed or left high school and who are available for study in preparation for entering the labor market; or

(D) the department or division of a junior college, community college or university operating under the policies of the State board and which provides vocational education in not less than 5 different occupational fields leading to immediate employment but not necessarily leading to a baccalaureate degree, if, in the case of a school, department, or division described in subparagraph (C) or this subparagraph, it admits as regular students both individuals who have completed high school and individuals who have left high school.

(4) AT-RISK YOUTH.—The term “at-risk youth” means—

(A) an out-of-school, at-risk youth who is an individual age 24 or younger and who is not enrolled in a secondary or postsecondary education program, has not received a high school diploma or its equivalent and must overcome barriers to employment such as lack of sufficient education or vocational skills, economic disadvantages, disability, or limited English proficiency; or

(B) an in-school, at-risk youth who is an individual age 24 or younger who is enrolled in an accredited secondary or postsecondary education program but is at risk of dropping out of school or must overcome barriers to complete an education program, such as economic disadvantages, disability, or limited English proficiency.

(5) COMPREHENSIVE CAREER GUIDANCE AND COUNSELING.—The term “comprehensive career guidance and counseling” means a program—

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

(B) which assists such individuals in making and implementing informed educational and occupational choices; and

(C) which is comprehensive in nature.

(6) CAREER GRANT.—The term “career grant” means a voucher or a credit issued to a participant under title III of this Act, or title I of the Rehabilitation Act of 1973, for the purchase of education or training services from certified providers of such services, in accordance with the provisions of this Act, and with guidelines issued by the State.

(7) CASE MANAGEMENT.—The term “case management” means the provision of a client-centered approach in the delivery of services designed to—

(A) empower individuals to make informed career choices;

(B) prepare and coordinate comprehensive employment plans, based upon such individual choices, such as service strategies for participants, to ensure access to necessary training and supportive services, using, where feasible, computer-based technologies; and

(C) provide job and career counseling during program participation and after job placement.

(8) CHIEF ELECTED OFFICIAL.—The term “chief elected official” means the chief elected executive officer of a unit of general local government in a workforce development area.

(9) COMMUNITY-BASED ORGANIZATION.—The term “community-based organization”

means a private nonprofit organization that is representative of a community or significant segments of a community that provides or facilitates education, vocational rehabilitation, job training, supportive services, or internship services and programs.

(10) DEMOGRAPHIC CHARACTERISTICS.—The term “demographic characteristics” means information on population, especially with reference to size, density, distribution, and vital statistics including, age, race, sex, ethnic origin, and income status.

(11) DISLOCATED WORKER.—The term “dislocated worker” means an individual who—

(A) has been terminated or laid off or who has received a notice of termination or layoff from employment, is eligible for or has exhausted entitlement to unemployment compensation, and is unlikely to return to a previous industry or occupation;

(B) has been terminated, or has received a notice of termination of employment, as a result of any permanent closure of, or any substantial layoff at, a plant, facility, or enterprise;

(C) has been unemployed long-term and has limited opportunities for employment or re-employment in the same or a similar occupation in the area in which such individual resides, including an older individual who may have substantial barriers to employment by reason of age; or

(D) was self-employed (including farmers and ranchers) but is unemployed as a result of general economic conditions in the community in which they reside or because of natural disasters.

(12) DISPLACED HOMEMAKER.—The term “displaced homemaker” means an individual who—

(A) is an adult; and

(B)(i) has worked as an adult primarily without remuneration to care for the home and family, and for that reason has diminished marketable skills;

(ii) has been dependent on public assistance or on the income of a relative but is no longer supported by such income; or

(iii) is a parent whose youngest dependent child will become ineligible to receive assistance under the program for aid to families with dependent children under part A of title IV of the Social Security Act within 2 years of the parent’s application for assistance under title II of this Act.

(13) EARNINGS.—The term “earnings” means gross hourly wages before any deduction, plus the estimated hourly value of bonuses, tips, gratuities, commissions, and overtime pay either expected or received. In the case of individuals in subsidized employment, total hourly earnings include any wage subsidy paid to the individual.

(14) ECONOMIC DEVELOPMENT AGENCIES.—The term “economic development agencies” means State and local planning and zoning commissions or boards, community development agencies, and other State and local agencies and institutions responsible for regulating, promoting, or assisting in State and local economic development.

(15) ECONOMICALLY DISADVANTAGED.—The term “economically disadvantaged” means an individual who—

(A) receives, or is a member of a family which receives, cash welfare payments under a Federal, State, or local welfare program;

(B) has, or is a member of a family which has, received a total family income for the 6-month period prior to application for the program involved (exclusive of unemployment compensation, child support payments, and welfare payments) which, in relation to family size, was not in excess of the higher of—

(i) the official poverty line (as defined by the Office of Management and Budget, and revised annually in accordance with section

673(2) of the Omnibus Budget Reconciliation Act of 1981 (42 U.S.C. 9902(2)), or

(ii) 70 percent of the lower living standard income level;

(C) is receiving (or has been determined within the 6-month period prior to the application for the program involved to be eligible to receive) food stamps pursuant to the Food Stamp Act of 1977;

(D) qualifies as a homeless individual under subsections (a) and (c) of section 103 of the Stewart B. McKinney Homeless Assistance Act;

(E) is a foster child on behalf of whom State or local government payments are made;

(F) in cases permitted by regulations of the Secretary, is an individual with a disability whose own income meets the requirements of subparagraph (A) or (B), but who is a member of a family whose income does not meet such requirements; or

(G) is an individual meeting appropriate criteria approved by a State.

(16) EDUCATIONAL SERVICE AGENCY.—The term “educational service agency” means a regional public multiservice agency authorized by State statute to develop, manage, and provide services or programs to local educational agencies, and is recognized as an administrative agency for such State’s vocational or technical education schools or for vocational programs within its public elementary or secondary schools. Such term includes any other public institution or agency having administrative control and direction over a public elementary or secondary school.

(17) EMPLOYED.—The term “employed” means an individual who is currently—

(A) a paid employee;

(B) works in his or her own business, profession, or farm;

(C) works 15 hours or more per week as an unpaid worker in an enterprise operated by a family member or is one who is not working, but has a job or business from which he or she is temporarily absent due to illness, bad weather, vacation, labor-management dispute, or personal reasons; or

(D) on active military duty.

(18) ENGLISH LITERACY PROGRAM.—The term “English literacy program” means a program of instruction designed to help limited English proficient adults, out-of-school youths, or both, achieve full competence in the English language.

(19) EXCESS NUMBER.—The term “excess number” means, with respect to the excess number of unemployed individuals within a State, the number that represents the number of unemployed individuals in excess of 4.5 percent of the civilian labor force in the State, or the number that represents the number of unemployed individuals in excess of 4.5 percent of the civilian labor force in areas of substantial unemployment in such State.

(20) FAMILY AND CONSUMER SCIENCES.—The term “family and consumer sciences” means instructional programs, services, and activities which prepare students for personal, family, community, and career roles.

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

(22) INDIVIDUAL OF LIMITED ENGLISH PROFICIENCY.—The term “individual of limited English proficiency” means an adult or youth who has limited ability in speaking, reading, writing, or understanding the English language and—

(A) whose native language is a language other than English; or

(B) who lives in a family or community environment where a language other than English is the dominant language.

(23) INDIVIDUALS WITH DISABILITIES.—The term “individuals with disabilities” has the

meaning given such term in the Rehabilitation Act of 1973.

(24) INSTITUTION OF HIGHER EDUCATION.—The term “institution of higher education” has the meaning given such term in section 481 of the Higher Education Act of 1965.

(25) JOB SEARCH ASSISTANCE.—The term “job search assistance” means a service that helps a job-ready individual seek, locate, apply for, and obtain employment. Such services may include, job-finding skills, orientation to the labor market, resume preparation assistance, job finding clubs, job search workshops, vocational exploration, and other employability services.

(26) LABOR MARKET AREA.—The term “labor market area” means an economically integrated geographic area within which individuals can reside and find employment within a reasonable distance or can readily change employment without changing their place of residence. Such areas shall be identified in accordance with criteria used by the Bureau of Labor Statistics of the Department of Labor in defining such areas or similar criteria established by a Governor.

(27) LIBRARY.—The term “library” includes—

- (A) a public library;
- (B) a public elementary or secondary school library;
- (C) an academic library;
- (D) a research library; and
- (E) a private library, but only if the State in which such private library is located determines that the library should be considered a library for purposes of this Act.

(28) LITERACY.—The term “literacy” means an individual’s ability to read, write, and speak in English, and compute and solve problems, at levels of proficiency necessary—

- (A) to function on the job, in the individual’s family and in society;
- (B) to achieve the individual’s goals; and
- (C) to develop the individual’s knowledge potential.

(29) LOCAL EDUCATIONAL AGENCY.—The term “local educational agency” has the same meaning given such term in section 14101 of the Elementary and Secondary Education Act of 1965.

(30) MIGRANT FARMWORKER.—The term “migrant farmworker” means a seasonal farmworker whose farm work requires travel such that the worker is unable to return to a permanent place of residence within the same day.

(31) NATIVE AMERICAN.—The term “native American” means Indians, Alaskan natives, and Hawaiian natives.

(32) NONTRADITIONAL EMPLOYMENT.—The term “nontraditional employment” as applied to women refers to occupations or fields of work where women comprise less than 25 percent of the individuals employed in such occupation or field of work.

(33) ON-THE-JOB TRAINING.—The term “on-the-job training” means training in the public or private sector that is provided to a paid employee while engaged in productive work that—

(A) provides knowledge or skills essential to the full and adequate performance of the job;

(B) provides reimbursement to employers, up to 50 percent of the participant’s wage rate, for the extraordinary costs of providing training and additional supervision; and

(C) is based on the Occupational Employment Statistics Program Dictionary.

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

(35) PREEMPLOYMENT SKILLS TRAINING; JOB READINESS SKILLS TRAINING.—The terms “preemployment skills training” and “job readiness skills training” mean training that builds on family efforts to help prepare individuals for work by assuring that they are familiar with general workplace expectations and exhibit work behavior and attitudes necessary to compete successfully in the job market.

(36) PUBLIC ASSISTANCE.—The term “public assistance” means Federal, State, or local government cash payments for which eligibility is determined by a needs or income test.

(37) RAPID RESPONSE.—The term “rapid response” means assistance that is directly provided by the State, or by local grantees with funds provided by the State, in the case of mass layoffs or plant closures, and that establishes on-site contact with employer and employee representatives within a short period of time (preferably 48 hours or less) after becoming aware of a current or projected permanent closure or substantial layoff in order to—

(A) provide information on, and facilitate access to, available public programs and services for workers losing jobs as a result of such layoff or closure;

(B) provide emergency assistance adapted to the particular closure or layoff;

(C) promote the formation of labor-management committees, where appropriate;

(D) collect information related to economic dislocation and available resources within the State for dislocated workers;

(E) provide or obtain appropriate financial and technical advice and liaison with economic development agencies and other organizations to assist in efforts to avert worker dislocation; and

(F) assist the local community in developing its own coordinated response and in obtaining access to State economic development assistance.

(38) REGISTERED APPRENTICESHIP.—The term “registered apprenticeship” means a program registered by the Bureau of Apprenticeship and Training in the United States Department of Labor, or a State Apprenticeship Agency recognized and approved by the Bureau of Apprenticeship and Training as the appropriate body for State registration or approval of local apprenticeship programs and agreements.

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

(40) SEASONAL FARMWORKER.—The term “seasonal farmworker” means a person who during the eligibility determination period (12 consecutive months out of 24 months prior to application) has been primarily employed in farm work that is characterized by chronic unemployment or under employment.

(41) SKILL CERTIFICATE.—The term “skill certificate” means a portable, industry-recognized credential achieved through programs authorized under this Act, that certifies that an individual has mastered occupational skills at levels that are at least as challenging as skill standards endorsed by the National Skill Standards Board, except that until such skill standards are developed, the term “skill certificate” means a credential issued under a process endorsed by the State, based upon established industry standards and benchmarks.

(42) STATE.—The term “State” means any of the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, American Samoa, Guam, and the Commonwealth of the Northern Mariana Islands.

(43) STATE EDUCATIONAL AGENCY.—The term “State educational agency” has the meaning given such term in section 14101 of the Elementary and Secondary Education Act of 1965.

(44) STATE LIBRARY ADMINISTRATIVE AGENCY.—The term “State library administrative agency” means the official agency of a State charged by the law of the State with the extension and development of public library services throughout the State.

(45) SUPPORTIVE SERVICES.—The term “supportive services” means services which are necessary to enable an individual eligible for training under this Act, but who cannot afford to pay for such services, to participate in a training or vocational rehabilitation program or job search activities funded under this Act. Such supportive services may include transportation, individual and family counseling, child care and dependent care, meals, temporary shelter, financial counseling, needs-based payments, and other reasonable expenses required for participation in a training, job preparation, or job placement program. Such services may be provided in-kind or through cash assistance, except that such services will be provided with funds provided under this Act only after alternative funding sources specifically designated for such services have been exhausted.

(46) UNEMPLOYED.—The term “unemployed” refers to an individual who is not employed, who is available for work, and who has made specific efforts to find a job within the prior 4 weeks. Included as unemployed are individuals who are not working, are available for work, and are waiting to be called back to a job from which they have been laid off.

(47) UNIT OF GENERAL LOCAL GOVERNMENT.—The term “unit of general local government” means any general purpose political subdivision of a State which has the power to levy taxes and spend funds, as well as general corporate and police powers.

(48) VETERAN.—The term “veteran” has the meaning given such term in section 101(2) of title 38, United States Code.

(49) WORK EXPERIENCE.—The term “work experience” means a time-limited work activity that provides an individual with the opportunity to acquire the general skills and knowledge necessary to obtain employment.

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

(51) YOUTH.—The term “youth” means an individual under the age of 24.

SEC. 6. TRANSITION.

The Secretary of Education and the Secretary of Labor shall take such steps as they determine to be appropriate to provide for the orderly transition from any authority under provisions of statutes amended or repealed by this Act or any related authority under provisions of this Act.

TITLE I—WORKFORCE DEVELOPMENT INFRASTRUCTURE

SEC. 101. PURPOSE OF TITLE.

The purpose of this title is to provide for the establishment of an infrastructure within States on which to build a comprehensive system of workforce development and literacy.

Subtitle A—State and Local Responsibilities
SEC. 102. STATE REQUIREMENTS.

(a) IN GENERAL.—For fiscal year 1997 and subsequent fiscal years, a State that desires to receive a grant under one or more of the programs specified in subsection (b) shall—

- (1) establish a collaborative process, pursuant to section 103;
- (2) develop a State workforce development and literacy plan, pursuant to section 104; and
- (3) otherwise comply with the requirements of this Act.

(b) WORKFORCE DEVELOPMENT AND LITERACY PROGRAMS.—

(1) IN GENERAL.—The programs referred to in subsection (a) are the following:

(A) The program under title II, the Youth Development and Career Preparation Consolidation Grant.

(B) The program under title III, the Adult Employment and Training Consolidation Grant.

(C) The program under subtitle A of title IV, the Adult Education and Family Literacy Consolidation Grant.

(D) The program amended by subtitle A of title V (relating to title I of the Rehabilitation Act of 1973).

(2) DEFINITION.—For purposes of this Act, the term “Workforce Development and Literacy programs” means the programs specified in paragraph (1).

SEC. 103. COLLABORATIVE PROCESS REGARDING STATE SYSTEM.

(a) IN GENERAL.—The Governor of a State that desires to receive a grant under one or more of the programs specified in section 102(b) shall certify to the Secretary of Education and the Secretary of Labor that a collaborative process, as described in subsection (b) or (c), has been used in complying with the applicable provisions of this Act.

(b) COLLABORATIVE PROCESS.—The collaborative process referred to in subsection (a) is a process for making decisions which includes as participants, at a minimum, the Governor and—

- (1) representatives of (which representatives are appointed by the Governor)—
 - (A) business and industry;
 - (B) local chief elected officials (representing both cities and counties);
 - (C) local educational agencies (including vocational educators);
 - (D) postsecondary institutions (including community and technical colleges);
 - (E) the State rehabilitation advisory council;
 - (F) organizations representing individuals served by programs established under this Act (including community-based organizations);
 - (G) employees;
 - (H) parents; and
 - (I) providers of workforce development services (including private-for-profit sector providers);
- (2) the lead State agency and entity official or officials for—

(A) the State educational agency or agencies (including the lead official or officials for vocational education, adult education and literacy, and libraries);

(B) the State agency responsible for economic development;

(C) the State agency or agencies responsible for employment security and for job training;

(D) the State agency responsible for postsecondary education;

(E) the State agency responsible for vocational rehabilitation, and where applicable, the State agency providing vocational rehabilitation services for the blind;

(F) the State agency responsible for administering welfare benefits;

(G) the representative of the Veterans’ Service assigned to the State under section 4103 of title 38, United States Code; and

(H) the State entity responsible for setting education policies, consistent with State law, on the date preceding the date of the enactment of this Act; and

(3) representatives of the State legislature.

(c) RULE OF CONSTRUCTION.—With respect to compliance with subsection (b)—

(1) a State may use any existing State process (including any council or similar entity) that substantially meets the purposes of such subsection; or

(2) if prior to the date of enactment of this Act, a State has developed a one-stop career center system or a school-to-work system through a collaborative process substantially similar to the process described in subsection (b), the State may use such process.

(d) AUTHORITY OF GOVERNOR.—

(1) FINAL AUTHORITY.—If, after a reasonable effort, a Governor is unable to obtain agreement through the collaborative process described in subsection (b) or (c), the Governor shall have final authority to make decisions and to submit the State plan as described under section 104.

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

(3) DISAGREEMENT.—The Governor shall accept and include with the State plan submitted under section 104, any disagreeing views submitted by a participant of the collaborative process if such views represent disagreement in the area in which such participant was selected for representation.

SEC. 104. CONSOLIDATED STATE WORKFORCE DEVELOPMENT AND LITERACY PLAN.

(a) IN GENERAL.—The Governor of a State that desires to receive a grant under one or more of the programs specified in section 102(b) shall submit a strategic State workforce development and literacy plan that provides policy guidance with respect to workforce development programs operated in the State, and that meets the requirements of this section to the Secretary of Education and the Secretary of Labor.

(b) CONTENTS.—A State workforce development and literacy plan shall include the following:

(1) A description of the collaborative process under section 103 used in developing the plan.

(2) A statement of the goals of the State workforce development and literacy system, that includes—

(A) a description of how the State will progress toward achieving the goals and purpose of this Act as established in sections 3(a)(5) and 3(b);

(B) an assessment of the needs of the State with regard to current and projected demands for workers by occupation, the skills and education levels of the workforce, the vocational rehabilitation needs of individuals with severe disabilities residing in the State, the skill and economic development needs of the State, and an assessment of the type and availability of youth development and career preparation, workforce development, adult education, vocational rehabilitation, and literacy programs and services in the State; and

(C) the identification of progress indicators, based on the core indicators of performance described in section 110(f), built upon a model of continuous improvement, that the State will use to measure progress made by

the State, local workforce development boards, and other applicable local entities who are recipients of financial assistance under this Act in meeting such goals;

(3) A description of how the State has complied, or will comply, with the provisions of sections 105 through 108.

(4) A description of how a State will participate in the national labor market information system under title II of the Wagner-Peyser Act, as added by section 132 of this Act.

(5) Any information required to be included in the plan under any of titles II through IV, and title I of the Rehabilitation Act of 1973 (in the case of a State that desires to receive a grant under any such title).

(6) A description of the measures that will be taken by the State to ensure coordination and consistency and avoid duplication among programs receiving assistance under this Act, including a description of common data collection and reporting processes.

(7) A description of the process used by the State to provide an opportunity for public comment, and input into the development of the plan, prior to submission of the plan.

(8) A description of the process used by the State to consult with representatives of business and industry with respect to the requirements of subparagraphs (A), (B), and (C) of paragraph (2) of this subsection.

(9) Assurances that the State will provide for fiscal control and fund accounting procedures that may be necessary to ensure the proper disbursement of, and accounting for, funds paid to the State under this Act.

(10) A description of the sanctions which the State may impose (including restrictions from future participation or consideration for funding) in instances where recipients of funds under this Act fail to achieve agreed upon expected performance levels, fail to adhere to State mandated fiscal control and funds accounting procedures, or take or fail to take other actions required under the State plan, contracts, or other agreements.

(c) MODIFICATIONS TO PLAN.—A plan submitted by a State in accordance with this section remains in effect until the State submits to the Secretary such modifications as the State determines necessary. This section applies to the modifications to the same extent and in the same manner as this section applies to the original plan.

SEC. 105. ESTABLISHMENT OF WORKFORCE DEVELOPMENT AREAS.

The Governor of a State that desires to receive a grant under one or more of the programs specified in section 102(b) shall, through the collaborative process established under section 103 and after consultation with local chief elected officials, and after consideration of comments received through the public participation process as described in the State plan, designate local workforce development areas within the State taking into consideration the following:

- (1) Existing labor market areas.
- (2) Units of general local government.
- (3) Geographic areas served by local educational agencies and intermediate educational agencies.
- (4) Geographic areas served by postsecondary institutions and area vocational education schools.
- (5) Service delivery areas established under section 101 of the Job Training Partnership Act (29 U.S.C. 1511) (as such Act was in effect on the day before the date of the enactment of this Act).
- (6) The distance that individuals will need to travel to receive services from integrated career centers.

SEC. 106. PROVISIONS REGARDING LOCAL WORKFORCE DEVELOPMENT BOARDS.

(a) IN GENERAL.—The Governor of a State that desires to receive a grant under one or

more of the programs specified in section 102(b) shall ensure the establishment of a local workforce development board in each local workforce development area within the State.

(b) **STATE CRITERIA.**—The Governor, through the collaborative process described under section 103, is authorized to establish criteria for use by local chief elected officials in the workforce development area, in the selection of members of local workforce development boards, in accordance with requirements prescribed under subsections (c) and (d).

(c) **REPRESENTATION REQUIREMENT.**—Such criteria shall require, at a minimum, that a local workforce development board consist of—

(1) a majority of members who are representatives of business and industry, including individuals who are owners of businesses, chief executives or chief operating officers of private business, and other business executives with optimum policymaking authority in local businesses, selected from among nominees submitted by local business organizations and trade associations;

(2) an individual or individuals with disabilities, who have special knowledge or expertise in the area of vocational rehabilitation;

(3) representatives of education and training, including academic and vocational administrators, members of local school boards, principals, teachers, postsecondary and other adult education administrators and instructors, including community colleges, local educational agencies, postsecondary education institutions, and providers of job training and workforce development services, selected from among individuals nominated by regional or local educational agencies, vocational education institutions, institutions of postsecondary education (including community colleges), providers of job training and workforce development services (including private-for-profit providers), within the workforce development area; and

(4) representatives of community-based organizations, employees, and veterans as nominated or recommended to the board through a process established by the Governors through the collaborative process.

(d) **ESTABLISHMENT OF BOARD.**—

(1) **SELECTION OF BOARD MEMBERS.**—

(A) **SINGLE UNIT OF LOCAL GOVERNMENT IN AREA.**—In the case of a workforce development area that is comprised of only one unit of general local government, the chief elected official of such unit is authorized to select the members of the local workforce development board for such area, in accordance with the State criteria developed pursuant to subsection (b).

(B) **MULTIPLE UNITS IN AREA.**—In the case of a workforce development area that is comprised of more than one unit of general local government, the chief elected officials of such units are authorized to select the members of the local workforce development board from the individuals so nominated or recommended for such area in accordance with an agreement entered into by such officials and with the State criteria developed under subsection (b). In the absence of such an agreement, the appointments are authorized to be made by the Governor, through the collaborative process, from the individuals so nominated or recommended.

(2) **CERTIFICATION.**—The Governor is authorized to biennially certify one local workforce development board for each workforce development area.

(3) **EXCEPTION.**—In any case in which a local workforce development area is a State, the individuals comprising the Governor's collaborative process as described in section

103, may be reconstituted to meet the requirements of this section.

(e) **DUTIES OF LOCAL WORKFORCE DEVELOPMENT BOARD.**—

(1) **LOCAL WORKFORCE DEVELOPMENT PLAN.**—Each local workforce development board shall develop a biennial strategic plan and provide policy guidance with respect to workforce development programs operated within their respective workforce development areas. Such strategic plan shall be consistent with the State's collaborative workforce development and literacy plan, be approved by the appropriate chief elected official or officials, and be submitted to the Governor for approval. If after a reasonable effort, a local workforce development board is unable to obtain the approval of the chief elected official or officials, the Board has the authority to forward the plan, with the comments of the chief elected official or officials, to the Governor for final approval or disapproval. Such local plan shall include the following:

(A) Both short-term and long-term goals, and related strategies, to ensure that workforce preparation and development programs, including programs established pursuant to this Act, title I of the Rehabilitation Act of 1973, and the Wagner-Peyser Act, contribute to a coherent workforce development system in the workforce development area.

(B) A description of the performance measures to be used by the local workforce development board for measuring the performance of local service providers under chapter 2 of title II, title III, and title I of the Rehabilitation Act of 1973, and the performance of integrated career center system operators, with whom the Board contracts.

(C) A description of the local integrated career center system to be established in the workforce development area, including—

(i) a description of the process the local workforce development board will use to designate or establish a career center system which ensures that the most effective and efficient service providers are chosen;

(ii) an identification of the roles of individual workforce development programs and programs authorized by the Wagner-Peyser Act; and

(iii) a description of the funding sources to be used in the operation of the career center system.

(D) A description of strategies the local workforce development board will undertake to fully involve local employers, local educational agencies, postsecondary education institutions, adult education and literacy providers, local service providers, parents and other consumers, including individuals with disabilities, and older workers in the development of the workforce development system.

(E) Such other information as requested by the State.

(2) **IDENTIFICATION OF OCCUPATIONS IN DEMAND AND TRAINING NEEDS.**—The local workforce development board shall use available labor market information and other appropriate methods in order to identify and assess the needs of the workforce development area.

(3) **BUDGET AND PROGRAM OVERSIGHT.**—

(A) **BUDGETING.**—

(i) The local workforce development board, working through the State administrative agent, shall develop a budget for the purpose of carrying out local programs established under chapter 2 of title II, title III, and title I of the Rehabilitation Act of 1973, and for integrated career center systems established or designated under section 107 with the exception of funds made available under the Wagner-Peyser Act.

