

Doolittle	Jones	Ramstad
Dorman	Kasich	Regula
Dreier	Kelly	Riggs
Duncan	