(ii) Such budget shall be subject to the approval of the appropriate chief elected offi-

cial or officials in the workforce development area.

(B) **PROGRAM OVERSIGHT.**—The local workforce development board, in partnership with the chief elected official or officials in the workforce development area, shall conduct oversight of the workforce development programs listed in subparagraph (A), and of the integrated career center system established under this title.

(4) **ADMINISTRATION.**—

(A) **FISCAL AGENT.**—

(i) The local workforce development board may receive and disburse funds made available for carrying out programs authorized under chapter 2 of title II, title III, and title I of the Rehabilitation Act of 1973 of this Act, or the local workforce development board may designate a fiscal agent (which may include the State through a mutual agreement between the local board and the State), for the purpose of disbursement of funds to career centers and other service providers, as designated by the local workforce development board.

(ii) The Board may employ its own staff, independent of local programs and service providers, and may solicit or accept grants and contributions from sources other than from this Act.

(B) **LIMITATION.**—The workforce development board, or employees of such board, may not operate programs established under this Act. The Governor is authorized to prohibit the employees of agencies providing staff support to such local workforce development boards from providing workforce development services to individuals served through the use of funds authorized under this Act, and under title I of the Rehabilitation Act of 1973.

(C) **CONFLICT OF INTEREST.**—A member of a workforce development board may not—

(i) discuss or participate in board consideration; or

(ii) cast a vote;

regarding the provision of services by such member (or by an organization that such member represents) or regarding any matter that would provide direct financial benefit to such member. The Governor may enforce more rigorous conflict of interest standards, as determined appropriate.

(D) **INDEPENDENT AUTHORITY.**—

(i) The Board shall elect its own chairperson from among the members of the board.

(ii) The board may adopt bylaws and other operating procedures as consistent with the purposes of this Act, and with the policies established in the State workforce development and literacy plan.

(5) **OTHER.**—The Governor may require local workforce development boards to carry out such other duties as determined to be appropriate by the Governor and the individuals and entities described in section 103, through the collaborative process described in the State plan.

SEC. 107. ESTABLISHMENT OF INTEGRATED CAREER CENTER SYSTEMS.

(a) **IN GENERAL.**—The Governor of a State that desires to receive a grant under one or more of the programs specified in section 102(b) shall ensure that each local workforce development board establish or designate an integrated career center system in the workforce development area of such board, consistent with criteria established under subsection (b).

(b) **STATE CRITERIA.**—The Governor, through the collaborative process described under section 103, is authorized to establish statewide criteria for use by local workforce development boards in the designation or establishment of integrated career center systems to ensure that the most effective and efficient service providers are chosen, con-

sistent with the requirements prescribed under subsection (c).

(c) **INTEGRATED CAREER CENTER SYSTEM REQUIREMENTS.**—At a minimum, integrated career center systems shall include—

(1) common intake;
 (2) preliminary assessment;
 (3) integrated job search assistance;
 (4) to the extent practicable, as determined by the Governor, unified and linked computer systems, including the availability of labor market information as described under title II of the Wagner-Peyser Act, as added by section 132 of this Act, and linkages through uniform management information systems; and

(5) to the extent practicable, as determined by the Governor, at least one physical, co-located site which provides comprehensive and fully integrated workforce development services to any individual seeking such services. Local workforce development areas are encouraged to establish a network of comprehensive and fully-integrated co-located career centers to provide the services described in subsection (f), supplemented with multiple affiliated sites or satellites that provide one or more of such services and are linked through electronic and technological access points. Such affiliated sites may include entities designated as having a specialization in addressing special needs, such as the needs of individuals with disabilities.

(d) **COMMON ACCESS.**—Information pertaining to the labor market which is compiled pursuant to title II of the Wagner-Peyser Act, as added by section 132 of this Act, shall be available, to the extent practicable, through integrated electronic networks, at all integrated career centers and affiliated sites.

(e) **ELIGIBILITY FOR DESIGNATION.**—Any entity or consortium of entities located in the workforce development area may be designated by the local workforce development board to operate an integrated career center or to participate in an integrated career center system. Such entities may include the following:

(1) Institutions of higher education.
 (2) Area vocational education schools.
 (3) Local employment service offices, established under the Wagner-Peyser Act.
 (4) Private nonprofit organizations, (including community-based organizations).
 (5) Private for-profit entities.
 (6) Agencies of local governments.
 (7) Other interested organizations and entities of demonstrated effectiveness, including local chambers of commerce and other business organizations, consistent with State criteria established pursuant to subsection (b).

(f) **DUTIES.**—Each integrated career center system shall, to the extent practicable as determined by the Governor, carry out the following duties:

(1) **PROVISION OF CORE SERVICES.**—An integrated career center system shall make available the following information and core services to individuals on a universal and nondiscriminatory basis, with reasonable accommodations to address the needs of individuals with disabilities, in the workforce development area in which such center is located:

(A) Outreach and intake for services provided under chapter 2 of title II, title III, subtitle A of title IV, and title I of the Rehabilitation Act of 1973.

(B) A preliminary assessment of the skill levels and the need for services of the individual for programs under chapter 2 of title II, title III, subtitle A of title IV, and title I of the Rehabilitation Act of 1973 of individuals, which may include such factors as basic skills, occupational skills, career development skills, prior work experience, employability, interests, aptitudes, vocational reha-

bilitation needs, and supportive service needs.

(C) Labor market information relating to local and State, and if appropriate, to regional or national, occupations in demand and skill requirements for such occupations, including job listings for the local labor market.

(D) Information relating to youth services, including information on at-risk youth development and career preparation programs authorized under title II, on vocational education and school-to-work opportunities, and on youth apprenticeship opportunities.

(E) Career counseling and career planning based on a preliminary assessment of the individual.

(F) Job search assistance.

(G) Information related to vocational rehabilitation services, as provided for in title I of the Rehabilitation Act of 1973.

(H) Information relating to federally funded education and job training programs (including registered apprenticeships), and student aid programs, including the eligibility requirements of and services provided by such programs.

(I) Information on, and assistance in accessing referral to additional services through programs providing adult education and literacy services, vocational rehabilitation, youth and adult workforce preparation and development, and supportive services, including those programs authorized in titles II through IV, title I of the Rehabilitation Act of 1973, available in the workforce development area.

(J) Information on the extent to which the services provided under titles II and III, subtitle A of title IV, and title I of the Rehabilitation Act of 1973, meet or exceed the expected levels of performance described in the State and local plans, and the performance-based information provided by the State to local workforce development boards on certified providers of education and training, as required under section 108(d)(3).

(K) Acceptance of applications for unemployment compensation.

(L) Other appropriate activities to assist individuals into employment.

(2) **DISTRIBUTION OF CAREER GRANTS.**—A center or an affiliated site may serve as the point of distribution of career grants for education, training, and vocational rehabilitation services to eligible individuals in accordance with section 108.

(3) **SPECIAL ARRANGEMENTS.**—For the purpose of providing core services to individuals with severe disabilities in the most effective and efficient manner possible, the integrated career center system may arrange to have such core services provided to an individual by a certified provider or the State either on a contract basis or through the use of career grants.

(g) **ADDITIONAL SERVICES.**—Integrated career center systems, may provide customized workforce development services to employers on a fee-for-service basis, as determined by the local workforce development board.

(h) **ALTERNATIVE STATE STRATEGY.**—Through the collaborative process described in section 103, the Governor has the authority to develop alternative strategies to the integrated career center system, which are designed to accomplish the full integration of workforce development programs. These alternative strategies shall be described in a proposal to the Secretaries of Education and Labor for joint review and approval or disapproval not later than 60 days after the date of receipt of such proposal.

SEC. 108. IDENTIFICATION OF ELIGIBLE EDUCATION, TRAINING, AND VOCATIONAL REHABILITATION SERVICE PROVIDERS.

(a) **ELIGIBILITY REQUIREMENTS.**—A program offered by a provider of education and train-

ing services shall be eligible to receive funds under title III, and title I of the Rehabilitation Act of 1973 through the receipt of career grants, or through contract, if such program and provider—

(1) is either—

(A) eligible to participate in title IV of the Higher Education Act of 1965, or

(B) determined to be eligible under the procedures described in subsection (b); and

(2) provides the performance-based information required pursuant to subsection (c), except that providers eligible under subparagraph (A) only have to provide information for programs other than programs leading to a degree.

(b) **ALTERNATIVE ELIGIBILITY PROCEDURE.**—

(1) **IN GENERAL.**—The Governor shall establish an alternative eligibility procedure for providers of education, training, and vocational rehabilitation services (which may include private sector, for profit and nonprofit providers of such services) in any State desiring to receive funds under title III of this Act and title I of the Rehabilitation Act of 1973, but that are not eligible to participate in title IV of the Higher Education Act of 1965. Such procedure shall establish minimum acceptable levels of performance for such providers, and be based on guidelines developed by the Secretaries of Labor and Education. The Governor may utilize such criteria to certify service providers as having the ability to meet occupational skill standards promoted by the National Skill Standards Board, or to meet, high, industry-recognized standards that result in a portable skill certificate in the subject, occupation, or industry for which training is provided, except where such standards are not appropriate for the services rendered. The Governor shall utilize the local workforce development boards, for the identification of eligible qualified providers of education, training, and vocational rehabilitation services. During a transition period, not to exceed 2 years, identification of eligible programs and providers under this subsection may be based on the performance of such programs and providers under the Job Training Partnership Act, the Rehabilitation Act of 1973, or other objective measures of previous performance, such as employer evaluations.

(2) Notwithstanding paragraph (1), if the participation of an institution of higher education in any of the programs under such title of such Act is terminated, such institution shall not be eligible to receive funds under this Act for a period of not less than two years.

(c) **PERFORMANCE-BASED INFORMATION.**—The State shall identify performance-based information that is to be submitted by providers of services for programs to be eligible under this section. Such information may include information, relating to—

(1) the percentage of students completing the programs conducted by the provider;

(2) the rates of licensure of graduates of the programs conducted by the provider;

(3) the percentage of graduates of the programs meeting industry-recognized skill standards and certification requirements that are at least as challenging as skill standards endorsed by the National Skill Standards Board, once such standards are available;

(4) measures of program effectiveness such as the rates of placement and retention in employment, and the earnings of graduates of programs conducted by the provider, employer evaluations of provider services, and adherence to accepted industry quality standards (where available) by such providers;

(5) the percentage of students who obtained employment in an occupation related to the program conducted by the provider;

(6) the warranties or guarantees provided by such provider relating to the skill levels or employment to be attained by students;

(7) other information for providers of services under title I of the Rehabilitation Act of 1973 that reflects the priority of serving individuals with severe disabilities; and

(8) the percentage of students who, as a result of participation in the program demonstrate significant gains in literacy and basic skills.

(d) ADMINISTRATION.—

(1) STATE AGENCY.—The Governor is authorized to designate a State agency to collect, verify, and disseminate the performance-based information submitted pursuant to subsection (c).

(2) APPLICATION.—A provider of education and training services that desires to be eligible to receive funds under this title shall submit the information required under subsection (c) to the State agency designated under paragraph (1) of this subsection at such time and in such form as such State agency may require.

(3) LIST OF ELIGIBLE PROVIDERS.—The State agency shall compile a list of eligible programs and providers, accompanied by the performance-based information submitted, and disseminate such list and information to the local workforce development boards and integrated career center systems within the State.

(4) ACCURACY OF INFORMATION.—

(A) IN GENERAL.—If the State agency determines that information concerning a provider is inaccurate, such provider shall be disqualified from receiving funds under this title for a period of not less than two years, unless such provider can demonstrate to the satisfaction of the Governor or his or her designee, that the information was provided in good faith.

(B) APPEAL.—The Governor shall establish a procedure for a service provider to appeal a determination by a State agency that results in a disqualification under subparagraph (A). Such procedure shall provide an opportunity for a hearing and prescribe appropriate time limits to ensure prompt resolution of the appeal.

(5) ASSISTANCE IN DEVELOPING INFORMATION.—The State agency established pursuant to paragraph (1) may provide technical assistance to education, training, and vocational rehabilitation providers in developing the information required under subsection (b). Such assistance may include facilitating the utilization of State administrative records, such as unemployment compensation wage records, and other appropriate coordination activities.

(e) ON-THE-JOB TRAINING EXCEPTION.—

(1) IN GENERAL.—Providers of on-the-job training are not subject to the requirements of subsections (a), (b), (c), and (d).

(2) COLLECTION AND DISSEMINATION OF INFORMATION.—The Workforce Development Board shall collect such performance-based information from on-the-job training providers as the Governor may require, and disseminate such information to the local integrated career center systems.

(f) RULE OF CONSTRUCTION REGARDING STATE AS PROVIDER OF SERVICES.—This section does not prohibit a State from being a provider of education and training services under title III, or under title I of the Rehabilitation Act of 1973, subject to the State meeting the requirements of this section for serving as such a provider.

SEC. 109. MANAGEMENT INFORMATION SYSTEMS.

(a) IN GENERAL.—Each State is authorized to use a portion of the funds it receives under this Act to design a unified management information system that is in accordance with guidelines established jointly by the Secretaries in consultation with the Governors.

(b) REQUIREMENTS.—Each unified management information system shall, to the extent practicable as determined by the Governor—

(1) be utilized for federally required fiscal reporting and monitoring for each of the programs authorized under this Act;

(2) be used by all agencies involved in workforce development activities, including integrated career center systems which shall have the capability to track the overall public investments within the State and workforce development areas, and to inform policymakers as to the results being achieved and the demographic characteristics of the individuals served through that investment;

(3) contain a common structure of financial reporting requirements, fiscal systems and monitoring for all workforce development expenditures included in the workforce development system that shall utilize common data elements and the definitions included in section 5;

(4) support local efforts to establish workforce development systems, including intake and eligibility determination for all services; and

(5) contain data on the demographic characteristics on the participants served by programs authorized under this Act, which shall be collected, produced, and published by the Secretaries.

(c) PRIVACY.—Nothing in this Act shall violate the provisions of the Family Education Rights and Privacy Act under section 444 of the General Education Provisions Act and the privacy and confidentiality provisions under section 22(b) of title II of the Wagner Peyser Act as amended by this Act.

SEC. 110. PERFORMANCE ACCOUNTABILITY SYSTEM.

(a) IN GENERAL.—In order to promote high levels of performance and to ensure an appropriate return on the Nation's investment in the workforce development and literacy system, each State receiving funds under this Act shall develop, or have developed, a statewide performance accountability system in accordance with the provisions of this section.

(b) INDICATORS OF PERFORMANCE.—

(1) IN GENERAL.—Each State receiving funds under this Act shall identify indicators of performance for each of the programs established under titles II through IV of this Act and title I of the Rehabilitation Act of 1973, consistent with State goals as described in the State plan in accordance with section 104. Such indicators shall, at a minimum, include the core indicators described in subsection (f), and be expressed in an objective, quantifiable, and measurable form. Such indicators may also include post-program surveys measuring the satisfaction of both employers and program participants.

(2) TECHNICAL DEFINITIONS OF CORE INDICATORS.—In order to ensure nationwide comparability of performance data, the Secretary of Labor and the Secretary of Education, in collaboration with the States and with representatives of business and industry, employees, educational agencies, service providers, participants, parents and other interested parties, shall promulgate technical definitions of each of the core indicators described in subsection (f), to be used under this Act in measuring performance.

(c) EXPECTED LEVELS OF PERFORMANCE.—

(1) IN GENERAL.—(A) Each State shall identify the level of performance, consistent with State goals described under section 104, that is expected for local workforce development areas and other applicable local administrative entities under this Act. In determining such levels, the State shall take into account the challenging levels identified under paragraph (2), and initially develop baseline levels of performance upon which the State must demonstrate continuous improvement.

(B) The Governor, through the collaborative process, may adjust the expected level of performance with respect to each local area taking into account specific economic, demographic, and geographic factors, and the characteristics of the population to be served.

(2) CHALLENGING LEVELS OF PERFORMANCE.—In order to encourage high levels of performance and advance the Nation's competitiveness in the global economy, the Secretary of Labor and the Secretary of Education, in collaboration with the States and with representatives of business and industry, employees, educational agencies, service providers, participants, parents and other interested parties, shall identify challenging levels of performance with respect to the core indicators described in subsection (f). Where applicable, such challenging levels of performance shall reflect industry-recognized skill standards.

(d) REPORT ON PERFORMANCE.—

(1) IN GENERAL.—The State shall report to the Secretary of Labor and the Secretary of Education, the levels of performance achieved by local workforce development areas and other applicable local administrative entities with respect to the indicators identified pursuant to subsection (b)(1) for each program year. The Secretaries shall make such information available to the general public through publication and other appropriate methods, and shall disseminate State-by-State comparisons, and comparisons with other industrialized nations (where appropriate).

(2) REPORTING OPTIONS.—In the collection and reporting of such data, States are encouraged to utilize administrative reporting data on quarterly earnings, establishment and industry affiliation, and geographic location of employment, such as unemployment insurance wage-data records.

(e) CONSEQUENCES FOR POOR PERFORMANCE.—

(1) CRITERIA.—The Governor, through the collaborative process, is authorized to establish criteria for determining whether local workforce development areas and other applicable local administrative entities have failed to meet expected levels of performance with respect to programs under this Act.

(2) CONSEQUENCES FOR POOR PERFORMANCE.—

(A) STATE CONSEQUENCES.—If a State fails to meet expected levels of performance for a program for any program year as established pursuant to subsection (a), the Secretary of Education or the Secretary of Labor, as appropriate to the particular program, may provide technical assistance, including assistance in the development of a performance improvement plan. If such failure continues for a second consecutive year, the appropriate Secretary may reduce by not more than 5 percent, the amount of the grant that would (in the absence of this paragraph) be payable to the State under such program for the immediately succeeding program year. Such penalty shall be based on the degree of failure to meet expected levels of performance.

(B) LOCAL CONSEQUENCES.—(i) If a local workforce development area, or other applicable local administrative entity, fails to meet expected levels of performance for a program for any program year under the criteria established in paragraph (1), the Governor, through the collaborative process, may provide technical assistance, including the development of a performance improvement plan.

(ii) If such failure continues for a second consecutive year, the Governor may take corrective actions, such as the withholding of funds, the redesignation of a local administrative entity, or such other actions as the Governor, through the collaborative process,

determines are appropriate, consistent with State law, section 104(c)(3) of this Act, and the requirements of this Act.

(f) CORE INDICATORS OF PERFORMANCE.—

(1) COMMON CORE INDICATORS FOR ADULTS.—In addition to the core indicators of performance described in paragraph (2), common core indicators of performance for programs conducted under titles III and IV of this Act, and under title I of the Vocational Rehabilitation Act of 1973 shall be weighted and applied to each of the individual programs, according to the purposes of such titles, and include measures of—

(A) placement in unsubsidized employment;

(B) retention in unsubsidized employment for not less than 6 months and for not less than 12 months, respectively;

(C) increases in earnings, or in earnings in combination with employer-assisted benefits;

(D) attainment of industry-recognized occupational skills, including basic workplace competencies and industry-recognized skill standards, which may include the acquisition of a skill certificate in the occupation for which the individual has been prepared;

(E) attainment of a high school diploma, a general equivalency diploma, or a certificate of completion of a program authorized under the Rehabilitation Act of 1973; and

(F) such other measures of performance that the State may wish to collect.

(2) ADDITIONAL CORE INDICATORS FOR ADULTS.—

(A) ADULT EMPLOYMENT AND TRAINING PROGRAMS.—In addition to the common core indicators described in paragraph (1), the core indicators of performance for programs conducted under title III shall include measures of the success of individuals with barriers to employment, including dislocated workers, economically disadvantaged individuals, older workers, individuals with disabilities, displaced homemakers, veterans, and individuals who are basic skills deficient, in achieving performance goals established pursuant to this Act.

(B) ADULT EDUCATION AND FAMILY LITERACY PROGRAMS.—In addition to the common core indicators described in paragraph (1), the core indicators of performance for programs conducted under title IV shall include measures of—

(i) the number of individuals who, as a result of participation in programs funded under this Act, demonstrate significant gains in literacy skills; and

(ii) such other measures of performance that the State may wish to collect, including measures of the success of family literacy programs, increased English language skills, and increased community involvement.

(C) PROGRAMS ESTABLISHED UNDER TITLE I OF THE REHABILITATION ACT OF 1973.—In addition to the common core indicators described in paragraph (1), the core indicators of performance for programs conducted under title I of the Rehabilitation Act of 1973 shall include measures of the success of individuals with severe disabilities, including those individuals determined to have a disability under title II or title XVI of the Social Security Act, in achieving performance goals established pursuant to this Act.

(3) CORE INDICATORS FOR YOUTH DEVELOPMENT AND CAREER PREPARATION PROGRAMS.—The core indicators of performance for programs conducted under title II shall include measures of—

(A) attainment of challenging State academic standards;

(B) attainment of a high school diploma or a general equivalency diploma;

(C) attainment of industry-recognized occupational skills, including basic workplace competencies and industry-recognized skill standards, which may include the acquisition

of a skill certificate in the occupation for which the individual has been prepared; if such skill certificate is acquired in addition to or in combination with a high school diploma or general equivalency diploma;

(D) reduction in school dropout rates;

(E) positive results such as placement in postsecondary education or advanced training, military service, employment, or registered apprenticeships;

(F) the success of individuals described under section 201(12) in achieving performance goals established pursuant to this Act, including placement in nontraditional training and employment; and

(G) such other measures of performance that the State may wish to collect.

SEC. 111. LIMITATION ON FEDERAL REGULATIONS.

The Secretary of the Department of Labor and the Secretary of the Department of Education shall issue regulations under this Act only to the extent that such regulations are necessary to ensure that there is compliance with the specific requirements of this Act.

SEC. 112. GENERAL PROVISION.

Nothing in this Act shall mandate that any individual, particularly youth served under title II of this Act, be required to choose a specific career path or major or to meet federally funded or endorsed industry-recognized skill standards or attain federally funded or endorsed skill certificates.

SEC. 113. LIABILITY.

Expenditures that are disallowed by the Secretary of Labor or the Secretary of Education, as the case may be (except in the case of fraud, embezzlement, or other criminal activities), under chapter 2 of title II, title III, or under title I of the Rehabilitation Act of 1973, may be repaid from funds allocated under such chapter or title for which such disallowance occurs, in subsequent program years or fiscal years, as appropriate, after the year in which such disallowance occurred. The amount of funds repaid should be equal to the amount of funds disallowed.

Subtitle B—Amendments to Wagner-Peyser Act

SEC. 131. GENERAL PROGRAM REQUIREMENTS.

(a) DEFINITIONS.—Section 2 of the Act of June 6, 1933 (commonly known as the “Wagner-Peyser Act”) (29 U.S.C. 49a) is amended—

(1) in paragraph (1), by striking “Job Training Partnership Act” and inserting “Consolidated and Reformed Education, Employment, and Rehabilitation Systems Act”;

(2) in paragraph (2) to read as follows:

“(2) the term ‘local workforce development board’ means a local workforce development board established under title I of the Consolidated and Reformed Education, Employment, and Rehabilitation Systems Act.”;

(3) in paragraph (4) to read as follows:

“(4) the term ‘local workforce development area’ means a local workforce development area established under title I of the Consolidated and Reformed Education, Employment, and Rehabilitation Systems Act.”;

(4) in paragraph (5), by striking the period at the end and inserting a semicolon; and

(5) by adding at the end the following new paragraphs:

“(6) the term ‘public employment office’ means an office which provides employment services to the general public as part of an integrated career center system; and

“(7) the term ‘integrated career center system’ means an integrated career center system established under title I of the Consolidated and Reformed Education, Employment, and Rehabilitation Systems Act.”.

(b) DUTIES.—Section 3(a) of such Act (29 U.S.C. 49b(a)) is amended to read as follows:

“(a) The Secretary of Labor shall, pursuant to title II of this Act—

“(1) assist in the coordination and development of a nationwide system of labor ex-

change services for the general public, which, to the extent practicable, shall be done through the private sector;

“(2) assist in the development of performance standards, benchmarks, and continuous improvement models for such nationwide system which ensures private sector satisfaction and meets the demands of jobseekers; and

“(3) ensure the continued services for individuals receiving unemployment compensation.”.

(c) REQUIREMENTS FOR RECEIPT OF FUNDS.—Section 4 of such Act (29 U.S.C. 49c) is amended by striking “a State shall, through its legislature” and inserting “the Governor of a State shall, through the collaborative process described in title I of the Consolidated and Reformed Education, Employment, and Rehabilitation Systems Act”.

(d) AUTHORIZATION OF APPROPRIATIONS.—Section 5 of such Act (29 U.S.C. 49d) is amended by inserting before the period at the end the following: “, of which not less than 25 percent shall be for carrying out both section 14 and title II of this Act”.

(e) USE OF FUNDS UNDER THIS ACT.—Section 7(c)(2) of such Act (29 U.S.C. 49f(c)(2)) is amended by striking “any of the following provisions of law” and all that follows and inserting “the Consolidated and Reformed Education, Employment, and Rehabilitation Systems Act.”.

(f) STATE PLAN.—Section 8 of such Act (29 U.S.C. 49g) is amended—

(1) in subsection (a) to read as follows:

“(a) Any State desiring to receive assistance under this Act shall submit to the Secretary, as part of the State workforce development and literacy plan authorized under title I of the Consolidated and Reformed Education, Employment, and Rehabilitation Systems Act, detailed plans for carrying out the provisions of this Act within such State.”;

(2) by striking subsections (b), (c), and (e); and

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

(g) ELIMINATION OF FEDERAL ADVISORY COUNCIL.—Section 11 of such Act (29 U.S.C. 49j) is hereby repealed.

(h) CONFORMING AMENDMENTS.—

(1) Such Act is amended by inserting after section 2 the following new heading:

“TITLE I—GENERAL PROGRAM REQUIREMENTS”.

(2) Section 4 of such Act is amended by striking “United States Employment Service” and inserting “Secretary of Labor”.

(3) Section 7(b)(2) of such Act is amended by striking “private industry council” and inserting “local workforce development board”.

(4) Section 7(d) of such Act is amended—

(A) by striking “United States Employment Service” and inserting “Secretary of Labor”; and

(B) by striking “Job Training Partnership Act” and inserting “Consolidated and Reformed Education, Employment, and Rehabilitation Systems Act”.

(5) Section 12 of such Act is amended by striking “The Director, with the approval of the Secretary of Labor,” and inserting “The Secretary of Labor”.

SEC. 132. LABOR MARKET INFORMATION.

The Act of June 6, 1933 (commonly known as the “Wagner-Peyser Act”; 29 U.S.C. 49), as amended by section 131, is further amended by adding at the end the following new title:

“TITLE II—LABOR MARKET INFORMATION

“SEC. 21. PURPOSE.

“The purpose of this title is to ensure a comprehensive and coordinated system of labor market information which will provide locally based, accurate, up-to-date, easily ac-

cessible, and user friendly labor market information through a cooperative Federal, State, and local governance structure which includes partnerships with the private sector at all levels.

"SEC. 22. SYSTEM CONTENT.

"(a) IN GENERAL.—The Secretary of Labor, in accordance with the provisions of this title, shall oversee the development, maintenance, and continuous improvement of a nationwide system of labor market information using statistically valid data, which include—

"(1) statistical data from survey and projection programs and data from administrative reporting systems, which, taken together, enumerate, estimate, and project the supply and demand for labor at Federal, State, and local levels in a timely manner, including data, which may be aggregated by demographic characteristics, on—

"(A) the socioeconomic characteristics, and current employment status of the population, including self-employed, part-time, and seasonal workers, and individuals with severe disabilities, as such data are available from the Bureau of Census and other sources;

"(B) job vacancies, education and training requirements, skills, wages, benefits, working conditions, and industrial distribution of occupations, as well as current and projected employment opportunities and trends by industry and occupation;

"(C) the educational attainment, training, skills, skill levels, and occupations of the population aggregates, as such data are available from the Bureau of Census and other sources;

"(D) information (such as unemployment insurance wage data records) maintained in a longitudinal manner on the quarterly earnings, establishment and industry affiliation, and geographic location of employment; and

"(E) the incidence, industrial and geographical location, and number of workers displaced by permanent layoffs and plant closings;

"(2) State and local employment and consumer information on—

"(A) job openings, locations, hiring requirements, and application procedures, as well as profiles of employers in the local labor market describing the nature of work performed, employment requirements, wages, benefits, and hiring patterns as such information is volunteered by employers;

"(B) aggregate data on job seekers, including their education and training, skills, skill levels, employment experience, and employment goals; and

"(C) education courses, training programs, job placement programs, and vocational rehabilitation programs (where appropriate), including—

"(i) program performance information as required by this Act, such as summary data on program completion, acquisition of industry-recognized skill standards, job placement, earnings, and the level of satisfaction of the participants and their employers; and

"(ii) descriptive information on programs, such as eligibility requirements, costs, financial support, or other supportive services, and other appropriate information which may be available with these courses and programs;

"(3) technical standards for data and information that will—

"(A) as a minimum guarantor of data usefulness and quality, ensure compatibility and additivity of data and information to enable comparisons among localities and States;

"(B) support standardization and aggregation of data and information from the administrative reporting systems of employment-related programs; and

"(C) include—

"(i) classification and coding systems for industries, occupations, skills, programs, and courses;

"(ii) nationally standardized definitions of terms;

"(iii) a common system for designating geographic areas;

"(iv) quality control mechanisms for data collection and analysis; and

"(v) common schedules for data collection and dissemination;

"(4) analysis of data and information for uses including—

"(A) Federal, State, and local economic policymaking;

"(B) the implementation of Federal policies, including the allocation of Federal funds to States and localities and the facilitation of job search and hiring in local labor markets;

"(C) Federal, State, and local program planning and evaluation; and

"(D) research on labor market dynamics;

"(5) dissemination mechanisms for data and analysis, including mechanisms which may be standardized among the States and technical standards in the design of automated databases, and the design of user interfaces and communications protocols;

"(6) programs of technical assistance for States and localities in the development, maintenance, and utilization of data, analysis, and dissemination mechanisms, including assistance in adopting and utilizing automated systems and improving the access, through electronic and other means, of youth, adults, and employers to labor market information for localities, States, and the Nation;

"(7) programs of research and demonstration, which may be carried out by States and other public or private entities, on ways to improve the products and processes authorized in this title; and

"(8) objective performance measures, which will allow for the continuous monitoring of the progress of the labor market information system at national, State, and local levels.

"(b) INFORMATION TO BE CONFIDENTIAL.—

"(1) IN GENERAL.—No officer or employee of the Federal Government or agent of the Federal Government may—

"(A) use the information furnished under the provisions of this title for any purpose other than the statistical purposes for which it is supplied;

"(B) make any publication whereby the data contained in the information so furnished under this title can be used to identify any individual; or

"(C) permit anyone other than the sworn officers and employees of any Federal department or agency to examine the individual reports.

"(2) IMMUNITY FROM LEGAL PROCESS.—Any information which is collected and retained for purposes under this title shall be immune from the legal process and shall not, without the consent of the individual concerned, be admitted as evidence or used for any purpose in any action, suit, or other judicial or administrative proceeding.

"SEC. 23. FEDERAL RESPONSIBILITIES.

"(a) IN GENERAL.—The Nation's labor market information system shall be planned, administered, overseen, and evaluated by a cooperative governance structure involving the Federal Government, States, and local entities.

"(b) DUTIES.—The Secretary, with respect to data collection, analysis, and dissemination of labor market information, shall carry out the following duties:

"(1) Ensure that all statistical and administrative data collection activities within the Department of Labor, including the Employment and Training Administration, Vet-

erans' Employment and Training Service, Employment Standards Administration, and the Occupational Health and Safety Administration, are consistent with those of the Bureau of Labor Statistics.

"(2) Assign responsibilities, as appropriate, to agencies such as the Employment and Training Administration to work with the Bureau of Labor Statistics in the collection, analysis and, particularly, in the dissemination of labor market information, and in the provision of training and technical assistance to users of information, including the States, employers, youth, and adults.

"(3) In cooperation with other Federal agencies, including the Department of Commerce, Department of Defense, Department of the Treasury, Department of Education, Department of Health and Human Services, Department of Agriculture, Department of Veterans' Affairs, and the Office of Management and Budget, establish and maintain mechanisms for ensuring complementarity and nonduplication in the development and operation of statistical and administrative data collection activities, in order to ensure a comprehensive labor market information system.

"(4) Actively seek the participation of other Federal agencies, particularly the National Center for Education Statistics and the Division of Adult and Vocational Education, and the Rehabilitation Services Administration of the Department of Education, the Veterans' Employment and Training Service of the Department of Labor and the Department of Veterans' Affairs with respect to vocational rehabilitation programs in the design and provision of standardized information to the States to support section 22(2), and in the dissemination of labor market information.

"(5) Establish confidentiality standards for the labor market information system at Federal, State, and local levels, including such provisions as may be necessary, to be taken in coordination with the States, to ensure that privacy and confidentiality protections are guaranteed with respect to individuals and firm data.

"(c) ADDITIONAL DUTIES.—The Secretary, in collaboration with the Bureau of Labor Statistics, with the assistance of other agencies of the Department where appropriate, shall—

"(1) establish and maintain, with the cooperation of the States, elements of the system described in sections 22(a)(1) and 22(a)(3);

"(2) develop and promulgate standards, definitions, formats, collection methodologies, and other necessary system elements for the use of the States in their assembling and presentation of the employment information specified in section 22(a)(2);

"(3) eliminate gaps and duplication in statistical undertakings, with the systemization of wage surveys as an early priority;

"(4) recommend any needed improvements in administrative reporting systems to support the development of labor market information from their data; and

"(5) ensure that—

"(A) data are sufficiently timely relevant to employers and other users, and locally detailed for uses including those specified in section 22(a)(4);

"(B) administrative records are standardized to facilitate the aggregation of data from local to State and national levels and to support the creation of new statistical series from program records; and

"(C) paperwork and reporting requirements on employers and individuals are reduced.

"SEC. 24. ANNUAL PLAN.

"(a) IN GENERAL.—The Secretary of Labor, in collaboration with the Bureau of Labor Statistics, and with assistance of other ap-

appropriate Federal agencies, shall prepare an annual plan to be the operational mechanism for achieving a cooperative Federal/State governance structure for labor market information and provide the written justification for the Department of Labor's budget request to Congress by describing the activities and priorities of the Bureau of Labor Statistics, other offices within the Department of Labor, and other Federal agencies with regard to data collection, analysis, and dissemination of labor market information for fiscal years succeeding the fiscal year in which the plan is developed and shall include—

“(1) the results of a periodic review of users' needs and priorities, including the identification of new employment issues and the attendant emergence of new needs, on the part of Congress, the States, employers, youth, and adults, for data, analysis, and dissemination;

“(2) an evaluation, including the results of objective measures, of the performance of the labor market information system in meeting these needs and the steps to be taken to overcome deficiencies;

“(3) a summary of ongoing data programs and activities under section 22 and a description of the development of new data programs, analytical techniques, definitions and standards, dissemination mechanisms, training and technical assistance, governance mechanisms, and funding processes to meet new needs; and

“(4) the results of an annual review of the costs to the States of meeting contract requirements for data production under this title, including a description of how the Secretary's requested budget will cover these costs.

“(b) COOPERATION WITH THE STATES.—The Secretary and the Bureau of Labor Statistics, in cooperation with the States, shall develop the plan by—

“(1) establishing procedures and mechanisms for holding formal and periodic consultations on products and administration of the system, at least once each quarter, with representatives of employers as well as with representatives of the States from each of the 10 Federal regions of the Department of Labor, elected by and from among the State directors of labor market information, according to a process set forth by the Secretary; and

“(2) incorporating in the annual plan, for its submission to Congress, the results of these consultations, including any supplementary or dissenting views from representatives of the States.

“(c) REPRESENTATIVES OF STATES DEEMED TO BE FEDERAL EMPLOYEES.—For purposes of the development of the annual plan and to meet the provisions of Office of Management and Budget Circular A-11, the representatives of the States, in accordance with subsection (b)(1), shall be considered to be employees of the Department of Labor.

“SEC. 25. GOVERNOR'S RESPONSIBILITIES.

“(a) DESIGNATION OF STATE AGENCY.—The Governor of each State shall designate a single State agency to be the agency responsible for the management and oversight of a statewide comprehensive labor market information system and for the State's participation in the cooperative Federal/State governance structure for the nationwide labor market information system.

“(b) DUTIES.—In order to receive Federal financial assistance under this Act, the State agency shall—

“(1) develop, maintain, and continuously improve a comprehensive labor market information system, which shall—

“(A) include all the elements specified in section 22; and

“(B) be responsive to the needs of the State and its localities for planning and evaluative

data, including employment and economic analyses and projections, as required by this Act, the Consolidated and Reformed Education, Employment, and Rehabilitation Systems Act, the Social Security Act, and other provisions of law which require the use of labor market information;

“(2) ensure the performance of contract and grant responsibilities for data collection, analysis, and dissemination;

“(3) conduct such other data collection, analysis, and dissemination activities as will ensure comprehensive State and local labor market information;

“(4) actively seek the participation of other State and local agencies, with particular attention to State education, economic development, human services, and welfare agencies, in data collection, analysis, and dissemination activities in order to ensure complementarity and compatibility among data; and

“(5) participate in the development of the national annual plan.”.

Subtitle C—General Provisions

SEC. 141. WORKER RIGHTS.

The following requirements shall apply to programs under titles II and III of this Act:

(1) PROHIBITION ON DISPLACEMENT.—A participant in a program under titles II or III shall not displace any currently employed worker (including a partial displacement, such as a reduction in the hours of non-overtime work, wages, or employment benefits).

(2) PROHIBITION ON IMPAIRMENT OF CONTRACTS.—A program under title II or III shall not impair existing contracts for services or collective bargaining agreements, and no such program that would be inconsistent with the terms of a collective bargaining agreement shall be undertaken without the written concurrence of the labor organization and employer concerned.

(3) PROHIBITION ON REPLACEMENT.—A participant in a program under title II or III shall not be employed—

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

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

(4) WORKPLACES.—A participant in a program under title II or III shall be provided with adequate and safe equipment and safe and healthful workplaces in conformity with all health and safety requirements of Federal, State, and local law.

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

SEC. 142. TRANSFERABILITY.

The Governor, through the collaborative process, has the authority to transfer not more than 10 percent of the total allotment to a State under title II or title III of this Act, between such titles. Funds transferred under this authority must be distributed to local providers in accordance with the provisions of title II and III of this Act.

TITLE II—YOUTH DEVELOPMENT AND CAREER PREPARATION CONSOLIDATION GRANT

SEC. 201. PURPOSES.

It is the purpose of this title to provide States and local communities maximum flexibility in designing youth development and career preparation programs that—

(1) help youth attain the academic foundation and occupational skills needed to be successful in a competitive economy and to complete a high school diploma or general equivalency diploma;

(2) best suit the needs of in-school and at-risk youth in their communities;

(3) promote strong connections between in-school and at-risk programs, to ensure that youth are prepared for further education opportunities and good jobs, and promote youth development and career preparation programs that provide opportunities for youth to receive postsecondary education and occupational training;

(4) promote the formation of education and business partnerships that are dedicated to linking the worlds of school and work; and

(5) promote high academic and occupational standards and quality vocational-technical education, including improved secondary and postsecondary programs, by focusing resources on program improvement initiatives that help prepare youth for further education, training, and high-wage jobs in high-performance workplaces.

SEC. 202. DEFINITIONS.

For purposes of this title:

(1) The term “administration” means activities of a State necessary for the proper and efficient performance of its duties under this title, including supervision, but does not include curriculum development activities, personnel development, or research activities.

(2) The term “all aspects of the industry” means strong experience in, and understanding of, all aspects of the industry that youth are preparing to enter, including planning, management, finances, technical and production skills, underlying principles of technology, labor issues, and health and safety.

(3) The term “articulation agreement” means a commitment to a program designed to provide students with a nonduplicative sequence of progressive coursework in secondary and postsecondary education.

(4) The term “cooperative education” means a method of instruction of education for youth who, through written cooperative arrangements between the school and employers, receive instruction, including required academic courses and related instruction by alternation of study in school with a job in any occupational field. Such alternation shall be planned and supervised by the school and employers so that each contributes to the youth's education and employability. Work periods and school attendance may be on alternate half days, full days, weeks, or other periods of time in fulfilling the cooperative program.

(5) The term “corrections vocational education” means programs administered by the State to assist juvenile and adult criminal offenders in correctional institutions in the State, including correctional institutions operated by local authorities.

(6) The term “curricula” means instructional and related or supportive material, including materials using advanced learning technology, in any occupational field which is designed to strengthen the academic foundation and prepare youth for employment at the entry level or to upgrade occupational competencies of those previously or presently employed in any occupational field, and appropriate counseling and guidance material.

(7) Except as otherwise provided, the term “eligible institution” means a local educational agency, an area vocational education school, an intermediate educational agency, an institution of higher education (as such term is defined in section 1201(a) of the Higher Education Act of 1965), a State corrections educational agency, or consortia of such entities.

(8) The term "partnership" means a local entity that is responsible for local youth development and career preparation programs and may consist of parents, employers, representatives of local educational agencies and local postsecondary educational institutions (including representatives of area vocational education schools, where applicable), local educators (such as teachers, counselors, or administrators), representative employee organizations, students, and may include other entities.

(9) The term "Secretary" means the Secretary of Education.

(10) The term "sequential course of study" means an integrated series of courses which are directly related to the educational and occupational skill preparation of youth for jobs, or preparation for postsecondary education.

(11) The term "single parent" means an individual who—

(A) is unmarried or legally separated from a spouse; and

(B)(i) has a minor child or children for whom the parent has either custody or joint custody; or

(ii) is pregnant.

(12) The term "special populations" includes individuals with disabilities, economically disadvantaged individuals, individuals of limited English proficiency, and individuals who are eligible for nontraditional training and employment.

(13) The term "tech-prep education program" means a program of study which—

(A) combines at least 2 years of secondary and 2 years of postsecondary education in a nonduplicative sequential course of study;

(B) integrates academic and vocational instruction;

(C) provides technical preparation in at least 1 field of engineering technology, applied science, mechanical, industrial, or practical arts or trade, or agriculture, health occupations, or business;

(D) builds student competence in mathematics, science, communications, and workplace skills, through applied academics and integrated instruction in a coherent sequence of courses;

(E) leads to an associate degree or certificate in a specific career field;

(F) leads to placement in appropriate employment or further education; and

(G) enables a student to fulfill a career relating to labor market needs.

(14) The term "vocational education" means organized educational programs offering a sequence of courses which are directly related to the preparation of youth in paid or unpaid employment in current or emerging occupations, including nonbaccalaureate certificate and degree programs and baccalaureate vocational degree programs. Such programs include competency-based applied learning which contributes to a youth's academic knowledge, higher-order reasoning, and problem-solving skills, work attitudes, general employability skills, and the occupational-specific skills necessary for economic independence as a productive and contributing member of society. Such term also includes applied technology education.

(15) The term "vocational student organizations" means those organizations for individuals enrolled in vocational education programs which engage in activities as an integral part of the instructional program. Such organizations may have State and national units which aggregate the work and purposes of instruction in vocational education at the local level.

Subtitle A—State Funding

SEC. 211. NATIONAL AND STATE FUNDING.

(a) NATIONAL PROGRAMS.—In each fiscal year, of the amounts made available under section 4, the Secretary is authorized to re-

serve 20 percent or \$25,000,000, whichever is less, to carry out the provisions of subtitle D.

(b) STATE ALLOTMENT.—

(1) IN GENERAL.—Of the funds remaining after the reservation under subsection (a), the Secretary shall allot to each State for each fiscal year an amount based on that State's allotment percentage.

(2) ALLOTMENT PERCENTAGE.—(A) Except as provided in subparagraph (B), the allotment percentage of a State for a fiscal year shall be the same percentage of funds allotted to the State under this section in the preceding fiscal year.

(B) The allotment percentage of a State for fiscal year 1996 shall be the percentage of funds allotted to the State in fiscal year 1995 under—

(i) section 101, 101A, or 343(b), of the Carl D. Perkins Vocational and Applied Technology Education Act as such Act was in effect on the day before the date of the enactment of this Act; and

(ii) the funding allotted in fiscal year 1995 under section 252 and 262 of the Job Training Partnership Act as such Act was in effect on the day before the date of the enactment of this Act.

(3) STATE MINIMUM.—Notwithstanding any other provision of law and subject to paragraph (1), any fiscal year for which the amounts appropriated for programs authorized by this title exceed the amounts available under subparagraph (B) for fiscal year 1995, a State shall receive not less than one-quarter of one percent of the amount available for each such program for that fiscal year under this subsection. Amounts necessary for increasing such payments to States to comply with the preceding sentence shall be obtained by ratably reducing the amounts to be paid to other States.

(4) FEDERAL FUNDS TO SUPPLEMENT, NOT SUPPLANT, NON-FEDERAL FUNDS.—Funds received under this title shall be used only to supplement the amount of funds that would, in the absence of such Federal funds, be made available from non-Federal sources for the education of youth participating in programs assisted under this title, and not to supplant such funds.

(5) DEFINITION.—For the purposes of this subsection the term "State" means, in addition to the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, and the Northern Mariana Islands.

(c) FUNDING FOR STATE PROGRAMS.—Of the funds allotted to a State under subsection (b) for each fiscal year, the Governor, through the collaborative process, shall—

(1) make available not less than 90 percent to local providers;

(2) make available not more than 8 percent for State programs described in section 222; and

(3) make available not more than 2 percent for administrative purposes at the State level.

(d) PROVISIO.—None of the funds made available under this title shall be used to compel any youth to pursue a specific career or to attain a federally funded or endorsed skill certificate. Youth participating in programs under this title shall be eligible to change their course of study and training.

SEC. 212. WITHIN STATE ALLOCATION.

(a) IN GENERAL.—

(1) ALLOCATION OF FUNDS.—From the amounts made available pursuant to section 211(c)(1), the Governor, through the collaborative process, shall—

(A) allocate to eligible institutions an amount equal to not less than 40 percent of such amount for in-school youth programs described in section 241; and

(B) allocate to local workforce development boards an amount equal to not less

than 40 percent of such amount for at-risk youth programs described in section 245.

(2) DISCRETIONARY FUNDS.—From the amounts made available pursuant to section 211(c)(1), the Governor, through the collaborative process, is authorized to provide 10 percent of such amounts for discretionary purposes, as determined by the Governor, to eligible institutions or local workforce development boards for in-school and at-risk youth.

(3) REMAINDER OF FUNDS.—From the remainder of amounts made available pursuant to section 211(c)(1) and distributed pursuant to paragraphs (1) and (2) of this subsection, the Governor, through the collaborative process, shall allocate the remainder of any such amounts to carry out the purposes of subparagraphs (A) or (B) of paragraph (1).

(b) WITHIN STATE FORMULA.—

(1) ESTABLISHMENT.—The Governor, through the collaborative process, and after consultation with local chief elected officials in the local workforce development area and, where appropriate, local educators in such area, shall develop a formula for the allocation of funds in accordance with paragraph (1) of subsection (a). Such formula shall take into account—

(A) poverty rates within each local community, as determined by the State;

(B) the proportion of the State's youth population residing within each local community; and

(C) such other factors as considered appropriate.

(2) ADDITIONAL FACTORS.—In establishing such formula, the Governor shall ensure that funds are distributed equitably throughout the State, and that the factors described in paragraph (1) do not receive disproportionate weighting.

(c) MINIMUM GRANT AMOUNTS.—

(1) LOCAL EDUCATIONAL AGENCIES.—A local educational agency or consortium of such agencies that receives a subgrant from a State under paragraph (1) of subsection (a) for any fiscal year shall receive not less than \$15,000.

(2) POSTSECONDARY INSTITUTIONS.—A postsecondary institution or consortium of such institutions that receives a subgrant from a State under paragraph (1) of subsection (a) for any fiscal year shall receive not less than \$50,000.

(3) LOCAL DEVELOPMENT BOARD.—A local development board that receives a subgrant from a State under paragraph (1) of subsection (a) for any fiscal year shall receive not less than \$15,000.

(4) SECONDARY-POSTSECONDARY CONSORTIA.—One or more local educational agencies and one or more eligible institutions may enter into a consortium agreement. A consortium formed pursuant to this paragraph that receives a subgrant from a State under this subtitle shall receive not less than \$50,000 in any fiscal year.

(d) FUNDS TO CONSORTIUM.—Funds allocated to a consortium formed to meet the requirements of subsection (c) shall be used only for purposes and activities that are mutually beneficial to all members of the consortium. Such funds may not be reallocated to individual members of the consortium for purposes or activities benefiting only one member of the consortium.

(e) WAIVER.—The State may waive the application of subsection (c) in any case in which a grant recipient—

(1) is located in a rural, sparsely-populated area; and

(2) demonstrates an inability to enter into a consortium for purposes of providing services under this title.

Subtitle B—State Organizational, Planning, and Reporting Responsibilities

SEC. 221. STATE PLAN.

In addition to the requirements described in title I, a State that desires to receive funds for any fiscal year under this title shall, as part of the State Workforce Development and Literacy Plan under title I, submit to the Secretary of Education information that includes—

(1) a description of the State's plan to develop the academic and occupational skills of youth and provide the attainment of challenging vocational-technical education standards, including industry-approved skill standards and workplace competencies;

(2) a description of how the State will improve comprehensive career guidance and counseling which may include linkages to career exploration and guidance counseling outside of the school system and shall describe how the State will effectively demonstrate the system of career preparation for youth, which includes elements such as professional development, and secondary-post-secondary collaborations;

(3) a description of the strategy of the State for integrating academic, vocational, and work-based learning, including a description of how the State will promote collaboration between secondary and postsecondary occupational and academic programs and institutions and incorporating learning in all aspects of the industry;

(4) a description of how the State will promote the active involvement of parents and business (including small- and medium-sized businesses) in the planning, development, and implementation of youth development and career preparation programs authorized under this title; and

(5) a description of how the State will serve single parents, displaced homemakers, and single pregnant women and promote the elimination of sex bias. Nothing in this Act shall be construed to mandate an amount be set aside for these purposes.

SEC. 222. STATE PROGRAMS AND STATE ACTIVITIES.

(a) GENERAL AUTHORITY.—From amounts made available to a State under section 211(c)(2), each State shall, consistent with State law, conduct State programs and activities.

(b) USES OF FUNDS.—The programs and activities described in subsection (a) may include—

(1) an assessment of programs conducted with assistance under this title, including the development of—

(A) performance indicators and measures for such programs; and

(B) program improvement and accountability with respect to such programs;

(2) the support for tech-prep education;

(3) support for workforce preparation programs for single parents, displaced homemakers, and single pregnant women;

(4) support for corrections vocational education;

(5) professional development activities for vocational teachers, academic teachers, school administrators, counselors, workplace mentors, and local providers regarding integration of vocational, academic, and work-based curricula, including—

(A) inservice and preservice training of teachers and faculty in state-of-the-art programs and techniques and nontraditional training and employment; and

(B) support of public teacher-education programs to ensure vocational teachers stay current with the needs, expectations, and methods of industry to meet employer standards;

(6) development, dissemination, and field testing of curricula, especially—

(A) curricula that integrate vocational, academic, and work-based methodologies;

(B) curricula that provide a coherent sequence of courses through which academic and occupational skills may be measured; and

(C) curricula for work-based learning;

(7) leadership and instructional programs in technology education;

(8) support for cooperative education;

(9) support for family and consumer science programs;

(10) creative use of technologies, including professional development in the use of such technologies for instructional purposes and to increase counselor's and youth's knowledge of, and use of, additional information resources;

(11) support for vocational student organizations; and

(12) improving comprehensive career guidance and counseling.

SEC. 223. INCENTIVE AWARDS.

The State, may, from the amount made available under section 211(c)(2) for any fiscal year make performance awards to 1 or more eligible institutions or local providers that have—

(1) exceeded in the performance goals described in section 110(f)(3);

(2) implemented exemplary youth development and career preparation programs at the local level in accordance with the purposes described in section 201; or

(3) provided exemplary education services and activities for at-risk youth.

Subtitle C—Subgrants for In-School and At-Risk Youth

SEC. 231. PARTNERSHIP AGREEMENTS.

(a) PARTNERSHIP.—A local workforce development board and eligible institutions that desire to receive a subgrant from a State under this subtitle in any fiscal year shall form a partnership for the purposes of collaborative planning, coordination of in-school and at-risk programs, and effective public participation.

(b) PLAN.—

(1) IN GENERAL.—The partnership referred to in subsection (a) shall, in collaboration, develop and submit for approval to the Governor through the State collaborative process a comprehensive youth development and career preparation plan for in-school and at-risk youth. Such plan shall describe how the youth development and career preparation system meets the requirements of sections 241 and 245 and shall address comments received through the collaborative process.

(2) COLLABORATIVE PROCESS.—The partnership shall assure the involvement of parents, teachers, and the community in the collaborative planning process which involves design of the indicators, strategies, articulation, and cooperative agreements, assessments, and evaluation of program activities.

(3) DISPUTES.—(A) In the event a partnership cannot come to agreement on the content of local plans, the Governor, through the collaborative process, is authorized to develop procedures for the resolution of issues in dispute.

(B) If procedures are not in place for the resolution of disputes an eligible institution of such partnership may apply directly to the State for a grant to carry out in-school youth programs described in section 241.

SEC. 232. DISTRIBUTION OF FUNDS.

(a) IN-SCHOOL PROGRAMS.—Based upon an application submitted according to the requirements described in section 231, a State shall distribute funds made available in a fiscal year as provided in section 212(a)(1)(A) to eligible institutions to carry out in-school youth programs described in section 241.

(b) AT-RISK YOUTH PROGRAMS.—A State shall distribute funds made available in any fiscal year as provided in section 212(a)(1)(B) to local workforce development boards to

carry out at-risk youth programs described in section 245.

CHAPTER 1—IN-SCHOOL YOUTH

SEC. 241. USES OF FUNDS FOR IN-SCHOOL YOUTH.

(a) GENERAL AUTHORITY.—Each eligible institution that receives a subgrant under this chapter shall use funds provided under such grant to improve youth development and career preparation programs.

(b) REQUIREMENTS FOR USES OF FUNDS.—Funds provided by a State pursuant to section 212(a)(1)(A) shall be used to provide in-school youth development and career preparation programs that—

(1) are of such size, scope, and quality as to be effective;

(2) integrate academic, vocational, and work-based learning, stressing applied and contextual learning, through a coherent sequence of courses so that youth achieve both academic and occupational competencies and have strong experience in, and understanding of, all aspects of the industry;

(3) involve employers and parents in the design and implementation of programs;

(4) establish effective linkages with at-risk youth programs, secondary and postsecondary education;

(5) provide work-based learning experiences with adult mentoring where appropriate; and

(6) provide comprehensive career guidance and counseling, including exploration in the practical arts or trade.

(c) ADDITIONAL USES OF FUNDS.—In carrying out the provisions of subsection (b), funds may be used by an eligible institution for in-school youth activities such as—

(1) purchasing, leasing, or upgrading of equipment, including instructional aids and material;

(2) inservice training of vocational instructors, academic instructors, employers, and workplace mentors, to integrate academic and vocational education, and provide high-quality school-based and work-based learning experiences;

(3) tech-prep education programs;

(4) supplementary services designed to meet the needs of special populations;

(5) adaptation of equipment;

(6) apprenticeship programs;

(7) comprehensive mentoring programs in institutions of higher education offering comprehensive programs in teacher preparation which seek to fully use the skills and work experiences of individuals currently or formerly employed in business and industry, who are interested in becoming classroom instructors, and to meet the need of vocational educators who wish to upgrade their teaching competencies;

(8) local education and business partnerships for developing and implementing school-based youth development and career preparation systems;

(9) support for vocational student organizations;

(10) establishing effective activities and procedures to enable program participants and their parents to participate directly in decisions that influence the character of programs, including providing information and assistance needed for informed and effective participation; and

(11) support for programs which prepare youth with skills for personal and family life management, work, and leadership in the community and the Nation.

CHAPTER 2—AT-RISK YOUTH

SEC. 245. USES OF FUNDS FOR AT-RISK YOUTH.

(a) GENERAL AUTHORITY.—Each local workforce development board that receives a subgrant under this chapter shall use funds provided under such grant to improve youth development and career preparation programs.

(b) REQUIREMENTS FOR USES OF FUNDS.—Funds provided by a State pursuant to section 212(1)(B) shall be used to provide youth development and career preparation programs for at-risk youth that—

(1) are of such size, scope, and quality as to be effective;

(2) integrate academic, vocational, and work-based learning, stressing applied and contextual learning, through a coherent sequence of courses so that in-school and at-risk youth achieve both academic and occupational competencies;

(3) involve employers and parents in the design and implementation of programs;

(4) establish effective linkages with in-school youth programs, and secondary and postsecondary education;

(5) provide work-based learning experiences, including experiences in the practical arts or trade, if applicable;

(6) provide adult mentoring as a core component of the program;

(7) provide an objective assessment of the academic level, skill level, and service needs of each participant; and

(8) provide comprehensive career guidance and counseling.

(c) ADDITIONAL USES OF FUNDS.—In carrying out the provisions of subsection (b), providers of at-risk youth programs, as selected by the local workforce development board, may provide activities such as—

(1) tutoring, study skills training and instruction leading to completion of high school;

(2) alternative high school services;

(3) training or education that is combined with community service, and service learning opportunities;

(4) paid and unpaid work experience, including limited internships, entry-employment experience programs, and summer employment opportunities, that are integrated with year-round, school-based, or alternative school-based programs;

(5) dropout prevention strategies, strategies to encourage at-risk youth to reenter high school or alternative high school programs, and programs that encourage pregnant and parenting youth to stay in school;

(6) preemployment and work maturity skills training;

(7) peer-centered activities encouraging responsibility and other positive social behaviors during non-school hours; and

(8) training-related supportive services.

(d) LIMITATIONS ON USE OF FUNDS.—Not more than 10 percent of the funds provided under this chapter to a local workforce development board may be used for administrative purposes.

SEC. 246. AT-RISK YOUTH PROVIDERS.

(a) ROLE OF LOCAL WORKFORCE DEVELOPMENT BOARD.—A local workforce development board that receives funds under this chapter shall not operate programs, but shall contract with eligible providers of demonstrated effectiveness, or with eligible providers utilizing service methodologies with demonstrated effectiveness in serving the youth development and career preparation needs of at-risk youth, for the purpose of providing services under this chapter.

(b) ELIGIBLE PROVIDERS.—For purposes of this chapter, eligible providers may include—

(1) an “eligible institution” as defined under section 202(7);

(2) a unit of local government;

(3) a private, nonprofit organization (including community-based organizations);

(4) a private, for profit entity; or

(5) other organizations or entities of demonstrated effectiveness and approved by the local workforce development board.

Subtitle D—National Programs

SEC. 251. RESEARCH ACTIVITIES.

(a) GENERAL AUTHORITY.—

(1) IN GENERAL.—In order to carry out the purpose of this title, the Secretary may, directly or through grants, contracts, or cooperative agreements, carry out research, development, dissemination, replication of model programs, demonstration programs, evaluation, capacity-building, and technical assistance activities with regard to the services and activities carried out under this title.

(2) INFORMATION SYSTEMS.—Activities carried out under this section may include support for occupational and career information systems.

(b) DISSEMINATION.—The Secretary shall establish a system for disseminating information resulting from research and development activities carried out under this title.

SEC. 252. ASSESSMENT AND DATA COLLECTION OF YOUTH DEVELOPMENT AND CAREER PREPARATION PROGRAMS.

(a) IN GENERAL.—The Secretary, through the Office of Educational Research and Improvement, shall conduct a biennial assessment of services and activities assisted under this title, through studies and analyses conducted independently through competitive awards.

(b) CONTENTS.—The assessment required under subsection (a) shall examine the extent to which services and activities assisted under this title have achieved their intended purposes and results, including the extent to which—

(1) State and local services and activities have developed, implemented, or improved youth development and career preparation systems established under this title;

(2) services and activities assisted under this title succeed in preparing youth, including youth who are members of special populations, for postsecondary education, further learning, or entry into high-skill, high-wage careers;

(3) youth who participate in services and activities supported under this title succeed in meeting challenging State academic and industry-based skill standards; and

(4) the system improvement, participation, local and State assessment, and accountability provisions of this title, including the performance goals and indicators established under section 110(f)(3), are effective.

SEC. 253. NATIONAL CENTER OR CENTERS FOR RESEARCH.

(a) GENERAL AUTHORITY.—

(1) NATIONAL CENTER.—The Secretary may, through a grant or contract, establish one or more national centers for conducting applied research, development, dissemination, and technical assistance activities which would focus on improving the development and career preparation of youth. The Secretary shall consult with States prior to establishing one or more such centers.

(2) ELIGIBILITY.—Entities eligible to receive funds under this section are institutions of higher education, other public or private nonprofit organizations or agencies, and consortia of such institutions, organizations, or agencies.

(3) PREVIOUS CENTER.—The national center in existence on the day before the date of the enactment of the this Act shall continue to receive assistance under this section in accordance with the terms of its current award.

(b) ACTIVITIES.—

(1) IN GENERAL.—The applied research, development, dissemination, and technical assistance activities carried out by the national center or centers shall include—

(A) activities that assist recipients of funds under this title to meet the requirements of section 110(f)(3);

(B) research and development of activities that combine academic, vocational-technical education, and work-based learning;

(C) developing new models for remediation of basic academic skills which incorporate appropriate instructional methods;

(D) identifying ways to establish effective linkages among educational and job training activities at the State and local levels;

(E) new models for comprehensive career guidance and counseling;

(F) studies providing longitudinal information or formative evaluation on programs funded under this title, including an analysis of the effectiveness of youth development and career preparation programs in serving at-risk youth; and

(G) such other activities as the Secretary determines to be appropriate to achieve the purposes of this Act.

(2) DUTIES.—The center or centers shall—

(A) provide assistance to States and local recipients in developing and using systems of performance measures and indicators for improvement of youth development and career preparation programs and services; and

(B) provide technical assistance and outreach.

(3) SUMMARY.—The center or centers conducting the activities described in paragraph (1) shall annually prepare a summary of key research findings of such center or centers and shall submit copies of the summary to the Secretaries of Education and Labor. The Secretary shall submit that summary to the Committee on Labor and Human Resources of the Senate, and the Committee on Economic and Educational Opportunities of the House of Representatives.

(c) CLEARINGHOUSE.—The center or centers shall maintain a clearinghouse that will provide data and information to Federal, State, and local organizations and agencies about the condition of youth development and career preparation systems and programs funded under this title.

SEC. 254. PURCHASE OF AMERICAN-MADE EQUIPMENT AND PRODUCTS.

(a) SENSE OF THE CONGRESS.—It is the sense of the Congress that, to the greatest extent practicable, all equipment and products purchased with funds made available under this Act should be American-made.

(b) NOTICE REQUIREMENT.—In providing financial assistance to, or entering into any contract with, any entity using funds made available under this Act, the head of each Federal agency, to the greatest extent practicable, shall provide to such entity a notice describing the statement made in subsection (a) by the Congress.

TITLE III—ADULT EMPLOYMENT AND TRAINING CONSOLIDATION GRANT

SEC. 301. PURPOSE.

The purpose of this title is to establish an efficient, high-quality, and equitable system of employment, job training, and related assistance designed to facilitate the transition of adults into productive, high skills, private sector employment.

Subtitle A—Adult Employment and Training Consolidation Grant

SEC. 311. AUTHORIZATION.

(a) IN GENERAL.—In the case of each State that in accordance with the requirements of section 102 submits to the Secretary of Labor (hereinafter in this title referred to as the “Secretary”) a State workforce development and literacy plan under section 104, the Secretary shall provide a grant to the State for the purpose of providing employment, job training, and related assistance for adults in the State.

(b) AMOUNT.—The grant shall consist of the allotment determined for the State under section 312.

SEC. 312. ALLOTMENT AMONG STATES.

(a) IN GENERAL.—Of the amount appropriated pursuant to section 4(a)(2) to carry out this title for a fiscal year, the Secretary shall—

(1) allot 85 percent of such amounts in accordance with subsection (b); and

(2) reserve 15 percent for use under subtitle B.

(b) ALLOTMENT AMONG STATES.—

(1) RESERVATION FOR THE TERRITORIES.—Of the amount allotted under subsection (a)(1), the Secretary shall allot not more than one quarter of one percent among the Commonwealth of the Northern Mariana Islands, American Samoa, Guam, and the Virgin Islands.

(2) STATES.—After determining the amount to be allotted under paragraph (1), the Secretary shall allot the remaining amount to the remaining States so that each State receives an amount that bears the same proportion to such remaining amount as—

(A) the amount allotted to each such State from allotments under sections 202 and 302 of the Job Training Partnership Act (29 U.S.C. 1602 and 1652) (as in effect before the date of the enactment of this Act) for fiscal year 1995; bears to

(B) the aggregate of the amounts allotted to all such States from allotments under such sections for such fiscal year.

(c) MINIMUM ALLOTMENT.—No State shall receive less than one-quarter of one percent of the amount available under this title for a fiscal year. Amounts necessary for increasing such payments to States to comply with the preceding sentence shall be obtained by ratably reducing the amounts to be paid to other States.

SEC. 313. ALLOCATION WITHIN STATES.

(a) RESERVATIONS FOR STATE ACTIVITIES.—

(1) IN GENERAL.—The Governor of the State shall reserve not more than 20 percent of the amount allotted to the State under section 312(b) for a fiscal year for statewide activities for employment, job training, and related assistance for adults.

(2) MANDATORY ACTIVITIES.—Such activities shall include—

(A) rapid response activities; and

(B) additional assistance to areas that experience disasters, mass layoffs or plant closings, or other events which precipitate substantial increases in the number of unemployed workers, to be expended in accordance with the local plan of the relevant workforce development area.

(3) DISCRETIONARY ACTIVITIES.—

(A) IN GENERAL.—Such activities may include—

(i) subject to subparagraph (B), administration by the State of programs under this subtitle;

(ii) capacity building and technical assistance to local workforce development areas, integrated career center systems, and service providers, including the development and training of staff and the development of exemplary program activities;

(iii) incentives for program coordination, performance awards, and research and demonstrations;

(iv) implementation of innovative incumbent worker training programs, which may include the establishment and implementation of an employer loan program to assist in skills upgrading (in accordance with the requirements of section 324);

(v) implementation of experimentation, model activities, pilot projects, and demonstration projects which further the goals and purposes of this Act;

(vi) additional assistance for the development and implementation of the integrated career center system of the State established in accordance with title I;

(vii) support for a common management information system as described in section 109; and

(viii) implementation of innovative programs to increase the number of individuals trained and placed in nontraditional employment.

(B) LIMITATION.—Not more than 25 percent of the amount reserved by the Governor under paragraph (1) may be used for administration by the State of programs under this subtitle.

(b) WITHIN STATE ALLOCATION.—

(1) IN GENERAL.—The Governor of the State shall allocate the remainder of the amount allotted to the State under section 312(b) to workforce development areas designated under title I of this Act, in accordance with paragraphs (1) and (2) of such section, for the purpose of providing employment, job training, and related services for adults in accordance with section 315.

(2) WITHIN STATE FORMULA.—

(A) ESTABLISHMENT.—The Governor, through the collaborative process under section 103 of this Act, and after consultation with local chief elected officials in the local workforce development area, shall develop a formula for the allocation of 90 percent of the remainder of funds described in paragraph (1), to workforce development areas, taking into account—

(i) poverty rates within each local workforce development area, as determined by the State;

(ii) unemployment rates within each local workforce development area;

(iii) the proportion of the State's adult population residing within each local workforce development area; and

(iv) such other factors as considered appropriate.

(B) ADDITIONAL FACTORS.—In establishing such formula, the Governor shall ensure that funds are distributed equitably throughout the State, and that the factors described in subparagraph (A) do not receive disproportionate weighting.

(3) WITHIN STATE DISCRETIONARY ALLOCATION.—In addition, the Governor is authorized to allocate 10 percent of the remainder of funds described in paragraph (1) to workforce development areas designated under title I of this Act. Amounts may be allocated to such areas as determined by the Governor.

SEC. 314. ADDITIONAL STATE PLAN REQUIREMENTS.

The State shall, as part of the State workforce development and literacy plan under title I of this Act, submit to the Secretary the following additional information:

(1) A description of how the State will serve the employment and training needs of dislocated workers, economically disadvantaged individuals, older workers, individuals with disabilities, displaced homemakers, veterans, and individuals with multiple barriers to employment (as determined by the State), including individuals who are basic skills deficient and individuals seeking to enter non-traditional employment.

(2) A description of how the State will provide rapid response assistance to workers experiencing dislocation as a result of mass layoffs and plant closings, either through the direct provision of services or through the transfer of funds to local workforce development areas for the provision of such services.

SEC. 315. USE OF AMOUNTS.

(a) CORE SERVICES.—Amounts allocated under section 313(b) shall be used to provide core services to adults through integrated career center systems in accordance with title I of this Act.

(b) INTENSIVE SERVICES.—

(1) IN GENERAL.—Amounts allocated under section 313(b) shall be used to provide intensive services to adults—

(A) who are unable to obtain employment through core services under subsection (a); and

(B) who have been determined to be in need of more intensive services in order to gain employment.

(2) DELIVERY OF SERVICES.—Such intensive services shall be provided—

(A) directly through integrated career center systems in accordance with title I of this Act; or

(B) through contracts through such systems with service providers approved by the local workforce development board, which may include private, for-profit providers.

(3) TYPES OF SERVICES.—Such intensive services may include the following:

(A) Comprehensive and specialized assessments of the skill levels and service needs of adults, which may include—

(i) diagnostic testing and other assessment tools; and

(ii) in-depth interviewing and evaluation to identify employment barriers and appropriate employment goals.

(B) Development of an individual employment plan, to identify the employment goals, appropriate achievement objectives, and the appropriate combination of services for the adult to achieve the employment goal.

(C) Group counseling.

(D) Individual counseling and career planning.

(E) Case management for adults receiving education and training services under subsection (c) or supportive services under subsection (d).

(F) Follow-up counseling for adults placed in training or employment, for up to 1 year.

(c) EDUCATION AND TRAINING SERVICES.—

(1) IN GENERAL.—Amounts allocated under section 313(b) shall be used to provide education and training services to adults—

(A) who are unable to obtain employment through core services under subsection (a);

(B) who are in need of education and training services in order to gain employment as a result of determinations made through—

(i) preliminary assessments under section 107(f)(1)(B) of this Act; or

(ii) comprehensive and specialized assessments under subsection (b)(3)(A); and

(C) who are unable to obtain other grant assistance for such services, such as through Federal Pell Grants established under title IV of the Higher Education Act of 1965.

(2) DELIVERY OF SERVICES.—Such education and training services shall be provided through education and training providers certified in accordance with title I of this Act.

(3) TYPES OF SERVICES.—Such education and training services may include the following:

(A) Basic skills training, including remedial education, literacy training, and English literacy program instruction.

(B) Occupational skills training, including training for nontraditional employment.

(C) On-the-job training.

(D) Programs that combine workplace training with related instruction.

(E) Training programs operated by the private sector.

(F) Skill upgrading and retraining.

(G) Entrepreneurial training.

(H) Employability training to enhance basic workplace competencies.

(I) Customized training conducted with a commitment by an employer or group of employers to employ an individual upon successful completion of the training.

(4) ADDITIONAL REQUIREMENTS.—

(A) USE OF CAREER GRANTS.—

(i) IN GENERAL.—Except as provided in clause (ii) and clause (iii), education and training services under this section shall be provided through the use of career grants in accordance with this subsection, and shall be distributed to eligible individuals through integrated career centers or affiliated sites as described in section 107, and in accordance with section 108 regarding the identification of eligible education and training providers.

(ii) EXCEPTIONS.—Education and training services authorized under this title may be

provided pursuant to a contract for services in lieu of a career grant if—

(I) such services are on-the-job training provided by an employer;

(II) the local workforce development board determines there are an insufficient number of certified providers of education and training services in the workforce development area to accomplish the purposes of a career grant system;

(III) the local workforce development board determines that the certified providers of education and training in the workforce development area are unable to provide effective services to special participant populations; or

(IV) the local workforce development board decides to enter into a direct training contract with a community based organization serving special participant populations.

(iii) TRANSITION.—States shall within three years from the date of enactment of this Act fully implement the requirements of clause (i), but nothing shall prohibit States from beginning such implementation at an earlier date.

(B) LINKAGE TO OCCUPATIONS IN DEMAND.—Education and training services under this subsection shall be directly linked to occupations for which there is a demand in the local workforce development area, or in another area to which an adult receiving such services is willing to relocate.

(d) ADDITIONAL SERVICES.—

(I) SUPPORTIVE SERVICES.—Supportive services may be provided for individuals—

(A) who are receiving assistance under any of subsections (a) through (c); and

(B) who are unable to receive such services through other programs providing such services.

(2) NEEDS-RELATED PAYMENTS.—

(A) IN GENERAL.—Amounts allocated under section 313(b) may be used to provide needs-related payments to adults who are unemployed and do not qualify for (or have ceased to qualify for) unemployment compensation for the purpose of enabling such adults to participate in education and training programs under subsection (c).

(B) ADDITIONAL ELIGIBILITY REQUIREMENTS.—In addition to the requirements contained in subparagraph (A), a dislocated worker who has exhausted unemployment insurance benefits may be eligible to receive needs-related payments under this paragraph only if such worker was enrolled in education or training by the end of the 8th week of the worker's initial unemployment compensation benefit period, or, if later, by the end of the 8th week after the worker is informed that a short-term layoff will in fact exceed 6 months.

(e) PRIORITY.—Local workforce development boards shall establish a process through which priority is given to dislocated workers and economically disadvantaged individuals, for receipt of services provided under subsections (b) and (c), in the event that funds are limited within the workforce development area.

(f) PROHIBITION ON PRIVATE RIGHT OF ACTION.—Nothing in this section may be construed to establish a right for a participant to bring an action to obtain services under a program established under this section.

(g) LIMITATIONS ON USE OF FUNDS.—Not more than 10 percent of the funds provided under this title to a local workforce development board may be used for administrative purposes.

Subtitle B—Federal Programs

SEC. 321. NATIONAL DISCRETIONARY GRANTS.

(a) GRANTS FOR DISLOCATED WORKERS.—

(1) IN GENERAL.—From amounts reserved under section 312(a)(2) for any fiscal year, the Secretary is authorized to award national discretionary grants to address major

economic dislocations that result from plant closures, base closures, or mass layoffs.

(2) APPLICATION.—To receive a grant under this section, an eligible entity shall submit an application to the Secretary at such time, in such manner, and accompanied by such information as the Secretary determines is appropriate.

(3) ELIGIBLE ENTITIES.—Grants under this section may be awarded to—

(A) the State;

(B) a local workforce development board administering assistance under this Act;

(C) employers and employer associations;

(D) worker-management transition assistance committees and other employer-employee entities;

(E) representatives of employees;

(F) community development corporations and community-based organizations; and

(G) industry consortia.

(b) INCENTIVE GRANTS.—From amounts reserved under section 312(a)(2) for any fiscal year, the Secretary may provide awards to States—

(1) to assist in the implementation of exemplary statewide workforce development system designs; and

(2) for the achievement of exceptional performance in the statewide workforce development system.

SEC. 322. DISASTER RELIEF EMPLOYMENT ASSISTANCE.

(a) IN GENERAL.—From amounts reserved under section 312(a)(2) for any fiscal year, the Secretary may provide assistance to the Governor of any State within which is located an area that has suffered an emergency or a major disaster as defined in paragraphs (1) and (2), respectively, of section 102 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (referred to in this section as the "disaster area").

(b) USE OF FUNDS.—

(1) PROJECTS RESTRICTED TO DISASTER AREAS.—Funds made available under this section—

(A) shall be used exclusively to provide employment on projects to provide food, clothing, shelter, and other humanitarian assistance for disaster victims and on projects regarding demolition, cleanup, repair, renovation, and reconstruction of damaged and destroyed structures, facilities, and lands located within the disaster area; and

(B) may be expended through public and private agencies and organizations engaged in such projects.

(2) ELIGIBILITY REQUIREMENTS.—An individual shall be eligible to be offered disaster employment under this section if such individual is a dislocated worker or is temporarily or permanently laid off as a consequence of the disaster.

(3) LIMITATIONS ON DISASTER RELIEF EMPLOYMENT.—No individual shall be employed under this part for more than 6 months for work related to recovery from a single natural disaster.

SEC. 323. RESEARCH, DEMONSTRATION, EVALUATION, AND CAPACITY BUILDING.

(a) IN GENERAL.—From amounts reserved under section 312(a)(2) for any fiscal year, the Secretary is authorized to establish and carry out research, demonstration, and capacity building activities in accordance with this section.

(b) ACTIVITIES.—The Secretary is authorized to carry out the following activities under this section:

(1) RESEARCH.—The Secretary is authorized to conduct continuing research, which may include studies and other methods and techniques, that will aid in the solution of the employment and training problems of the United States. Such studies may include the extent to which individuals who participate in programs established under this title

achieve self-sufficiency as a result of such participation, including the identification by State and locality, to the extent practicable, of indicators measuring such self-sufficiency.

(2) DEMONSTRATIONS.—The Secretary is authorized to conduct pilot and demonstration projects for the purpose of developing and improving methods and techniques for addressing employment and training needs which may include—

(A) projects conducted jointly with the Department of Defense to develop training programs utilizing computer-based and other innovative learning technologies. The Secretary may award grants and enter into contracts with appropriate entities to carry out such projects; and

(B) Projects which promote the use of distance learning, enabling students to take courses through the use of media technology such as videos, teleconferencing, computers, and the Internet.

(3) EVALUATION.—

(A) ACTIVITIES.—

(i) JOB TRAINING ACTIVITIES.—The Secretary shall provide for the continuing evaluation of activities conducted under this Act, including the use of controlled experiments using experimental and control groups chosen by scientific random assignment, and at a minimum, determine whether job training and job placement programs effectively raise the hourly wage rates of individuals receiving training through such programs.

(ii) OTHER PROGRAMS.—The Secretary may conduct evaluations of other federally funded employment-related activities including programs administered under—

(I) the Wagner-Peyser Act (29 U.S.C. 49 et seq.);

(II) the National Apprenticeship Act (29 U.S.C. 50 et seq.);

(III) the Older Americans Act of 1965 (42 U.S.C. 3001 et seq.); and

(IV) the Federal unemployment insurance program under titles III, IX, and XII of the Social Security Act (42 U.S.C. 501 et seq., 1101 et seq., and 1321 et seq.).

(B) EFFECTIVENESS.—The Secretary shall evaluate the effectiveness of programs authorized under this Act with respect to—

(i) the statutory goals; and

(ii) the extent to which such programs enhance the employment and earnings of participants, reduce income support costs, improve the employment competencies of participants in comparison to comparable persons who did not participate in such programs, and to the extent feasible, increase the level of total employment over the level that would have existed in the absence of such programs.

(4) NATIONAL PARTNERSHIP AND SPECIAL TRAINING.—The Secretary may award special grants to eligible entities to carry out activities that are most appropriately administered at the national level. Such activities may include—

(A) partnerships with national organizations with special expertise in developing, organizing, and administering employment and training services at the national, State, and local levels, such as industry and labor associations, public interests groups, community-based organizations representative of groups that encounter special difficulties in the labor market, in education and training; and

(B) activities that—

(i) address industry-wide skill shortages;

(ii) meet training needs that are best addressed on a multistate basis;

(iii) further the goals of increasing the competitiveness of the United States labor force;

(iv) require technical expertise available at the national level to serve the needs of particular client groups that encounter significant barriers to employment and who the

Secretary determines require special assistance; and

(v) promote and experiment with model activities, pilot projects, and demonstration projects which further the goals and purposes of this Act.

(5) CAPACITY BUILDING AND TECHNICAL ASSISTANCE.—

(A) IN GENERAL.—The Secretary shall provide, through grants, contracts, or other arrangements, staff training and technical assistance to States, local workforce development boards, career centers, communities, business and labor organizations, service providers, industry consortia, and other entities, to enhance their capacity to develop and deliver effective employment and training services.

(B) ACTIVITIES.—The staff training and technical assistance authorized under subparagraph (A) may include—

(i) development of management information systems;

(ii) development and maintenance of a national capacity building, information and dissemination network; and

(iii) grants for the replication of successful employment and training models and activities.

SEC. 324. WORKFORCE SKILLS AND DEVELOPMENT LOANS.

(a) AUTHORIZATION.—

(1) IN GENERAL.—From amounts reserved under section 312(a)(2) for any fiscal year, the Secretary of Labor may use a portion of such amounts to provide grants to States to provide loans to eligible entities described in paragraph (2) to assist such entities in providing skills upgrading.

(2) ELIGIBLE ENTITIES.—An eligible entity described in this paragraph is—

(A) an employer;

(B) a representative of employees;

(C) a business association;

(D) a trade organization; or

(E) a consortium consisting of—

(i) more than 1 of the entities described in subparagraphs (A) through (D); or

(ii) an institution of higher education (as such term is defined in section 481 of the Higher Education Act of 1965 (20 U.S.C. 1088) which continues to meet the eligibility and certification requirements under section 498 of such Act) and 1 or more of the entities described in subparagraphs (A) through (D).

(b) APPLICATION.—The Secretary may provide a grant to a State under subsection (a) only if such State submits to the Secretary an application which contains such information as the Secretary may reasonably require.

(c) USE OF AMOUNTS.—A State shall use amounts received from a grant under subsection (a) to establish a loan guarantee program to assist eligible entities described in paragraph (2) of such subsection to provide skills upgrading. In carrying out such program, the State shall meet the following requirements:

(1) ESTABLISHMENT OF RESERVE FUND FOR LOAN GUARANTEES.—The State shall establish a reserve fund from amounts received from such grant for the purpose of making commitments to guarantee the payment of principal and interest on loans made by financial institutions to such eligible entities to provide skills upgrading.

(2) CRITERIA FOR LOAN GUARANTEES.—The State, in conjunction with appropriate financial institutions, shall establish and publish criteria for providing loan guarantees to eligible entities under the program, including criteria that provides for the following:

(A) A loan guarantee may be issued under the program only if, at the time such guarantee is issued the eligible entity agrees to pay as an insurance premium an amount equal to 1 percent of the principal received

by such entity under the loan to the State's reserve fund.

(B)(i) Subject to clause (ii), the eligible entity will use amounts received from the loan to provide skills upgrading for mid- and lower-level employees, which may include—

(I) training in total quality management, statistical process control, production techniques, office automation, materials resource planning; and

(II) training to improve basic skills, including reading, writing, and arithmetic.

(ii) In providing such skills upgrading, the eligible entity shall give priority to employees who—

(I) directly produce or deliver goods or services; or

(II) are in danger of being terminated or laid off as a result of modernization in the workplace, corporate downsizing, foreign or domestic competition, or Federal policies adversely affecting 1 or more industries.

(C) Amounts from a loan shall not be used to pay the wages or other benefits of any employee receiving assistance under the program.

(3) PAYMENT BY STATE TO FINANCIAL INSTITUTIONS IN CASES OF DEFAULT.—

(A) IN GENERAL.—In accordance with criteria developed by the Secretary, the State shall make payments from the State's reserve fund to financial institutions that have provided loans to eligible entities that have defaulted on such loans for the purpose of reimbursing such institutions for the amount of principal and interest remaining unpaid to the institutions by reason of such default.

(B) NO FULL FAITH AND CREDIT OF THE UNITED STATES.—Loans provided by financial institutions to eligible entities under loan guarantee programs under this section shall not be obligations of, or guaranteed in any respect by, the United States.

(4) INTEREST FROM AMOUNTS IN RESERVE FUND.—Any interest earned from amounts in the State's reserve fund shall be credited to such fund.

(d) FEDERAL AND STATE SHARE.—

(1) FEDERAL SHARE.—The Federal share under this section may not exceed 50 percent of the total cost of the program established under subsection (c) for any fiscal year.

(2) STATE SHARE.—The State share shall be provided from non-Federal sources and may be in cash or in-kind, fairly evaluated.

SEC. 325. EMPLOYMENT, TRAINING, AND EDUCATION ASSISTANCE FOR NATIVE AMERICANS.

(a) AUTHORIZATION.—From amounts reserved under section 4(a)(2) for any fiscal year, there shall be reserved 4 percent, or \$85,000,000, whichever is less, to provide grants to, or enter into contracts or cooperative agreements with, Indian tribes and tribal organizations, tribally-controlled colleges, tribally-controlled postsecondary vocational institutions, Indian-controlled organizations serving off-reservation areas, Alaska Native village and regional entities serving areas as described in the Alaska Native Claims Settlement Act and Hawaiian Native-controlled organizations to provide employment, training, vocational rehabilitation, library services, and education assistance for Native Americans.

(b) TRANSFER OF AUTHORITY FOR VOCATIONAL EDUCATION ACTIVITIES.—In carrying out subsection (a), the Secretary of Labor may enter into an agreement with the Secretary of Education to carry out any portion of assistance under such subsection devoted to vocational educational activities, including support for the United Tribes Technical College and Crownpoint Institute of Technology.

(c) CONSOLIDATION OF FUNDS.—Entities receiving assistance under subsection (a) may consolidate such assistance with assistance received from related programs in accord-

ance with the provisions of the Indian Employment, Training and Related Services Demonstration Act (Public Law 102-477).

(d) REGULATIONS.—The Secretary shall consult with Indian, Alaska Native and Hawaiian Native groups in establishing regulations to carry out this section, including performance standards for entities receiving assistance under subsection (a), taking into account the economic circumstances of such groups.

SEC. 326. EMPLOYMENT, TRAINING, AND EDUCATION ASSISTANCE FOR MIGRANT AND SEASONAL FARMWORKERS.

(a) AUTHORIZATION.—

(1) IN GENERAL.—From amounts reserved under section 4(a)(2) for any fiscal year, there shall be reserved 4 percent, or \$85,000,000, whichever is less, to provide grants to, or enter into contracts or cooperative agreements with, entities described in paragraph (2) to provide employment, training, and education assistance for migrant and seasonal farmworkers.

(2) ENTITIES DESCRIBED.—An entity described in this paragraph is an entity the Secretary determines to have the capacity to administer effectively a diversified workforce development program for migrant and seasonal farmworkers.

(b) USE OF AMOUNTS.—An entity shall use amounts received under subsection (a) to provide employment, training, educational development, high school equivalency, post-secondary education assistance, vocational rehabilitation, literacy, English as a second language, work-based education and development, worker safety training, employability enhancements, emergency or other disaster relief, housing, technical assistance, outreach, intake, assessment, follow-up, stipend support, supportive services, other needs-based assistance, self-employment and related business enterprise development education, and the management of a database on participating migrant and seasonal farmworkers.

(c) REGULATIONS.—The Secretary shall consult with seasonal and migrant farmworker groups in establishing regulations to carry out this section, including performance standards for entities receiving assistance under subsection (a)(2), taking into account the economic circumstances of such groups.

TITLE IV—ADULT EDUCATION AND FAMILY LITERACY CONSOLIDATION GRANT AND LIBRARY SERVICES AND TECHNOLOGY CONSOLIDATION GRANT

SEC. 401. FINDINGS.

The Congress finds as follows:

(1) According to the 1990 census, 21 percent of our Nation's adults (more than 38 million persons) lack a high school credential or are limited English proficient.

(2) The National Adult Literacy Survey, conducted under the Adult Education Act, found that 20 percent of all adults in the United States, or about 40 million people, have minimal levels of literacy skills and that the lack of such skills is related to unemployment, low wages, and fewer weeks worked.

(3) The success of State efforts to reform and improve public education are dependent on the ability of the United States to break intergenerational cycles of illiteracy and inadequate education by ensuring that parents possess a strong educational foundation and, as the first and most continuous teachers of their children, model for, and instill in, their children a commitment to family literacy and life-long learning.

(4) Generations of immigrants have contributed to our communities and our economy, but for them to continue to do so given recent technologies and the competitive global economy, they must master English as rapidly as possible.

(5) Studies have found that incarcerated adults are twice as likely as nonincarcerated adults to lack a good education and that such lack is a significant statistical indicator of recidivism.

(6) Certain short-term and long-term goals of the Nation may not be met unless the United States improves its current system of adult education and life-long learning through Federal leadership.

SEC. 402. DEFINITIONS.

As used in this title:

(1) **CORRECTIONAL EDUCATION AGENCY.**—The term “correctional education agency” means an entity that provides programs for criminal offenders in corrections institutions and for other institutionalized individuals which include academic programs for basic education, special education, bilingual or English language instruction, vocational training, library development, corrections education programs, guidance and counseling, and other supportive services for criminal offenders which may emphasize coordination of educational services with educational institutions, community-based organizations of demonstrative effectiveness, and the private sector, designed to provide education and training.

(2) **EDUCATIONALLY DISADVANTAGED ADULT.**—The term “educationally disadvantaged adult” means an adult who—

(A) demonstrates basic skills equivalent to or below that of students at the fifth grade level; or

(B) has been placed in the lowest or beginning level of an adult education program when that program does not use grade level equivalencies as a measure of students’ basic skills.

(3) **FAMILY LITERACY SERVICES.**—The term “family literacy services” means services that are of sufficient intensity in terms of hours, and of sufficient duration, to make sustainable changes in a family and that integrate all of the following activities:

(A) Interactive literacy activities between parents and their children.

(B) Training for parents on how to be their children’s primary teacher and full partners in the education of their children.

(C) Parent literacy training.

(D) An age-appropriate education program for children.

(4) **SECRETARY.**—The term “Secretary” means the Secretary of Education.

Subtitle A—Adult Education and Family Literacy Consolidation Grant

SEC. 411. PURPOSES.

The purposes of this subtitle are to assist States to provide—

(1) to adults, the basic educational skills necessary for employment and self-sufficiency;

(2) to adults who are parents, the educational skills necessary to be full partners in the educational development of their children;

(3) to adults, the basic English language skills necessary to participate in the civic, social, and economic life of the United States; and

(4) to adults, the opportunity to attain a high school degree or its equivalent in order to permit them to pursue further education and training or improve their family and work situations.

CHAPTER 1—FUNDING

SEC. 421. RESERVATIONS FROM AMOUNTS APPROPRIATED.

(a) **NATIONAL INSTITUTE FOR LITERACY.**—For any fiscal year, the Secretary shall reserve \$4,500,000 of the amount appropriated under section 4(a)(3) to carry out the activities of the National Institute for Literacy described in section 441.

(b) **NATIONAL LEADERSHIP ACTIVITIES.**—For any fiscal year, the Secretary shall reserve

\$4,500,000 of the amount appropriated under section 4(a)(3) to establish and carry out the program of national leadership and evaluation activities described in section 442.

SEC. 422. ALLOTMENT.

(a) **INITIAL ALLOTMENT.**—From the sums available for the purpose of making grants under chapter 2 for any fiscal year, the Secretary shall allot—

(1) \$100,000 each to Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, and the Virgin Islands; and

(2) \$250,000 to each of the other States.

(b) **ADDITIONAL ALLOTMENT.**—

(1) **IN GENERAL.**—From the remainder of the sums described in subsection (a) after the application of the subsection, the Secretary shall allot to each State an amount which bears the same ratio to such remainder as the number of qualifying adults in the State bears to the number of such adults in all States.

(2) **QUALIFYING ADULT.**—For purposes of this subsection, the term “qualifying adult” means an adult who—

(A) is at least 16 years of age, but less than 61 years of age;

(B) is beyond the age of compulsory school attendance under State law;

(C) does not have a certificate of graduation from a school providing secondary education (or its equivalent); and

(D) is not currently enrolled in elementary or secondary school.

CHAPTER 2—GRANTS TO STATES

SEC. 431. REQUIREMENT TO MAKE GRANTS.

For fiscal year 1997 and subsequent fiscal years, the Secretary shall make a grant to a State in an amount equal to the initial and additional allotments of the State for the year if the State—

(1) has satisfied the requirements of title I and section 433(a)(1);

(2) agrees not to expend the grant for any purpose other than in accordance with section 432;

(3) agrees to satisfy the grant requirements in section 433(a)(2) and 433(b); and

(4) agrees not to expend the grant for the purpose of supporting or providing programs, services, or activities for individuals who are not adults, except if such programs, services, or activities are related to family literacy services.

SEC. 432. USES OF FUNDS.

(a) **STATE USES OF FUNDS.**—

(1) **GRANTS TO SERVE TARGET POPULATIONS.**—

(A) **IN GENERAL.**—Of the funds paid to a State under this title for fiscal year 1998 and subsequent fiscal years, 3 percent shall be distributed as performance grants made by the State on a competitive basis, and consistent with subsection (b) and section 433(b)(2), to local service providers that have provided, during the immediately preceding fiscal year, adult education or family literacy services to the target populations described in subparagraph (C).

(B) **LOCAL SERVICE PROVIDERS.**—The local service providers referred to in subparagraph (A) may include the following:

(i) Local educational agencies.

(ii) Correctional educational agencies.

(iii) Community-based organizations.

(iv) Public or private nonprofit agencies.

(v) Institutions of higher education.

(vi) Libraries.

(vii) Other institutions that the State determines to have the ability to provide literacy services to adults and families.

(C) **TARGET POPULATIONS.**—The target populations referred to in subparagraph (A) are the following:

(i) Adults with more than one barrier to self-sufficiency, such as being unemployed or an educationally disadvantaged adult.

(ii) Families on public assistance (as determined by the State).

(iii) Parents who are educationally disadvantaged adults and who have a child who is less than 8 years of age.

(iv) Adults who are individuals with disabilities or who have similar special needs.

(2) **GRANTS TO LOCAL SERVICE PROVIDERS.**—Of the funds paid to a State under this subtitle for any fiscal year that remain after the application of paragraph (1), at least 85 percent shall be distributed as grants made by the State on a competitive basis, and consistent with subsection (b) and section 433(b)(2), to local service providers to establish, conduct, or expand programs, services, or activities to achieve a purpose of this subtitle. Such local service providers may include the local service providers described in paragraph (1)(B).

(3) **OTHER STATE ACTIVITIES.**—A State may use not more than 12 percent of the funds paid to the State under this subtitle for any fiscal year that remain after the application of paragraph (1) for one or more of the following purposes:

(A) The establishment or operation of professional development programs to improve the quality of instruction provided in local adult education and literacy programs, including instruction provided by volunteers.

(B) The provision of technical assistance to local service providers.

(C) The provision of technology assistance to local service providers to enable them to improve the quality of their programs, services, and activities that achieve a purpose of this subtitle, including—

(i) providing hardware and software;

(ii) paying for service connection fees associated with gaining access to computerized databases; and

(iii) upgrading the technological capabilities of local service providers to improve the quality of their services and to assist them in providing services on a flexible schedule that meets the needs of diverse populations.

(D) The support of State or regional networks of literacy resource centers that—

(i) enhance the coordination of literacy services across public and private programs and State agencies;

(ii) enhance the capacity of the State and local service providers to provide literacy services through the diffusion and adoption of state-of-the-art teaching methods and technologies;

(iii) provide linkages between the National Institute for Literacy established under section 441 and local service providers for the sharing of literacy information, research, and resources;

(iv) encourage government and industry partnerships; and

(v) provide training and technical assistance to literacy instructors in reading instruction, the use of state-of-the-art methodologies, instructional materials, and technologies, and professional development.

(E) Monitoring and evaluating the quality of, and the improvement in, services and activities conducted with Federal financial assistance under this subtitle, including carrying out section 433(a)(2).

(F) The support of a common management information system as described in section 109.

(G) Carrying out other activities of statewide significance that promote the purposes of this Act.

(4) **ADMINISTRATIVE EXPENSES.**—For any fiscal year, a State may use not more than 3 percent of the funds paid to the State under this subtitle that remain after the application of paragraph (1) or \$50,000, whichever is greater, for—

(A) planning, administration, and inter-agency coordination associated with a grant under this subtitle; and

(B) support for integrated career center systems described in section 107.

(b) LOCAL USES OF FUNDS.—A State shall require that a local service provider that receives a grant from the State under paragraph (1) or (2) of subsection (a) use the grant to establish or operate one or more programs that provide instruction or services within one or more of the following categories:

(1) Adult basic education that is designed for an adult who—

(A) has minimal competence in reading, writing, or computation;

(B) is not sufficiently competent in reading, writing, or computation to meet the requirements of adult life in the United States; or

(C) is not sufficiently competent in speaking, reading, or writing the English language to obtain employment commensurate with the adult's intellectual abilities.

(2) Adult secondary education that is designed for an adult who is literate and can function in everyday life, but who—

(A) has not acquired basic educational skills, including reading, writing, and computation; or

(B) does not have a certificate of graduation from a school providing education to students in grade 12, or its equivalent.

(3) English literacy instruction that is designed for an adult—

(A) who—

(i) has limited ability in speaking, reading, writing, or understanding the English language and whose native language is a language other than English; or

(ii) lives in a family or community environment where a language other than English is the dominant language; and

(B) who, by reason of a condition described in subparagraph (A), has sufficient difficulty reading, writing, or understanding the English language that the adult is unable—

(i) to learn successfully in a classroom where the language of instruction is English; or

(ii) to participate fully in the society of the United States.

(4) Family literacy services.

(c) AUTHORIZATION TO RECEIVE PAYMENTS FROM OTHER PROGRAMS.—A local service provider that receives a grant from a State under paragraph (1) or (2) of subsection (a), and that provides adult education and literacy services to an adult who was referred to the provider by a program supported under title II or III, may receive payment for the services from the program, either in the form of a career grant or by some other means.

SEC. 433. ADDITIONAL GRANT REQUIREMENTS.

(a) GOALS, PROGRESS INDICATORS, PERFORMANCE MEASURES.—

(1) PLANNING REQUIREMENTS.—A State that desires to receive a grant under this subtitle shall accomplish the following:

(A) Establish, through the collaborative process described in section 103, measurable goals for improving literacy levels, retention in literacy programs, and long-term learning gains of individuals in the State.

(B) Based on such goals and the performance measures described in section 110(f), establish, through such collaborative process, progress indicators to be used to evaluate the performance of local service providers receiving a grant under paragraph (1) or (2) of section 432(a).

(C) Describe such goals and progress indicators in the State workforce development and literacy plan submitted to the Secretary under section 104.

(2) IMPLEMENTATION REQUIREMENTS.—A State that receives a grant under this subtitle shall accomplish the following:

(A) With respect to each local service provider receiving a grant under paragraph (1)

or (2) of section 432(a), based on the goals and progress indicators established under paragraph (1), measure the performance measures described in section 110(f) and use the data produced by such measurement to improve the quality of services provided to program participants or service recipients.

(B) Beginning on the date that is 2 years after the first date that a local service provider receives a grant under paragraph (1) or (2) of section 432(a), annually assess the degree to which the provider is meeting or exceeding the progress indicators applicable to the provider.

(C) Annually report to the Secretary on the performance measures described in section 434 for each category described in such section.

(b) OTHER REQUIREMENTS.—A State that receives a grant under this subtitle shall ensure the following:

(1) EXPENDITURES OF NON-FEDERAL FUNDS.—For any fiscal year for which a grant is made to the State under this subtitle, the State shall expend, on programs and activities relating to adult education and family literacy services, an amount, derived from sources other than the Federal Government, equal to 25 percent of the State's initial and additional allotments for the year.

(2) PRIORITY FOR PLANNING WITH BOARDS AND SYSTEMS.—In awarding grants to local service providers under paragraph (1) or (2) of section 432(a), the State shall give priority to providers that demonstrate joint planning with local workforce development boards and integrated career center systems.

(3) EQUITABLE ACCESS.—Local educational agencies, public or private nonprofit agencies, community-based organizations, correctional education agencies, institutions of higher education, libraries, and institutions which serve educationally disadvantaged adults shall be provided direct and equitable access to Federal funds provided under this subtitle in accordance with this subtitle.

(4) PAYMENTS BY LOCAL WORKFORCE DEVELOPMENT BOARDS TO LOCAL SERVICE PROVIDERS.—A local service provider that receives a grant from a State under paragraph (1) or (2) of section 432(a) may negotiate with a local workforce development board with respect to receipt of payments for adult education and literacy services provided by the provider to adults referred to the provider by a program supported under title II or III.

CHAPTER 3—NATIONAL PROGRAMS

SEC. 441. NATIONAL INSTITUTE FOR LITERACY.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—There shall be established a National Institute for Literacy (in this section referred to as the "Institute"). The Institute shall be administered under the terms of an interagency agreement entered into by the Secretary of Education with the Secretary of Labor and the Secretary of Health and Human Services (in this section referred to as the "Interagency Group"). The Secretary may include in the Institute any research and development center, institute, or clearinghouse established within the Department of Education whose purpose is determined by the Secretary to be related to the purpose of the Institute.

(2) BOARD RECOMMENDATIONS.—The Interagency Group shall consider the recommendations of the National Institute for Literacy Advisory Board (in this section referred to as the "Board") established under subsection (d) in planning the goals of the Institute and in the implementation of any programs to achieve such goals.

(3) DAILY OPERATIONS.—The daily operations of the Institute shall be carried out by the Director of the Institute appointed under subsection (g).

(b) DUTIES.—

(1) IN GENERAL.—The Institute shall—

(A) provide national leadership for the improvement and expansion of the system for delivery of literacy services;

(B) coordinate the delivery of such services;

(C) support the creation of new methods of offering improved services;

(D) serve as a national resource for adult education and family literacy services by providing to the public the best and most current information available on the subjects; and

(E) assist States in developing levels of performance.

(2) AUTHORIZED ACTIVITIES.—In order to carry out the duties described in paragraph (1), the Institute may—

(A) establish a national electronic database of information that includes—

(i) information on—

(I) effective practices in the provision of literacy and basic skills instruction;

(II) public and private literacy and basic skills programs and Federal, State, and local policies affecting the provision of literacy services at the national, State, and local levels; and

(III) technical assistance, meetings, conferences, and other opportunities that lead to the improvement of literacy and basic skills services; and

(ii) a communication network for literacy programs, providers, and students;

(B) coordinate support for the provision of literacy and basic skills services across Federal agencies and at the State and local level;

(C) coordinate the support of research and development on literacy and basic skills in families and adults across Federal agencies and carry out basic and applied research and development on topics that are not being investigated by other organizations or agencies;

(D) collect and disseminate information on methods of advancing literacy that show promise of success; and

(E) assist in the development of policy with respect to literacy and basic skills.

(3) GRANTS, CONTRACTS, AND AGREEMENTS.—The Institute may enter into contracts or cooperative agreements with, or make grants to, individuals, public or private institutions, agencies, organizations, or consortia of such institutions, agencies, or organizations to carry out the activities of the Institute. Such grants, contracts, or agreements shall be subject to the laws and regulations that generally apply to grants, contracts, or agreements entered into by Federal agencies.

(c) LITERACY LEADERSHIP.—

(1) FELLOWSHIPS.—The Institute, in consultation with the Board, may award fellowships, with such stipends and allowances as the Director considers necessary, to outstanding individuals pursuing careers in adult education or literacy in the areas of instruction, management, research, or innovation.

(2) USE OF FELLOWSHIPS.—Fellowships awarded under this subsection shall be used, under the auspices of the Institute, to engage in research, education, training, technical assistance, or other activities to advance the field of adult education or literacy, including the training of volunteer literacy providers at the national, State, or local level.

(3) INTERNS AND VOLUNTEERS.—The Institute, in consultation with the Board, may award paid and unpaid internships to individuals seeking to assist the Institute in carrying out its mission. Notwithstanding section 1342 of title 31, United States Code, the Institute may accept and use voluntary and uncompensated services as the Institute determines necessary.

(d) NATIONAL INSTITUTE FOR LITERACY ADVISORY BOARD.—

(1) ESTABLISHMENT.—

(A) IN GENERAL.—There shall be a National Institute for Literacy Advisory Board. The Board shall consist of 10 individuals appointed by the President with the advice and consent of the Senate from individuals who—

(i) are not otherwise officers or employees of the Federal Government; and

(ii) are representative of entities or groups described in subparagraph (B).

(B) ENTITIES OR GROUPS DESCRIBED.—The entities or groups referred to in subparagraph (A) are—

(i) literacy organizations and providers of literacy services, including—

(I) nonprofit providers of literacy services;

(II) providers of programs and services involving English language instruction; and

(III) providers of services receiving assistance under this subtitle;

(ii) businesses that have demonstrated interest in literacy programs;

(iii) literacy students;

(iv) experts in the area of literacy research;

(v) State and local governments; and

(vi) representatives of employees.

(2) DUTIES.—The Board shall—

(A) make recommendations concerning the appointment of the Director and staff of the Institute;

(B) provide independent advice on the operation of the Institute; and

(C) receive reports from the Interagency Group and the Director.

(3) TERMS.—

(A) IN GENERAL.—Each member of the Board shall be appointed for a term of 3 years, except that the initial terms for members may be 1, 2, or 3 years in order to establish a rotation in which 1/3 of the members are selected each year.

(B) VACANCY APPOINTMENTS.—Any member appointed to fill a vacancy occurring before the expiration of the term for which the member's predecessor was appointed shall be appointed only for the remainder of that term. A member may serve after the expiration of that members' term until a successor has taken office. A vacancy in the Board shall be filled in the manner in which the original appointment was made. A vacancy in the Board shall not affect the powers of the Board.

(4) QUORUM.—A majority of the members of the Board shall constitute a quorum but a lesser number may hold hearings. Any recommendation may be passed only by a majority of its members present.

(5) CHAIRPERSON AND VICE CHAIRPERSON.—The chairperson and vice chairperson of the Board shall be elected by the members. The term of office of the chairperson and vice chairperson shall be 1 year.

(6) MEETINGS.—The Board shall meet at the call of the chairperson or a majority of its members.

(e) GIFTS, BEQUESTS, AND DEVICES.—The Institute may accept, administer, and use gifts or donations of services, money, or property, both real and personal.

(f) MAILS.—The Board and the Institute may use the United States mails in the same manner and under the same conditions as other departments and agencies of the United States.

(g) STAFF.—The Interagency Group, after considering recommendations made by the Board, shall appoint and fix the pay of a Director.

(h) APPLICABILITY OF CERTAIN CIVIL SERVICE LAWS.—The Director and staff of the Institute may be appointed without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and may be paid without regard to the provisions of chapter 51 and subchapter

III of chapter 53 of that title relating to classification and General Schedule pay rates, except that an individual so appointed may not receive pay in excess of the maximum rate payable under section 5376 of title 5, United States Code.

(i) EXPERTS AND CONSULTANTS.—The Board and the Institute may procure temporary and intermittent services under section 3109(b) of title 5, United States Code.

(j) REPORT.—The Institute shall submit a biennial report to the Interagency Group and the Congress.

SEC. 442. NATIONAL LEADERSHIP ACTIVITIES.

(a) IN GENERAL.—The Secretary shall establish and carry out a program of national leadership and evaluation activities to enhance the quality of adult education and family literacy programs nationwide.

(b) REQUIRED ACTIVITY.—

(1) IN GENERAL.—The program of national leadership and evaluation activities under subsection (a) shall include a national evaluation, conducted by the Secretary, of the programs and activities carried out by States and local service providers with Federal funds received under this subtitle. Such evaluation shall include information on the following:

(A) The manner in which States and local service providers use Federal funds, including the manner in which States allocate such funds among such providers.

(B) The manner in which States establish goals and performance standards and use such goals and standards to manage and improve programs.

(C) The effectiveness of the funds used under subparagraphs (B) and (C) of section 432(a)(3).

(D) The manner in which economically disadvantaged individuals and educationally disadvantaged adults are being served by States and local service providers.

(E) The coordination between programs and activities carried out with Federal funds received under titles II and III and programs and activities carried out with Federal funds received under this subtitle.

(F) The percentage of individuals receiving a service from an integrated career center system who are referred by such system to a local service provider providing adult education or literacy services.

(2) REPORT.—Not later than September 30, 2001, the Secretary shall provide to the Congress and publicly publish the results of the evaluation conducted under paragraph (1).

(c) AUTHORIZED ACTIVITIES.—

(1) IN GENERAL.—The program of national leadership and evaluation activities under subsection (a) may include the following:

(A) Assisting States in developing levels of performance.

(B) Research and development.

(C) Demonstration of model and innovative programs.

(D) Evaluations, including independent evaluations of adult education and family literacy programs carried out with financial assistance received pursuant to this subtitle.

(E) Data collection.

(F) Professional development.

(G) Technical assistance to States and local service providers receiving Federal financial assistance pursuant to this subtitle.

(H) Making grants to State or regional networks of literacy resource centers described in section 432(a)(3)(D).

(I) Other activities to enhance the quality of adult education and family literacy programs nationwide.

(2) GRANTS, CONTRACTS, AND COOPERATIVE AGREEMENTS.—The Secretary may carry out the activities described in paragraph (1) directly or through grants, contracts, and cooperative agreements.

Subtitle B—Library Services and Technology Consolidation Grant

SEC. 451. PURPOSES.

The purposes of this subtitle are—

(1) to consolidate Federal library service programs;

(2) to improve public access to information through electronic networks; and

(3) to provide linkages among and between libraries and integrated career center systems.

SEC. 452. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—There are authorized to be appropriated to carry out this subtitle \$110,000,000 for each of the fiscal years 1997 through 2002.

(b) ADVANCE NOTICE OF FUNDING.—For the purpose of affording adequate notice of funding available under this subtitle, an appropriation to carry out this subtitle is authorized to be included in an appropriation Act for the fiscal year preceding the fiscal year for which such appropriation is first available for obligation.

SEC. 453. ALLOTMENTS.

(a) INITIAL ALLOTMENTS.—

(1) IN GENERAL.—From the sums appropriated under section 452 for any fiscal year, the Secretary shall allot—

(A) \$40,000 each to Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, and the Virgin Islands; and

(B) \$200,000 to each of the other States.

(2) RATABLE REDUCTION.—If the sums appropriated under section 452 for any fiscal year are insufficient to pay all of the allotments under paragraph (1), each such allotment shall be ratably reduced.

(b) ADDITIONAL ALLOTMENTS.—

(1) IN GENERAL.—From the remainder of the sums appropriated under section 452 for any fiscal year after the application of subsection (a), the Secretary shall allot to each State an amount which bears the same ratio to such remainder as the population of the State bears to the population of all States.

(2) DETERMINATION OF POPULATION OF STATES.—For the purpose of this subsection, the population of each State, and the total population of all States, shall be determined by the Secretary on the basis of the most recent census data available to the Secretary, and the Secretary shall use for such purpose, if available, the annual interim current census data produced by the Secretary of Commerce pursuant to section 181 of title 13, United States Code.

SEC. 454. GRANTS TO STATES.

(a) IN GENERAL.—The Secretary shall make a grant for a fiscal year to a State if the State—

(1) has submitted to the Secretary for the year an annual application that has been approved by the Secretary under section 456; and

(2) has entered into a written agreement with the Secretary that—

(A) the State will provide 100 percent of the funds paid to the State under this subtitle for the year to the State library administrative agency for the State;

(B) such agency will be required to use such funds to carry out activities that—

(i) are described in such annual application;

(ii) achieve the purposes of this subtitle; and

(iii) satisfy the requirements of section 455;

(C) there will be available from State and local sources for expenditure by such agency to carry out such activities an amount that equals or exceeds 25 percent of the total cost (as determined by the Secretary) of carrying out such activities for the year; and

(D) such agency has the fiscal and legal authority and capability to administer all aspects of such activities.

(b) AMOUNT OF GRANTS.—The amount of a grant to a State under subsection (a) for a fiscal year shall equal the lesser of the following:

(1) The sum of the initial and additional allotments of the State for the year.

(2) 75 percent of the total cost (as determined by the Secretary) of carrying out the activities described in subsection (a)(2)(B) for the year.

SEC. 455. USES OF FUNDS.

(a) IN GENERAL.—Of the funds provided to a State library administrative agency under section 454(a)(2)(A), the agency shall expend (either directly or through subgrants or cooperative agreements) at least 97 percent for one or more of the following purposes:

(1) Electronically connecting libraries with integrated career center systems designated or established under section 107 and local service providers receiving grants under paragraph (1) or (2) of section 432(a).

(2) Establishing or enhancing linkages among libraries.

(3) Assisting libraries in accessing information through electronic networks.

(4) Encouraging libraries in different Federal, State, and local jurisdictions, and different types of libraries, to establish consortia and share resources.

(5) Paying costs for libraries to acquire or share computer systems and telecommunications technologies.

(6) Improving library and information services for individuals who have difficulty using a library or who need special library materials or services, including individuals under the age of 18.

(b) ADMINISTRATIVE EXPENSES.—In any fiscal year, a State library administrative agency may use not more than 3 percent of the funds provided to the agency under section 454(a)(2)(A) for planning, administration, evaluations, and interagency coordination associated with a grant under this subtitle.

SEC. 456. ANNUAL APPLICATIONS.

(a) SUBMISSION.—A State that desires to receive a grant under this subtitle for a fiscal year shall submit to the Secretary, in such form and manner and before such deadline as the Secretary shall specify in regulations, an application for such year. Such application shall—

(1) establish goals, and specify priorities, for the State consistent with the purposes of this subtitle;

(2) describe activities that are consistent with such goals and priorities, the purposes of this subtitle, and the requirements of section 455 that the State library administrative agency will carry out during such year using such grant;

(3) describe the procedures that such agency will use to carry out such activities;

(4) describe the methodology that such agency will use to evaluate the success of such activities in achieving such goals and meeting such priorities;

(5) describe procedures that such agency will use to involve libraries and library users throughout the State in policy decisions regarding implementation of this subtitle; and

(6) provide assurances satisfactory to the Secretary that such agency will make such reports, in such form and containing such information, as the Secretary may reasonably require to carry out this subtitle and to determine the extent to which funds provided under this subtitle have been effective in carrying out its purposes.

(b) APPROVAL.—

(1) IN GENERAL.—The Secretary shall approve each application submitted under subsection (a) that satisfies the requirements of the subsection.

(2) RIGHTS OF STATES UPON DISAPPROVAL.—If the Secretary determines that an applica-

tion submitted by a State under subsection (a) does not satisfy the requirements of such subsection, the Secretary shall—

(A) immediately notify the State of such determination and the reasons for such determination; and

(B) offer the State an opportunity to revise its application to correct any deficiencies.

TITLE V—MISCELLANEOUS PROVISIONS

SEC. 501. EFFECT ON REHABILITATION ACT OF 1973.

Notwithstanding any other provision of this Act, this Act does not have any legal effect on any program under the Rehabilitation Act of 1973.

TITLE VI—HIGHER EDUCATION PRIVATIZATION

SEC. 601. REORGANIZATION OF THE STUDENT LOAN MARKETING ASSOCIATION THROUGH THE FORMATION OF A HOLDING COMPANY.

(a) AMENDMENT.—Part B of title IV of the Higher Education Act of 1965 (20 U.S.C. 1071 et seq.) is amended by inserting after section 439 (20 U.S.C. 1087-2) the following new section:

“SEC. 440. REORGANIZATION OF THE STUDENT LOAN MARKETING ASSOCIATION THROUGH THE FORMATION OF A HOLDING COMPANY.

“(a) ACTIONS BY THE ASSOCIATION’S BOARD OF DIRECTORS.—The Board of Directors of the Association shall take or cause to be taken all such action as it deems necessary or appropriate to effect, upon the shareholder approval described in subsection (b), a restructuring of the common stock ownership of the Association, as set forth in a plan of reorganization adopted by the Board of Directors (the terms of which shall be consistent with this Act) so that all of the outstanding common shares shall be directly owned by an ordinary business corporation chartered under State or District of Columbia law (the ‘Holding Company’), as the Board of Directors may determine. Such actions may include, in the Board’s discretion, a merger of a wholly owned subsidiary of the Holding Company with and into the Association, which would have the effect provided in the plan of reorganization and the law of the jurisdiction in which such subsidiary is incorporated. As part of the restructuring, the Board of Directors may cause (1) the common shares of the Association to be converted, at the reorganization effective date, to common shares of the Holding Company on a one for one basis, consistent with applicable State or District of Columbia law, and (2) Holding Company common shares to be registered with the Securities and Exchange Commission.

“(b) SHAREHOLDER APPROVAL.—The plan of reorganization adopted by the Board of Directors pursuant to subsection (a) shall be submitted to common stockholders of the Association for their approval. The reorganization shall occur at the reorganization effective date, provided that the plan of reorganization has been approved by the affirmative votes, cast in person or by proxy, of the holders of a majority of the issued and outstanding shares of the Association common stock.

“(c) TRANSITION.—

“(1) IN GENERAL.—Except as specifically provided in this section, until the dissolution date the Association shall continue to have all of the rights, privileges and obligations set forth in, and shall be subject to all of the limitations and restrictions of, section 439 of this Act as in effect on the effective date of this section, and the Association shall continue to carry out the purposes of such section. The Holding Company and its affiliates other than the Association shall not be entitled to any of the rights, privileges and obligations, and shall not be subject to the limitations and restrictions, applicable to the

Association under section 439 of this Act as in effect on the effective date of this section, except as specifically provided in this section. The Holding Company and its subsidiaries (other than the Association) shall not purchase loans insured under this Act until such time as the Association ceases acquiring such loans, except that the Association shall continue to acquire loans as a lender of last resort pursuant to section 439(q) of this Act or under an agreement with the Secretary described in section 440(c)(6).

“(2) TRANSFER OF CERTAIN PROPERTY.—Except as specifically provided in this section, at the reorganization effective date or as soon as practicable thereafter, the Association shall use its best efforts to transfer to the Holding Company or its subsidiaries (or both), in each case, as directed by the Holding Company, all real and personal property of the Association (both tangible and intangible) other than the remaining property. Without limiting the preceding sentence, such transferred property shall include all right, title and interest in (A) direct or indirect subsidiaries of the Association (excluding any interest in any government sponsored enterprise), (B) contracts, leases, and other agreements, (C) licenses and other intellectual property, and (D) any other property of the Association. Notwithstanding the preceding provisions of this paragraph, nothing in this paragraph shall be construed to prohibit the Association from transferring remaining property from time to time to the Holding Company or its subsidiaries, subject to the provisions of paragraph (4).

“(3) TRANSFER OF PERSONNEL.—At the reorganization effective date, employees of the Association shall become employees of the Holding Company (or of the subsidiaries), and the Holding Company (or the subsidiaries or both) shall provide all necessary and appropriate management and operational support (including loan servicing) to the Association, as requested by the Association. The Association may, however, obtain such management and operational support from other persons or entities.

“(4) DIVIDENDS.—The Association may pay dividends in the form of cash or noncash distributions so long as at the time of the declaration of such dividends, after giving effect to the payment of such dividends as of the date of such declaration by the Board of Directors of the Association, the Association’s capital would be in compliance with the capital standards set forth in section 439(r) of this Act. If, at any time after the reorganization effective date, the Association fails to comply with such capital standards, the Holding Company shall be obligated to transfer to the Association additional capital in such amounts as are necessary to ensure that the Association again complies with the capital standards.

“(5) VALUATION OF NONCASH DISTRIBUTIONS.—After the reorganization effective date, any distribution of noncash assets by the Association to the Holding Company shall be valued at book value on the date the Association’s Board of Directors approved such distribution for purposes of calculating compliance with section 439(r) of this Act.

“(6) RESTRICTIONS ON NEW BUSINESS ACTIVITY OR ACQUISITION OF ASSETS BY ASSOCIATION.—After the reorganization effective date, the Association shall not engage in any new business activities or acquire any additional program assets described in section 439(d) of the Act other than—

“(A) in connection with (i) student loan purchases through September 30, 2005, and (ii) contractual commitments for future warehousing advances or pursuant to letters of credit or standby bond purchase agreements which are outstanding as of the reorganization effective date;

“(B) in connection with its serving as a lender-of-last-resort pursuant to section 439 of this Act; and

“(C) in connection with its purchase of loans insured under this part, if the Secretary, with the approval of the Secretary of the Treasury, enters into an agreement with the Association for the continuation or resumption of its secondary market purchase program because the Secretary determines there is inadequate liquidity for loans made under this part.

The Secretary is authorized to enter into an agreement described in subparagraph (C) with the Association covering such secondary market activities.

Any agreement entered into under subparagraph (C) shall cover a period of 12 months, but may be renewed if the Secretary determines that liquidity remains inadequate. The fee provided under section 439(h)(7) shall not apply to loans acquired under any such agreement with the Secretary.

“(7) ISSUANCE OF DEBT OBLIGATIONS DURING THE TRANSITION PERIOD; ATTRIBUTES OF DEBT OBLIGATIONS.—After the reorganization effective date, the Association shall not issue debt obligations which mature later than September 30, 2009, except in connection with serving as a lender-of-last-resort pursuant to section 439 of this Act or with purchasing loans under an agreement with the Secretary as described in paragraph (6) of this subsection. Nothing in this subsection shall modify the attributes accorded the debt obligations of the Association by section 439, regardless of whether such debt obligations are incurred prior to, or at any time following, the reorganization effective date or are transferred to a trust in accordance with subsection (d).

“(8) MONITORING OF SAFETY AND SOUNDNESS.—

“(A) OBLIGATION TO OBTAIN, MAINTAIN, AND REPORT INFORMATION.—The Association shall obtain such information and make and keep such records as the Secretary of the Treasury may from time to time prescribe concerning (i) the financial risk to the Association resulting from the activities of any of its associated persons, to the extent such activities are reasonably likely to have a material impact on the financial condition of the Association, including its capital ratio, its liquidity, or its ability to conduct and finance its operations, and (ii) the Association's policies, procedures, and systems for monitoring and controlling any such financial risk. The Association's obligations under this subsection with respect to any associated person which is a third party servicer (as defined in 34 C.F.R. 682.200(b)) shall be limited to providing to the Secretary of the Treasury copies of any reports or other information provided to the Secretary of Education pursuant to 34 C.F.R. 682.200 et seq. The Secretary of the Treasury may require summary reports of such information to be filed no more frequently than quarterly. For purposes of this paragraph, the term ‘associated person’ shall mean any person, other than a natural person, directly or indirectly controlling, controlled by, or under common control with the Association.

“(B) SEPARATE OPERATION OF CORPORATIONS.—

“(i) The funds and assets of the Association shall at all times be maintained separately from the funds and assets of the Holding Company or any of its other subsidiaries and may be used solely by the Association to carry out its purposes and to fulfill its obligations.

“(ii) The Association shall maintain books and records that clearly reflect the assets and liabilities of the Association, separate from the assets and liabilities of the Holding Company or any of its other subsidiaries.

“(iii) The Association shall maintain a corporate office that is physically separate from any office of the Holding Company or any of its subsidiaries.

“(iv) No director of the Association that is appointed by the President pursuant to section 439(c)(1)(A) may serve as a director of the Holding Company.

“(v) At least one officer of the Association shall remain an officer solely of the Association.

“(vi) Transactions between the Association and the Holding Company or its other subsidiaries, including any loan servicing arrangements, shall be on terms no less favorable to the Association than the Association could obtain from an unrelated third party offering comparable services.

“(vii) The Association shall not extend credit to the Holding Company or any of its affiliates, nor guarantee or provide any credit enhancement to any debt obligations of the Holding Company or any of its affiliates.

“(viii) Any amounts collected on behalf of the Association by the Holding Company or any of its other subsidiaries with respect to the assets of the Association, pursuant to a servicing contract or other arrangement between the Association and the Holding Company or any of its other direct or indirect subsidiaries, shall be collected solely for the benefit of the Association and shall be immediately deposited by the Holding Company or such other subsidiary to an account under the sole control of the Association.

“(C) ENCUMBRANCE OF ASSETS.—Notwithstanding any otherwise applicable Federal or State law, rule, or regulation, or legal or equitable principle, doctrine, or theory to the contrary, under no circumstances shall the assets of the Association be available or used to pay claims or debts of or incurred by the Holding Company. Nothing in this subparagraph shall limit the right of the Association to pay dividends not otherwise prohibited hereunder or limit any liability of the Holding Company explicitly provided for in this part.

“(D) HOLDING COMPANY ACTIVITIES.—After the reorganization effective date and prior to the dissolution of the Association in accordance with section 440(d), Holding Company activities shall be limited to ownership of the Association and any other subsidiaries. All business activities shall be conducted through subsidiaries.

“(9) ASSOCIATION BOARD OF DIRECTORS.—Notwithstanding any other provision of part B of this title, after the reorganization effective date, the 14 directors of the Association elected by the Association's stockholders (which immediately after the reorganization effective date shall be the Holding Company) shall no longer be required to meet the eligibility requirements set forth in section 439(c).

“(10) ISSUANCE OF STOCK WARRANTS.—At the reorganization effective date, the Holding Company shall issue to the Secretary of the Treasury 200,000 stock warrants, each entitling the holder of the stock warrant to purchase from the Holding Company one share of the registered common stock of the Holding Company at any time on or before September 30, 2009. The exercise price for such warrants shall be an amount equal to the average closing price of the common stock of the Association for the 20 business days prior to and including the date of enactment of this section on the exchange or market which is then the primary exchange or market for the common stock of the Association, subject to any adjustments necessary to reflect the conversion of Association common stock into Holding Company common stock as part of the plan of reorganization approved by the Association's shareholders.

“(11) RESTRICTIONS ON TRANSFER OF ASSOCIATION SHARES AND BANKRUPTCY OF ASSOCIA-

TION.—After the reorganization effective date, the Holding Company shall not sell, pledge, or otherwise transfer the outstanding shares of the Association, or agree to or cause the liquidation of the Association or cause the Association to file a petition for bankruptcy under title 11, United States Code, without prior approval of the Secretary of the Treasury and the Secretary of Education.

“(d) TERMINATION OF THE ASSOCIATION.—The Association shall dissolve, and its separate existence shall terminate on September 30, 2009, after discharge of all outstanding debt obligations and liquidation pursuant to this subsection. The Association may dissolve pursuant to this subsection prior to such date by notifying the Secretary of Education and the Secretary of the Treasury of its intention to dissolve, unless within 60 days of receipt of such notice the Secretary of Education notifies the Association that it continues to be needed to serve as a lender of last resort pursuant to section 439(q) of this Act or continues to be needed to purchase loans under an agreement with the Secretary described in subsection (c)(6) of this section. On the dissolution date, the Association shall take the following actions:

“(1) ESTABLISHMENT OF A TRUST.—The Association shall, under the terms of an irrevocable trust agreement in form and substance satisfactory to the Secretary of the Treasury, the Association and the appointed trustee, irrevocably transfer all remaining obligations of the Association to the trust and irrevocably deposit or cause to be deposited into such trust, to be held as trust funds solely for the benefit of holders of the remaining obligations, money or direct non-callable obligations of the United States of America or any agency thereof for which payment the full faith and credit of the United States is pledged, maturing as to principal and interest in such amounts and at such times as are determined by the Secretary of the Treasury to be sufficient, without consideration of any significant reinvestment of such interest, to pay the principal of, and interest on, the remaining obligations in accordance with their terms. To the extent the Association cannot provide money or qualifying obligations in the amount required, the Holding Company shall be required to transfer money or qualifying obligations to the trust in the amount necessary to prevent any deficiency.

“(2) USE OF TRUST ASSETS.—All money, obligations, or financial assets deposited into the trust pursuant to this subsection shall be applied by the trustee to the payment of the remaining obligations assumed by the trust. Upon the fulfillment of the trustee's duties under the trust, any remaining assets of the trust shall be transferred to the Holding Company or its subsidiaries, or both, as directed by the Holding Company.

“(3) OBLIGATIONS NOT TRANSFERRED TO THE TRUST.—The Association shall make proper provision for all other obligations of the Association, including the repurchase or redemption, or the making of proper provision for the repurchase or redemption, of any preferred stock of the Association then outstanding. Any obligations of the Association which cannot be fully satisfied shall become liabilities of the Holding Company as of the date of dissolution.

“(4) TRANSFER OF REMAINING ASSETS.—After compliance with paragraphs (1), and (3), the Association shall transfer to the Holding Company any remaining assets of the Association.

“(e) OPERATION OF THE HOLDING COMPANY.—

“(1) HOLDING COMPANY BOARD OF DIRECTORS.—The number and composition of the Board of Directors of the Holding Company shall be determined as set forth in the Hold-

ing Company's charter or like instrument (as amended from time to time) or bylaws (as amended from time to time) and as permissible under the laws of the jurisdiction of its incorporation.

"(2) **HOLDING COMPANY NAME.**—The names of the Holding Company and any subsidiary of the Holding Company other than the Association—

"(A) may not contain the name 'Student Loan Marketing Association'; and

"(B) may contain, to the extent permitted by applicable State or District of Columbia law, 'Sallie Mae', or variations thereof or such other names as the Board of Directors of the Association of the Holding Company shall deem appropriate.

"(3) **USE OF SALLIE MAE NAME.**—Without limiting paragraph (2), the Association may assign to the Holding Company, or any other subsidiary of the Holding Company, the 'Sallie Mae' name as a trademark and service mark, except that neither the Holding Company nor any subsidiary of the Holding Company other than the Association or a subsidiary of the Association may use the 'Sallie Mae' name on, or to identify the issuer of, any debt obligation or other security offered or sold by the Holding Company or any such subsidiary. The Association shall remit to the Secretary of Treasury \$5,000,000 during fiscal year 1996 as compensation for the right to assign such trademark or service mark.

"(4) **DISCLOSURE REQUIRED.**—Until 3 years after the dissolution date, the Holding Company, and any subsidiary of the Holding Company other than the Association, shall prominently display—

"(A) in any document offering its securities, that the obligations of the Holding Company and any such subsidiary are not guaranteed by the full faith and credit of the United States; and

"(B) in any advertisement or promotional materials which use the 'Sallie Mae' name or mark, a statement that neither the Holding Company nor any such subsidiary is a Government-sponsored enterprise or instrumentality of the United States.

"(f) **STRICT CONSTRUCTION.**—Except as specifically set forth in this section, nothing contained in this section shall be construed to limit the authority of the Association as a federally chartered corporation, or of the Holding Company as a State or District of Columbia chartered corporation.

"(g) **RIGHT TO ENFORCE.**—The Secretary of Education or the Secretary of the Treasury, as appropriate, may request the Attorney General of the United States to bring an action in the United States District Court for the District of Columbia for the enforcement of any provisions of this section, or may, under the direction or control of the Attorney General, bring such an action. Such court shall have jurisdiction and power to order and require compliance with this section.

"(h) **DEADLINE FOR REORGANIZATION EFFECTIVE DATE.**—This section shall be of no further force and effect in the event that the reorganization effective date does not occur on or before 18 months after the date of enactment of this section.

"(i) **DEFINITIONS.**—For purposes of this section:

"(1) The term 'Association' means the Student Loan Marketing Association.

"(2) The term 'dissolution date' shall mean September 30, 2009, or such earlier date as the Secretary of Education permits the transfer of remaining obligations in accordance with subsection (d) of this section.

"(3) The term 'reorganization effective date' means the effective date of the reorganization as determined by the Board of Directors of the Association, which shall not be earlier than the date that stockholder approval is obtained pursuant to subsection (b)

of this section and shall not be later than the date that is 18 months after the date of enactment of this section.

"(4) The term 'Holding Company' means the new business corporation formed pursuant to this section by the Association under the laws of any State of the United States or the District of Columbia.

"(5) The term 'remaining obligations' shall mean the debt obligations of the Association outstanding as of the dissolution date.

"(6) The term 'remaining property' shall mean the following assets and liabilities of the Association which are outstanding as of the reorganization effective date: (A) debt obligations issued by the Association, (B) contracts relating to interest rate, currency, or commodity positions or protections, (C) investment securities owned by the Association, (D) any instruments, assets, or agreements described in section 439(d) of this Act (including without limitation all student loans, forward purchase and lending commitments, warehousing advances, academic facilities obligations, letters of credit, standby bond purchase agreements, liquidity agreements, and student loan revenue bonds or other loans), and (E) except as specifically prohibited by this Act, any other nonmaterial assets or liabilities of the Association which the Association's Board of Directors determines to be necessary or appropriate to its operations.

"(7) The term 'reorganization' means the restructuring event or events (including any merger event) giving effect to the holding company structure described in subsection (a) of this section.

"(8) The term 'subsidiary' or 'subsidiaries' shall mean one or more direct or indirect subsidiaries of the Holding Company."

(b) **TECHNICAL AMENDMENTS.**—

(1) **AMENDMENTS TO THE HIGHER EDUCATION ACT.**—Effective on the reorganization effective date (as defined in section 440(h)(3) of the Higher Education Act of 1965, as added by subsection (a))—

(A) section 435(d)(1)(F) of such Act (20 U.S.C. 1085(d)(1)(F)) is amended by inserting after "Student Loan Marketing Association" the following: "or the Holding Company of the Student Loan Marketing Association, including all subsidiaries of such Holding Company, created pursuant to section 440 of this Act,"; and

(B) sections 435(d)(1)(G) and 428C(a)(1)(A) of such Act (20 U.S.C. 1085(d)(1)(G); 1078-3(a)(1)(A)) are each amended by inserting after "Student Loan Marketing Association" the following: "or the Holding Company of the Student Loan Marketing Association, including all subsidiaries of such Holding Company, created pursuant to section 440 of this Act".

(2) **ENFORCEMENT OF SAFETY AND SOUNDNESS REQUIREMENTS.**—Section 439(r) of the Higher Education Act of 1965 (20 U.S.C. 1087-2(r)) is amended—

(A) by redesignating paragraph (13) as paragraph (15); and

(B) by inserting after paragraph (12) the following new paragraph:

"(13) **ENFORCEMENT OF SAFETY AND SOUNDNESS REQUIREMENTS.**—The Secretary of Education or the Secretary of the Treasury, as appropriate, may request the Attorney General of the United States to bring an action in the United States District Court for the District of Columbia for the enforcement of any provisions of this subsection, or may, under the direction or control of the Attorney General, bring such an action. Such court shall have jurisdiction and power to order and require compliance with this subsection."

(3) **CAPITAL RATIO AMENDMENTS.**—Section 439(r) of the Higher Education Act of 1965 is further amended—

(A) in paragraph (1)—

(i) by striking "and" at the end of subparagraph (A);

(ii) by striking the period at the end of subparagraph (B) and inserting "; and"; and

(iii) by adding at the end the following new subparagraph:

"(C) within 45 days of the end of each fiscal quarter, (i) financial statements of the Association, and (ii) a report setting forth the calculation of the capital ratio of the Association.";

(B) in paragraph (11), by striking "paragraphs (4) and (6)(A)" and inserting "paragraphs (4), (6)(A), and (14)"; and

(C) by inserting after paragraph (13) (as added by paragraph (2) of this subsection) the following new paragraph:

"(14) **ACTIONS BY SECRETARY.**—If the shareholders of the Association shall have approved a reorganization plan in accordance with section 440(b) and, for any fiscal quarter ended after January 1, 2000, the Association shall have a capital ratio of less than 2.25 percent, the Secretary of the Treasury may, until such capital ratio is met, take any one or more of the actions described in paragraph (7), except that—

"(A) the capital ratio to be restored pursuant to paragraph (7)(D) shall be 2.25 percent; and

"(B) if the relevant capital ratio is in excess of or equal to 2 percent for such quarter, the Secretary of the Treasury shall defer taking any of the actions set forth in paragraph (7) until the next succeeding quarter and may then proceed with any such action only if the capital ratio of the Association remains below 2.25 percent.

Upon approval by the shareholders of the Association of a reorganization plan in accordance with section 440(b) for any period after January 1, 2000, the provisions of paragraphs (4), (5), (6), (8), (9), and (10) shall be of no further application to the Association."

(4) **REPEAL OF THE ASSOCIATION'S CHARTER.**—Effective on the dissolution date (as defined in section 440(h)(2) of the Higher Education Act of 1965, as added by subsection (a)), section 439 of such Act (20 U.S.C. 1087-2) is repealed.

SEC. 602. PRIVATIZATION OF COLLEGE CONSTRUCTION LOAN INSURANCE ASSOCIATION.

(a) **REPEAL OF STATUTORY RESTRICTIONS.**—Part D of title VII of the Higher Education Act of 1965 (20 U.S.C. 1132f et seq.) is repealed.

(b) **STATUS OF THE CORPORATION.**—

(1) **STATUS OF THE CORPORATION.**—The Corporation shall not be an agency, instrumentality, or establishment of the United States Government and shall not be a "Government corporation" nor a "Government controlled corporation" as defined in section 103 of title 5, United States Code. No action under section 1491 of title 28, United States Code (commonly known as the Tucker Act) shall be allowable against the United States based on the actions of the Corporation.

(2) **CORPORATE POWERS.**—The Corporation shall have the power to engage in any business or other activities for which corporations may be organized under the laws of any State of the United States or the District of Columbia. The Corporation shall have the power to enter into contracts, to execute instruments, to incur liabilities, to provide products and services, and to do all things as are necessary or incidental to the proper management of its affairs and the efficient operation of a private, for-profit business.

(3) **LIMITATION ON OWNERSHIP OF STOCK.**—Except as provided in subsection (d)(2) of this section, no stock of the Corporation may be sold or issued to an agency, instrumentality, or establishment of the United States Government, to a Government corporation or a Government controlled corporation (as such terms are defined in section 103 of title 5,

United States Code), or to a Government sponsored enterprise (as such term is defined in section 622 of title 2, United States Code). The Student Loan Marketing Association shall not own any stock of the Corporation, except that it may retain the stock it owns on the date of enactment. The Student Loan Marketing Association shall not control the operation of the Corporation, except that the Student Loan Marketing Association may participate in the election of directors as a shareholder, and may continue to exercise its right to appoint directors under section 754 of the Higher Education Act of 1965 as long as that section is in effect. The Student Loan Marketing Association shall not provide financial support or guarantees to the Corporation. Notwithstanding the prohibitions in this subsection, the United States may pursue any remedy against a holder of the Corporation's stock to which it would otherwise be entitled.

(c) RELATED PRIVATIZATION REQUIREMENTS.—

(1) NOTICE REQUIREMENTS.—During the 5-year period following the date of the enactment of this Act, the Corporation shall include in any document offering the Corporation's securities, in any contracts for insurance, guarantee, or reinsurance of obligations, and in any advertisement or promotional material, a statement that—

(A) the Corporation is not a Government-sponsored enterprise or instrumentality of the United States; and

(B) the Corporation's obligations are not guaranteed by the full faith and credit of the United States.

(2) CORPORATE CHARTER.—The Corporation's charter shall be amended as necessary and without delay to conform the requirements of this Act.

(3) CORPORATE NAME.—The name of the Corporation, or of any direct or indirect subsidiary thereof, may not contain the term "College Construction Loan Insurance Association".

(4) ARTICLES OF INCORPORATION.—The Corporation shall amend its articles of incorporation without delay to reflect that one of the purposes of the Corporation shall be to guarantee, insure and reinsure bonds, leases, and other evidences of debt of educational institutions, including Historically Black Colleges and Universities and other academic institutions which are ranked in the lower investment grade category using a nationally recognized credit rating system.

(5) TRANSITION REQUIREMENTS.—

(A) REQUIREMENTS UNTIL STOCK SALE.—Notwithstanding subsection (a), the requirements of section 754 of the Higher Education Act of 1965 (20 U.S.C. 1132f-3), as in existence as of the day before enactment of this Act, shall continue to be effective until the day immediately following the date of closing of the purchase of the Secretary's stock (or the date of closing of the final purchase, in the case of multiple transactions) pursuant to subsection (d) of this section.

(B) REPORTS AFTER STOCK SALE.—The Corporation shall, not later than March 30 of the first full calendar year immediately following the sale pursuant to subsection (d), and each of the 2 succeeding years, submit to the Secretary of Education a report describing the Corporation's efforts to assist in the financing of education facilities projects, including projects for elementary, secondary, and postsecondary educational institution infrastructure, and detailing, on a project-by-project basis, the Corporation's business dealings with educational institutions that are rated by a nationally recognized statistical rating organization at or below the organization's third highest ratings.

(d) SALE OF FEDERALLY OWNED STOCK.—

(1) SALE OF STOCK REQUIRED.—The Secretary of the Treasury shall make every ef-

fort to sell, pursuant to section 324 of title 31, United States Code, the stock of the Corporation owned by the Secretary of Education not later than 6 months after the date of the enactment of this Act.

(2) PURCHASE BY THE CORPORATION.—In the event that the Secretary of the Treasury is unable to sell the stock, or any portion thereof, at a price acceptable to the Secretary of Education and the Secretary of the Treasury, the Corporation shall purchase, within the period specified in paragraph (1), such stock at a price determined by the Secretary of the Treasury and acceptable to the Corporation based on independent appraisal by one or more nationally recognized financial firms, however, such price shall not exceed the value of the Secretary's stock as determined by the Congressional Budget Office in House Report 104-153 dated June 22, 1995. Such firms shall be selected by the Secretary of the Treasury in consultation with the Secretary of Education and the Corporation.

(e) ASSISTANCE BY THE CORPORATION.—The Corporation shall provide such assistance as the Secretary of the Treasury and the Secretary of Education may require to facilitate the sale of the stock under this section.

(f) DEFINITION.—As used in this section, the term "Corporation" means the Corporation established pursuant to the provision of law repealed by subsection (a).

TITLE VII—REPEALERS AND OTHER AMENDMENTS

SEC. 701. HIGHER EDUCATION PROVISIONS.

(a) HIGHER EDUCATION ACT OF 1965 PROVISIONS.—The following provisions of the Higher Education Act of 1965 are repealed:

(1) Part B of title I (20 U.S.C. 1011 et seq.), relating to articulation agreements.

(2) Part C of title I (20 U.S.C. 1015 et seq.), relating to access and equity to education for all Americans through telecommunications.

(3) Title II (20 U.S.C. 1021 et seq.), relating to academic libraries and information services.

(4) Chapter 2 of subpart 2 of part A of title IV (20 U.S.C. 1070a-21 et seq.), relating to national early intervention scholarships.

(5) Chapter 3 of subpart 2 of part A of title IV (20 U.S.C. 1070a-31 et seq.), relating to presidential access scholarships.

(6) Chapter 4 of subpart 2 of part A of title IV (20 U.S.C. 1070a-41 et seq.), relating to model program community partnerships and counseling grants.

(7) Chapter 5 of subpart 2 of part A of title IV (20 U.S.C. 1070a-52 et seq.), relating to an early awareness information program.

(8) Chapter 8 of subpart 2 of part A of title IV (20 U.S.C. 1070a-81), relating to technical assistance for teachers and counselors.

(9) Subpart 8 of part A of title IV (20 U.S.C. 1070f), relating to special child care services for disadvantaged college students.

(10) Section 428J (20 U.S.C. 1078-10), relating to loan forgiveness for teachers, individuals performing national community service and nurses.

(11) Section 486 (20 U.S.C. 1093), relating to training in financial aid services.

(12) Subpart 1 of part H of title IV (20 U.S.C. 1099a et seq.) relating to State postsecondary review entity programs.

(13) Part A of title V (20 U.S.C. 1102 et seq.), relating to State and local programs for teacher excellence.

(14) Part B of title V (20 U.S.C. 1103 et seq.), relating to national teacher academies.

(15) Subpart 1 of part C of title V (20 U.S.C. 1104 et seq.), relating to Douglas teacher scholarships.

(16) Subpart 3 of part C of title V (20 U.S.C. 1106 et seq.), relating to the teacher corps.

(17) Subpart 3 of part D of title V (20 U.S.C. 1109 et seq.), relating to class size demonstration grants.

(18) Subpart 4 of part D of title V (20 U.S.C. 1110 et seq.), relating to middle school teaching demonstration programs.

(19) Subpart 1 of part E of title V (20 U.S.C. 1111 et seq.), relating to new teaching careers.

(20) Subpart 1 of part F of title V (20 U.S.C. 1113 et seq.), relating to the national mini corps programs.

(21) Section 586 (20 U.S.C. 1114), relating to demonstration grants for critical language and area studies.

(22) Section 587 (20 U.S.C. 1114a), relating to development of foreign languages and cultures instructional materials.

(23) Subpart 3 of part F of title V (20 U.S.C. 1115), relating to small State teaching initiatives.

(24) Subpart 4 of part F of title V (20 U.S.C. 1116), relating to faculty development grants.

(25) Section 597 and section 599(b) (20 U.S.C. 1117a, 1117c(b)), relating to early childhood staff training and professional enhancement.

(26) Section 605 (20 U.S.C. 1124a), relating to intensive summer language institutes.

(27) Section 607 (20 U.S.C. 1125a), relating to foreign language periodicals.

(28) Part A of title VII (20 U.S.C. 11326 et seq.), relating to academic and library facilities.

(29) Title VIII (20 U.S.C. 1133 et seq.), relating to cooperative education programs.

(30) Part A of title IX (20 U.S.C. 1134a et seq.), relating to women and minority participation in graduate education.

(31) Part B of title IX (20 U.S.C. 1134d et seq.), relating to Harris fellowships.

(32) Part C of title IX (20 U.S.C. 1134h et seq.), relating to Javits fellowships.

(33) Part E of title IX (20 U.S.C. 1134r et seq.), relating to the faculty development fellowship program.

(34) Part F of title IX (20 U.S.C. 1134s et seq.), relating to legal training for the disadvantaged.

(35) Part G of title IX (20 U.S.C. 1134u et seq.), relating to law school clinical programs.

(36) Section 1011 (20 U.S.C. 1135a-11), relating to special projects in areas of national need.

(37) Subpart 2 of part B of title X (20 U.S.C. 1135c et seq.), relating to science and engineering access programs.

(38) Part C of title X (20 U.S.C. 1135e et seq.), relating to women and minorities science and engineering outreach demonstration programs.

(39) Part D of title X (20 U.S.C. 1135f), relating to Eisenhower leadership programs.

(40) Title XI (20 U.S.C. 1136 et seq.), relating to community service programs.

(b) EDUCATION AMENDMENTS OF 1986 PROVISIONS.—The following provisions of the Higher Education Amendments of 1986 are repealed:

(1) Part E of title XIII (20 U.S.C. 1221-1 note), relating to a National Academy of Science study.

(2) Part B of title XV (20 U.S.C. 4441 et seq.), relating to Native Hawaiian culture and art development.

(c) EDUCATION AMENDMENTS OF 1992 PROVISIONS.—The following provisions of the Higher Education Amendments of 1992 are repealed:

(1) Part F of title XIII (25 U.S.C. 3351 et seq.), relating to American Indian postsecondary economic development scholarships.

(2) Part G of title XIII (25 U.S.C. 3371), relating to American Indian teacher training.

(3) Section 1406 (20 U.S.C. 1221e-1 note), relating to a national survey of factors associated with participation.

(4) Section 1409 (20 U.S.C. 1132a note), relating to a study of environmental hazards in institutions of higher education.

(5) Section 1412 (20 U.S.C. 1101 note), relating to a national job bank for teacher recruitment.

(6) Part B of title XV (20 U.S.C. 1452 note), relating to a national clearinghouse for post-secondary education materials.

(7) Part C of title XV (20 U.S.C. 1101 note), relating to school-based decisionmakers.

(8) Part D of title XV (20 U.S.C. 1145h note), relating to grants for sexual offenses education.

(9) Part E of title XV (20 U.S.C. 1070 note), relating to Olympic scholarships.

(10) Part G of title XV (20 U.S.C. 1070a-11 note), relating to advanced placement fee payment programs.

(d) CONFORMING AMENDMENTS.—the Higher Education Act of 1965 is amended—

(1) in section 453(c)(2)—

(A) by striking subparagraph (E); and

(B) by redesignating subparagraphs (F) through (H) as subparagraphs (E) through (G), respectively;

(2) in section 487(a)(3), by striking subparagraph (B) and redesignating subparagraphs (C) and (D) as subparagraphs (B) and (C), respectively;

(3) in section 487(a)(15), by striking “the Secretary of Veterans Affairs, and State review entities under subpart 1 of part H” and inserting “and the Secretary of Veterans Affairs”;

(4) in section 487(a)(21), by striking “, State postsecondary review entities.”;

(5) in section 487(c)(1)(A)(i), by striking “State agencies, and the State review entities referred to in subpart 1 of part H” and inserting “and State agencies”;

(6) in section 487(c)(4), by striking “, after consultation with each State review entity designated under subpart 1 of part H.”;

(7) in section 487(c)(5), by striking “State review entities designated under subpart 1 of part H.”;

(8) in section 496(a)(7), by striking “and the appropriate State postsecondary review entity”;

(9) in section 496(a)(8), by striking “and the State postsecondary review entity of the State in which the institution of higher education is located”;

(10) in section 498(g)(2), by striking everything after the first sentence;

(11) in section 498A(a)(2)(D), by striking “by the appropriate State postsecondary review entity designated under subpart 1 of this part or”;

(12) in section 498A(a)(2)—

(A) by inserting “and” after the semicolon at the end of subparagraph (E);

(B) by striking subparagraph (F); and

(C) by redesignating subparagraph (G) as subparagraph (F); and

(13) in section 498A(a)(3)—

(A) by inserting “and” after the semicolon at the end of subparagraph (C);

(B) by striking “; and” at the end of subparagraph (D) and inserting a period; and

(C) by striking subparagraph (E).

SEC. 702. ELIGIBLE INSTITUTION.

(a) AMENDMENTS.—Section 481(b) of the Higher Education Act of 1965 (20 U.S.C. 1088(b)) is amended—

(1) by inserting before the period at the end of the first sentence the following: “on the basis of a review by the institution’s independent auditor using generally accepted accounting principles”; and

(2) by inserting after the end of such first sentence the following new sentences: “For the purposes of clause (6), revenues from sources that are not derived from funds provided under this title include revenues from programs of education or training that do not meet the definition of an eligible program in subsection (e), but are provided on a contractual basis under Federal, State, or local training programs, or to business and

industry. For the purposes of determining whether an institution meets the requirements of clause (6), the Secretary shall not consider the financial information of any institution for a fiscal year began on or before April 30, 1994.”.

(b) EFFECTIVE DATE.—Notwithstanding section 713 of this Act, the amendments made by subsection (a) shall apply to any determination made on or after July 1, 1994, by the Secretary of Education pursuant to section 481(b)(6) of the Higher Education Act of 1965.

SEC. 703. CARL D. PERKINS VOCATIONAL AND APPLIED TECHNOLOGY EDUCATION ACT.

The Carl D. Perkins Vocational and Applied Technology Education Act (20 U.S.C. 2301 et seq.) is repealed.

SEC. 704. SMITH-HUGHES ACT.

(a) REPEAL.—The Smith-Hughes Act (39 Stat. 929 as amended (20 U.S.C. 11-15, 16-28)) is repealed.

(b) EFFECTIVE DATE.—Notwithstanding section 713 of this Act, the repeal in subsection (a) of this section shall take effect on October 1, 1995.

SEC. 705. SCHOOL-TO-WORK OPPORTUNITIES ACT OF 1994.

The School-to-Work Opportunities Act of 1994 (20 U.S.C. 6101 et seq.) is repealed.

SEC. 706. SCHOOL DROPOUT ASSISTANCE ACT.

The School Dropout Assistance Act, (part C of title V of the Elementary and Secondary Education Act (20 U.S.C. 7261)) is repealed.

SEC. 707. ADULT EDUCATION ACT.

(a) IN GENERAL.—The Adult Education Act (20 U.S.C. 1201 et seq.) is repealed.

(b) CONFORMING AMENDMENTS.—

(1) ESEA.—The Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.) is amended—

(A) in section 1202(c)(1), by striking “the Adult Education Act,” and inserting “title IV of the CAREERS Act.”;

(B) in section 1205(8)(B), by striking “the Adult Education Act,” and inserting “title IV of the CAREERS Act.”;

(C) in section 1206(a)(1)(A), by striking “the Adult Education Act,” and inserting “title IV of the CAREERS Act.”; and

(D) in section 9161(2), by striking “section 312(2) of the Adult Education Act,” and inserting “section 5 of the CAREERS Act.”.

(2) TECHNOLOGY FOR EDUCATION ACT.—The Technology for Education Act of 1994 (20 U.S.C. 6801 et seq.) is amended in section 3113(l) by striking “section 312 of the Adult Education Act,” and inserting “section 5 of the CAREERS Act.”;

SEC. 708. NATIONAL LITERACY ACT.

The National Literacy Act of 1991, except section 101 of such Act, is repealed.

SEC. 709. LIBRARY SERVICES AND CONSTRUCTION ACT.

(a) IN GENERAL.—The Library Services and Construction Act (20 U.S.C. 351 et seq.) is repealed.

(b) CONFORMING AMENDMENT.—The Technology for Education Act of 1994 (20 U.S.C. 6801 et seq.) is amended in section 3113(10) by striking “section 3 of the Library Services and Construction Act,” and inserting “section 5 of the CAREERS Act.”.

SEC. 710. TECHNOLOGY FOR EDUCATION ACT OF 1994.

Part F of the Technology for Education Act of 1994 (contained in title III of the Elementary and Secondary Education Act (20 U.S.C. 7001 et seq.)) is repealed.

SEC. 711. JOB TRAINING PARTNERSHIP ACT.

(a) IN GENERAL.—The Job Training Partnership Act (29 U.S.C. 1501 et seq.), except section 1, sections 421 through 439 (relating to the Job Corps), and section 441 of such Act (relating to veterans’ employment programs), is hereby repealed.

(b) CONFORMING AMENDMENTS.—

(1) SHORT TITLE.—Section 1 of the Job Training Partnership Act (29 U.S.C. 1501, note) is amended—

(A) in the heading, by striking “; TABLE OF CONTENTS”; and

(B) by striking all that follows after “Job Training Partnership Act”.

(2) JOB CORPS.—Such Act (29 U.S.C. 1501 et seq.), as amended by this section, is further amended—

(A) by redesignating sections 421 through 439 as sections 2 through 21, respectively;

(B) in section 2 (as redesignated), by striking “part” each place it appears and inserting “Act”;

(C) in section 4(4) (as redesignated), by striking “sections 424 and 425” and inserting “sections 5 and 6”;

(D) in section 5 (as redesignated)—

(i) in subsection (a), by striking “entities administering programs under title II of this Act.”; and

(ii) in subsection (b), by striking “part” and inserting “Act”;

(E) in section 7 (as redesignated)—

(i) in subsection (a), by striking “section 428” and inserting “section 9”; and

(ii) by striking subsection (d);

(F) in section 8 (as redesignated)—

(i) by striking subsection (b); and

(ii) by redesignating subsection (c) as subsection (b);

(G) in section 14 (as redesignated)—

(i) in subsection (a)(4), by striking “part” and inserting “Act”;

(ii) in subsection (c)(1), by striking “and activities authorized under sections 452 and 453”; and

(iii) in subsection (e), by striking “section 431” and inserting “section 12”;

(H) in section 15 (as redesignated)—

(i) in subsection (a)—

(I) in the matter preceding paragraph (1), by striking “section 427” and inserting “section 8”; and

(II) in paragraph (4)(A), by striking “section 428” and inserting “section 9”;

(ii) in subsection (c)(3), by striking “section 423” and inserting “section 4”;

(iii) in subsection (d), by striking “sections 424 and 425” and inserting “sections 5 and 6”; and

(iv) in subsection (e), by striking “, pursuant to section 452(d).”;

(I) in section 17 (as redesignated), by striking “purpose of this part” each place it appears and inserting “purpose of this Act”;

(J) in section 20 (as redesignated), by striking “part” each place it appears and inserting “Act”; and

(K) in section 21 (as redesignated), by striking “part” and inserting “Act”.

(3) VETERANS’ EMPLOYMENT PROGRAMS.—Such Act (29 U.S.C. 1501 et seq.), as amended by this section, is further amended—

(A) by redesignating section 441 as section 22;

(B) by striking the heading of such section 22 (as redesignated), and inserting the following:

“VETERANS’ EMPLOYMENT PROGRAMS”; and

(C) in such section 22, by striking “part” each place it appears and inserting “section”.

(4) AUTHORIZATION OF APPROPRIATIONS.—Such Act (29 U.S.C. 1501 et seq.), as amended by this section, is further amended by adding at the end the following new section:

“AUTHORIZATION OF APPROPRIATIONS

“SEC. 23. There are authorized to be appropriated such sums as are necessary to carry out this Act.”.

SEC. 712. STEWART B. MCKINNEY HOMELESS ASSISTANCE ACT.

(a) ADULT EDUCATION.—

(1) IN GENERAL.—Subtitle A of title VII of the Stewart B. McKinney Homeless Assistance Act (42 U.S.C. 11421 et seq.) is repealed.

(2) TABLE OF CONTENTS.—The table of contents of such Act is amended by striking the items relating to subtitle A of title VII of such Act.

(b) SUBTITLE C.—

(1) IN GENERAL.—Subtitle C of title VII of the Stewart B. McKinney Homeless Assistance Act (42 U.S.C. 11441 et seq.), except section 738, is hereby repealed.

(2) TABLE OF CONTENTS.—The table of contents of such Act is amended—

(A) by striking the item relating to subtitle C of title VII of such Act; and

(B) by striking the items relating to sections 731 through 737 and sections 739 through 741.

SEC. 713. EFFECTIVE DATE.

The repeals and amendments made by this Act shall take effect on July 1, 1997, except for amendments to the Rehabilitation Act of 1973.

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

The question being put, *viva voce*,

Will the House pass said bill?

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

Mr. RIGGS demanded a recorded vote on passage of said bill, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the affirmative { Yeas 345
Nays 79

¶117.21 [Roll No. 671]
AYES—345

Ackerman	Callahan	Edwards
Allard	Calvert	Ehlers
Andrews	Camp	Ehrlich
Archer	Canady	Emerson
Army	Cardin	English
Bachus	Castle	Ensign
Baesler	Chabot	Eshoo
Baker (CA)	Chambliss	Everett
Baker (LA)	Chapman	Ewing
Baldacci	Chenoweth	Fawell
Ballenger	Christensen	Fazio
Barcia	Chrysler	Flake
Barr	Clay	Flanagan
Barrett (NE)	Clement	Foglietta
Barrett (WI)	Clinger	Foley
Bartlett	Coble	Forbes
Barton	Coleman	Ford
Bass	Collins (GA)	Fowler
Bateman	Combest	Franks (CT)
Beilenson	Condit	Franks (NJ)
Bentsen	Cooley	Frelinghuysen
Bereuter	Cox	Frisa
Berman	Cramer	Frost
Bevill	Crane	Funderburk
Bilbray	Crapo	Furse
Bilirakis	Creameans	Galleghy
Bliley	Cubin	Ganske
Blute	Cunningham	Gekas
Boehlert	Danner	Gephardt
Boehner	Davis	Geren
Bonilla	de la Garza	Gibbons
Bono	Deal	Gilchrest
Borski	DeLauro	Gillmor
Boucher	DeLay	Gilman
Brewster	Deutsch	Gonzalez
Browder	Diaz-Balart	Goodlatte
Brown (CA)	Dickey	Goodling
Brown (OH)	Dicks	Goss
Brownback	Doggett	Graham
Bryant (TN)	Dooley	Green
Bryant (TX)	Doolittle	Greenwood
Bunn	Dornan	Gunderson
Bunning	Doyle	Gutierrez
Burr	Dreier	Gutknecht
Burton	Duncan	Hall (OH)
Buyer	Dunn	Hall (TX)

Hamilton	Martini
Hancock	Mascara
Hansen	McCarthy
Harman	McCollum
Hastert	McCrery
Hastings (WA)	McDade
Hayes	McHale
Hayworth	McHugh
Hefley	McInnis
Hefner	McIntosh
Heineman	McKeon
Herger	McNulty
Hilleary	Meehan
Hobson	Metcalf
Hoekstra	Meyers
Hoke	Mica
Holden	Miller (CA)
Horn	Miller (FL)
Houghton	Minge
Hunter	Molinari
Hutchinson	Mollohan
Hyde	Montgomery
Inglis	Moorhead
Istook	Moran
Jackson-Lee	Morella
Jacobs	Murtha
Johnson (CT)	Myers
Johnson (SD)	Myrick
Johnson, Sam	Nethercutt
Johnston	Neumann
Jones	Ney
Kanjorski	Norwood
Kaptur	Nussle
Kasich	Ortiz
Kelly	Orton
Kennedy (RI)	Oxley
Kennelly	Packard
Kildee	Parker
Kim	Pastor
King	Paxon
Kingston	Payne (VA)
Klecicka	Pelosi
Klug	Peterson (FL)
Knollenberg	Peterson (MN)
Kolbe	Petri
LaFalce	Pickett
LaHood	Pombo
Lantos	Pomeroy
Largent	Porter
Latham	Portman
LaTourette	Pryce
Laughlin	Quillen
Lazio	Quinn
Leach	Radanovich
Levin	Rahall
Lewis (CA)	Ramstad
Lewis (KY)	Rangel
Lightfoot	Reed
Lincoln	Regula
Linder	Richardson
Lipinski	Riggs
Livingston	Roberts
LoBiondo	Roemer
Longley	Rogers
Lowe	Rohrabacher
Lucas	Ros-Lehtinen
Luther	Rose
Manton	Roth
Manzullo	Roukema

NOES—79

Abercrombie	Hastings (FL)
Becerra	Hilliard
Bishop	Hinche
Bonior	Hostettler
Brown (FL)	Hoyer
Clayton	Jefferson
Clyburn	Johnson, E. B.
Collins (IL)	Kennedy (MA)
Collins (MI)	Klink
Conyers	Lewis (GA)
Costello	Lofgren
Coyne	Maloney
DeFazio	Markey
Dellums	Martinez
Dingell	Matsui
Dixon	McDermott
Durbin	McKinney
Engel	Meek
Evans	Menendez
Farr	Mfume
Fattah	Mineta
Fields (LA)	Mink
Filner	Nadler
Fox	Neal
Frank (MA)	Obey
Gejdenson	Olver
Gordon	Owens

Salmon	Sanford
Sawyer	Saxton
Scarborough	Schaefer
Schiff	Schroeder
Sensenbrenner	Shadegg
Shaw	Shays
Shuster	Skaggs
Skeen	Skelton
Smith (MI)	Smith (NJ)
Smith (TX)	Smith (WA)
Solomon	Souder
Spence	Spratt
Stearns	Stenholm
Stockman	Stokes
Stump	Stupak
Talent	Tanner
Tate	Tauzin
Taylor (MS)	Taylor (NC)
Tejeda	Thomas
Thornberry	Thornton
Tiahrt	Torkildsen
Torres	Traficant
Upton	Vento
Visclosky	Vucanovich
Waldholtz	Walker
Walsh	Wamp
Ward	Watts (OK)
Weldon (FL)	Weldon (PA)
Weller	White
Whitfield	Wicker
Williams	Wilson
Wise	Wolf
Wyden	Young (AK)
Young (FL)	Zeliff
Zimmer	

NOT VOTING—10

Coburn	Reynolds	Tucker
Fields (TX)	Royce	Volkmer
Moakley	Schumer	
Oberstar	Sisisky	

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.

¶117.22 CLERK TO CORRECT ENGROSSMENT

On motion of Mr. MCKEON, by unanimous consent,

Ordered, That in the engrossment of the foregoing bill, the Clerk be authorized to correct section numbers, punctuation, cross references, and to make other technical corrections.

¶117.23 RE-REFERRAL—H.R. 2202

On motion of Mr. MCKEON, by unanimous consent, the bill (H.R. 2202) to amend the Immigration and Nationality Act to improve deterrence of illegal immigration to the United States by increasing border patrol and investigative personnel, by increasing penalties for alien smuggling and for document fraud, by reforming exclusion and deportation law and procedures, by improving the verification system for eligibility for employment, and through other measures, to reform the legal immigration system and facilitate legal entries into the United States, and for other purposes; which had been referred to the Committee on the Judiciary, the Committee on Banking and Financial Services, the Committee on Government Reform and Oversight, the Committee on National Security, and the Committee on Ways and Means; be re-referred to the Committee on the Judiciary, the Committee on Banking and Financial Services, the Committee on Government Reform and Oversight, the Committee on National Security, and the Committee on Ways and Means, the Committee on Agriculture and the Committee on Economic and Educational Opportunities 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.

¶117.24 WAIVING POINTS OF ORDER AGAINST CONFERENCE REPORT ON H.R. 1817

Mr. DIAZ-BALART, by direction of the Committee on Rules, reported (Rept. No. 104-251) the resolution (H. Res. 223) waiving certain points of order during consideration of the conference report to the bill (H.R. 1817) making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 1996, and for other purposes.

When said resolution and report were referred to the House Calendar and ordered printed.

¶117.25 PROVIDING FOR THE
CONSIDERATION OF H.R. 2274

Mr. DIAZ-BALART, by direction of the Committee on Rules, reported (Rept. No. 104-252) the resolution (H. Res. 224) providing for the consideration of the bill (H.R. 2274) to amend title 23, United States Code, to designate the National Highway System, and for other purposes.

When said resolution and report were referred to the House Calendar and ordered printed.

¶117.26 PROVIDING FOR THE
CONSIDERATION OF H.R. 927

Mr. DIAZ-BALART, by direction of the Committee on Rules, reported (Rept. No. 104-253) the resolution (H. Res. 225) providing for the consideration of the bill (H.R. 927) to seek international sanctions against the Castro government in Cuba, to plan for support of a transition government leading to a democratically elected government in Cuba, and for other purposes.

When said resolution and report were referred to the House Calendar and ordered printed.

¶117.27 PERMISSION TO FILE REPORT

On motion of Mr. FLANAGAN, by unanimous consent, the Committee on the Judiciary was granted permission until midnight tonight to file a report on the bill (H.R. 2277) to abolish the Legal Services Corporation and provide the States with money to fund qualified legal services.

¶117.28 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted—

To Mr. TUCKER, for today and the balance of the week;

To Mr. TORKILSEN, for today until 11:45 a.m.;

To Mr. FIELDS of Texas, for today after 2:30 p.m.; and

To Mrs. FOWLER, for today until 1 p.m.

And then,

¶117.29 ADJOURNMENT

On motion of Mr. OWENS, at 9 o'clock and 19 minutes p.m., the House adjourned.

¶117.30 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. 2288. A bill to amend part D of title IV of the Social Security Act to extend for 2 years the deadline by which States are required to have in effect an automated data processing and information retrieval system for use in the administration of State plans for child and spousal support (Rept. No. 104-250). Referred to the Committee of the Whole House on the State of the Union.

Mr. MCINNIS: Committee on Rules. House Resolution 223. Resolution waiving points of order against the conference report to accompany the bill (H.R. 1817) making appropriations for military construction for the

Department of Defense for the fiscal year ending September 30, 1996, and for other purposes (Rept. No. 104-251). Referred to the House Calendar.

Mr. QUILLEN: Committee on Rules. House Resolution 224. Resolution providing for consideration of the bill (H.R. 2274) to amend title 23, United States Code, to designate the National Highway System, and for other purposes (Rept. No. 104-252) Referred to the House Calendar.

Mr. DIAZ-BALART: Committee on Rules. House Resolution 225. Resolution providing for the consideration of the bill (H.R. 927) to seek international sanctions against the Castro government in Cuba, to plan for the support of a transition government leading to a democratically elected government in Cuba, and for other purposes (Rept. No. 104-253). Referred to the House Calendar.

¶117.31 PUBLIC BILLS AND RESOLUTIONS

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

By Mr. BUNN of Oregon:

H.R. 2351. A bill to provide that pay for Members of Congress be made subject to annual appropriations; to the Committee on House Oversight.

By Mr. EVERETT (for himself, Mr. STUMP, and Mr. MONTGOMERY):

H.R. 2352. A bill to increase, effective as of December 1, 1995, the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans; to the Committee on Veterans' Affairs.

By Mr. HUTCHINSON (for himself, Mr. EDWARDS, Mr. STUMP, and Mr. MONTGOMERY):

H.R. 2353. A bill to amend title 38, United States Code, to extend certain expiring authorities of the Department of Veterans Affairs relating to delivery of health and medical care, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. CREMEANS:

H.R. 2354. A bill to provide for the continuance of oil and gas operations pursuant to certain existing leases in the Wayne National Forest; to the Committee on Resources.

By Mr. BASS:

H.R. 2355. A bill to amend the Internal Revenue Code of 1986 to allow a corporation to elect the pooling method of determining foreign tax credits in certain cases, and for other purposes; to the Committee on Ways and Means.

By Mr. GIBBONS (for himself, Mr. GEPHARDT, Mr. STARK, Mr. JACOBS, Mr. FORD, Mr. MATSUI, Mrs. KENNELLY, Mr. COYNE, Mr. LEVIN, Mr. McDERMOTT, Mr. KLECZKA, Mr. LEWIS of Georgia, Mr. PAYNE of Virginia, Mr. NEAL of Massachusetts, and Mr. WARD):

H.R. 2356. A bill to amend the Internal Revenue Code of 1986 to prevent the avoidance of tax through the use of foreign trusts; to the Committee on Ways and Means.

By Mr. JOHNSON of South Dakota:

H.R. 2357. A bill to amend the Internal Revenue Code of 1986 to correct a technical error in the expiration date for refunds on alcohol fuels; to the Committee on Ways and Means.

By Mr. LATOURETTE:

H.R. 2358. A bill to suspend until January 1, 1998, the duty on certain electrical capacitors; to the Committee on Ways and Means.

By Mr. MCCOLLUM:

H.R. 2359. A bill to clarify the method of execution of Federal prisoners; to the Committee on the Judiciary.

H.R. 2360. A bill to amend title 18, United States Code, to permit Federal prisoners to

engage in community service projects; to the Committee on the Judiciary.

By Mr. MOORHEAD:

H.R. 2361. A bill to amend the commencement dates of certain temporary Federal judgeships; to the Committee on the Judiciary.

By Mr. PETRI (for himself, Mr. BARRETT of Wisconsin, Mr. MEEHAN, Mr. ZIMMER, Mr. MILLER of Florida, Mr. DORNAN, Mr. ROHRBACHER, Mr. HOKE, and Mr. JACOBS):

H.R. 2362. A bill to terminate marketing orders regulating the price of milk at the end of 1995 and to provide for the gradual reduction and eventual elimination of the price support program for milk; to the Committee on Agriculture.

By Mrs. ROUKEMA (for herself, Mr. LEACH, Mr. MCCOLLUM, Mr. ROTH, Mr. BAKER of Louisiana, Mr. BACHUS, Mr. VENTO, Mr. FLAKE, Mr. ROYCE, Mr. LUCAS, Mr. WELLER, Mr. METCALF, and Mr. WATTS of Oklahoma):

H.R. 2363. A bill to provide for adequate funding for the Financing Corporation, to provide for the merger of the deposit insurance funds, to provide for the conversion of Federal savings associations into banks and the treatment of State savings associations as banks for purposes of Federal banking law, to abolish the position of Director of the Office of Thrift Supervision, and for other purposes; to the Committee on Banking and Financial Services, and in addition to the Committee on Ways and Means, 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. SHADEGG (for himself, Mr. DELAY, Mr. MCINTOSH, Mr. LARGENT, Mr. BARTON of Texas, Mrs. CUBIN, Mr. SMITH of Texas, Mr. DOOLITTLE, Mr. STUMP, and Mr. RADANOVICH):

H.R. 2364. A bill to provide incentives for the conservation and recovery of endangered species, and for other purposes; to the Committee on Resources, and in addition to the Committees on the Judiciary, and Ways and Means, 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. TALENT:

H.R. 2365. A bill to amend the Internal Revenue Code of 1986 to allow deductible contributions to individual retirement plans designated as Retirement Years Savings Accounts; to the Committee on Ways and Means.

By Mrs. VUCANOVICH (for herself and Mr. WAXMAN):

H.R. 2366. A bill to repeal an unnecessary medical device reporting requirement; to the Committee on Commerce, and in addition to the Committee on Ways and Means, 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.

¶117.32 MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

161. By the SPEAKER. Memorial of the General Assembly of the State of California, relative to the Civilian Health and Medical Program of the Uniformed Services; to the Committee on National Security.

162. Also, memorial of the General Assembly of the State of California, relative to manufactured housing; to the Committee on Banking and Financial Services.

163. Also, memorial of the General Assembly of the State of California, relative to the auction of radio frequency spectrum; to the Committee on Commerce.

¶117.33 ADDITIONAL SPONSORS

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

- H.R. 44: Mr. POMEROY, Mr. GOSS, Mr. HOSTETTLER, Mr. BISHOP, and Mr. GILLMOR.
- H.R. 123: Mrs. LINCOLN, Mr. TIAHRT, Mr. HOSTETTLER, and Mr. THOMAS.
- H.R. 373: Mr. MOORHEAD.
- H.R. 436: Mr. FRANKS of New Jersey.
- H.R. 580: Ms. DANNER and Mr. BALLENGER.
- H.R. 733: Mr. TALENT and Mr. BARTON of Texas.
- H.R. 752: Mr. FORD, Mr. BROWN of Ohio, Mr. PETERSON of Minnesota, and Mr. HINCHEY.
- H.R. 773: Mr. MCINNIS.
- H.R. 789: Mr. WELLER, Mr. SCHIFF, Mr. KOLBE, Mr. TIAHRT, and Mr. BARTON of Texas.
- H.R. 842: Mr. MINGE and Mr. GANSKE.
- H.R. 972: Mr. GILMAN.
- H.R. 997: Mr. LEACH, Mr. PETERSON of Minnesota, Mr. HALL of Ohio, Mrs. CHENOWETH, and Ms. LOFGREN.
- H.R. 1021: Mr. BATEMAN.
- H.R. 1023: Mr. FROST, Mr. DIAZ-BALART, Mrs. MINK of Hawaii, and Mr. BATEMAN.
- H.R. 1114: Mr. TAYLOR of North Carolina, Mr. SCHIFF, and Mr. DEAL of Georgia.
- H.R. 1402: Mr. SANDERS.
- H.R. 1458: Mr. GILMAN.
- H.R. 1625: Mr. HYDE and Mr. DOOLITTLE.
- H.R. 1744: Mr. MATSUI.
- H.R. 1856: Mr. STUPAK, Ms. LOFGREN, Mr. BENTSEN, Mr. BALLENGER, Mr. GOODLATTE, Mr. COX, Mr. PICKETT, and Mr. BARTLETT of Maryland.
- H.R. 1960: Mr. DELAY.
- H.R. 1963: Mr. WELDON of Pennsylvania.
- H.R. 1972: Mr. PETRI, Mr. YOUNG of Alaska, Mrs. KELLY, Mr. CHAPMAN, Mrs. VUCANOVICH, Mr. EHRLICH, and Mr. ALLARD.
- H.R. 2026: Mr. ROBERTS, Mr. HILLEARY, Mr. MOORHEAD, Mr. BATEMAN, Mr. LEWIS of Kentucky, Mr. NEY, Mr. EMERSON, Mr. BOEHRNER, Mr. CHAMBLISS, Mrs. CHENOWETH, Mr. LATHAM, Mr. BROWNBAC, Mr. STUMP, and Mr. BRYANT of Tennessee.
- H.R. 2090: Mr. WELDON of Florida, Mrs. MYRICK, Mr. SOUDER, Mr. WICKER, and Ms. LOFGREN.
- H.R. 2092: Mr. SCOTT, Mr. COBLE, Mr. KLECZKA, Mr. FILNER, Mr. OWENS, Mr. GONZALEZ, Mr. ROMERO-BARCELO, Ms. PELOSI, Mr. FROST, Mr. MINETA, Mrs. LOWEY, and Mr. JOHNSTON of Florida.
- H.R. 2132: Ms. PELOSI, Mr. FRAZER, and Ms. LOFGREN.
- H.R. 2137: Mr. FOLEY and Mr. HASTINGS of Washington.
- H.R. 2152: Mr. RAHALL, Mr. EHLERS, Mr. DIAZ-BALART, and Mr. SCARBOROUGH.
- H.R. 2156: Mr. ACKERMAN.
- H.R. 2181: Mr. FILNER.
- H.R. 2185: Mr. GENE GREEN of Texas, Mr. ACKERMAN, Mr. WAXMAN, Mr. MARTINEZ, Ms. DELAURO, and Ms. WOOLSEY.
- H.R. 2200: Mrs. SMITH of Washington, Mr. SCOTT, Mr. ROBERTS, Mr. LARGENT, Mr. HALL of Ohio, Mr. HASTINGS of Washington, Mr. HASTERT, and Mr. DELAY.
- H.R. 2202: Mr. NORWOOD and Mr. RIGGS.
- H.R. 2330: Mr. BRYANT of Tennessee, Mr. HUTCHINSON, and Mr. BONILLA.
- H.R. 2342: Mr. COMBEST, Mr. STOCKMAN, Mr. THORNBERRY, Mr. GENE GREEN of Texas, Mr. FROST, and Mr. SKEEN.
- H. Con. Res. 47: Mr. YATES, Mr. MCCOLLUM, Mr. SHAYS, Mr. SXTON, Mr. POMBO, and Ms. FURSE.

¶117.34 PETITIONS, ETC.

Under clause 1 of rule XXII

41. The SPEAKER presented a petition of the council of the city of Warren, OH, relative to the National Manual on Uniform Traffic Control Devices; which was referred

to the Committee on Transportation and Infrastructure.

¶117.35 DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

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

- H.R. 1883: Mr. WELDON of Pennsylvania.
- H. Con. Res. 12: Mr. LIVINGSTON.

WEDNESDAY, SEPTEMBER 20, 1995 (118)

The House was called to order by the SPEAKER.

¶118.1 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Tuesday, September 19, 1995.

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

¶118.2 COMMUNICATIONS

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

1449. A letter from the Under Secretary, Department of Defense, transmitting a report of a violation of the Anti-Deficiency Act which occurred at the 502d Air Base Wing at Maxwell Air Force Base, AL, pursuant to 31 U.S.C. 1517(b); to the Committee on Appropriations.

1450. A letter from the Secretary, Department of State, transmitting notification of a proposed issuance of export license agreement for the transfer of defense articles or defense services sold commercially to Thailand (Transmittal No. DTC-45-95), pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

1451. A letter from the U.S. Agency for International Development, transmitting notification that the President proposes to exercise his authority under section 614(a)(1) of the Foreign Assistance Act of 1961, as amended (the "Act"), to authorize the furnishing of defense articles and services to Rwanda, pursuant to 22 U.S.C. 2364(a)(1); to the Committee on International Relations.

¶118.3 MOTION TO ADJOURN

Mr. BONIOR moved that the House do now adjourn.

The question being put, *viva voce*,

Will the House now adjourn?

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

Mr. BONIOR objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 4, rule XV, and the call was taken by electronic device.

When there appeared { Yeas 167
Nays 237

¶118.4 [Roll No. 672] YEAS—167

- | | | |
|-------------|----------|-------------|
| Abercrombie | Bentsen | Browder |
| Ackerman | Berman | Brown (CA) |
| Andrews | Bevill | Brown (FL) |
| Baessler | Bishop | Brown (OH) |
| Baldacci | Bonior | Bryant (TX) |
| Barcia | Borski | Cardin |
| Becerra | Boucher | Clay |
| Beilenson | Brewster | Clement |

- | | | |
|---------------|----------------|---------------|
| Clyburn | Hinchey | Pelosi |
| Coleman | Holden | Peterson (FL) |
| Collins (MI) | Hoyer | Peterson (MN) |
| Condit | Jackson-Lee | Pickett |
| Conyers | Johnson (SD) | Pomerooy |
| Costello | Johnson, E. B. | Poshard |
| Coyne | Johnston | Rangel |
| Cramer | Kanjorski | Reed |
| Danner | Kaptur | Richardson |
| de la Garza | Kennedy (RI) | Rivers |
| DeLauro | Kennelly | Rose |
| Dellums | Kildee | Roybal-Allard |
| Deutsch | Klink | Rush |
| Dicks | LaFalce | Sabo |
| Dingell | Lantos | Sanders |
| Dixon | Levin | Sawyer |
| Doggett | Lewis (GA) | Schroeder |
| Dooley | Lipinski | Schumer |
| Doyle | Lofgren | Scott |
| Durbin | Lowey | Serrano |
| Edwards | Luther | Skaggs |
| Engel | Maloney | Skelton |
| Eshoo | Manton | Slaughter |
| Evans | Markey | Spratt |
| Farr | Mascara | Stark |
| Fazio | Matsui | Stenholm |
| Fields (LA) | McCarthy | Studds |
| Filner | McDermott | Stupak |
| Flake | McHale | Tejeda |
| Foglietta | McKinney | Thornton |
| Ford | McNulty | Thurman |
| Frank (MA) | Meehan | Torres |
| Frost | Miller (CA) | Towns |
| Furse | Mineta | Velazquez |
| Gejdenson | Minge | Vento |
| Gephardt | Mink | Visclosky |
| Geren | Mollohan | Volkmmer |
| Gibbons | Nadler | Ward |
| Gonzalez | Neal | Waters |
| Green | Ney | Watt (NC) |
| Gutierrez | Oberstar | Waxman |
| Hall (OH) | Obey | Wilson |
| Hall (TX) | Olver | Wise |
| Harman | Ortiz | Woolsey |
| Hastings (FL) | Orton | Wyden |
| Hefner | Pallone | Wynn |
| Hilleary | Pastor | Yates |
| Hilliard | Payne (VA) | |

NAYS—237

- | | | |
|--------------|---------------|--------------|
| Allard | Cunningham | Henger |
| Archer | Davis | Hobson |
| Armey | Deal | Hoekstra |
| Bachus | DeLay | Hoke |
| Baker (CA) | Dickey | Horn |
| Baker (LA) | Doolittle | Hostettler |
| Ballenger | Dreier | Houghton |
| Barr | Duncan | Hunter |
| Barrett (NE) | Dunn | Hutchinson |
| Barrett (WI) | Ehlers | Hyde |
| Bartlett | Ehrlich | Inglis |
| Barton | Emerson | Istook |
| Bass | English | Jacobs |
| Bateman | Ensign | Johnson (CT) |
| Bereuter | Everett | Johnson, Sam |
| Bilbray | Ewing | Jones |
| Bilirakis | Fawell | Kasich |
| Bliley | Flanagan | Kelly |
| Blute | Foley | Kim |
| Boehlert | Forbes | King |
| Boehner | Fowler | Kingston |
| Bonilla | Fox | Kleczka |
| Bono | Franks (CT) | Klug |
| Brownback | Franks (NJ) | Knollenberg |
| Bryant (TN) | Frelinghuysen | Kolbe |
| Bunn | Frisa | LaHood |
| Bunning | Funderburk | Largent |
| Burr | Gallely | Latham |
| Burton | Ganske | LaTourette |
| Buyer | Gekas | Laughlin |
| Calvert | Gilchrest | Lazio |
| Camp | Gillmor | Leach |
| Canady | Gilman | Lewis (CA) |
| Castle | Goodlatte | Lewis (KY) |
| Chabot | Goodling | Lightfoot |
| Chambliss | Gordon | Lincoln |
| Chenoweth | Goss | Linder |
| Christensen | Graham | Livingston |
| Chrysler | Greenwood | LoBiondo |
| Clinger | Gunderson | Longley |
| Coble | Gutknecht | Lucas |
| Coburn | Hamilton | Manzullo |
| Collins (GA) | Hancock | Martini |
| Combest | Hansen | McCollum |
| Cooley | Hastert | McCrery |
| Cox | Hastings (WA) | McDade |
| Crane | Hayes | McHugh |
| Crapo | Hayworth | McInnis |
| Creameans | Hefley | McIntosh |
| Cubin | Heineman | McKeon |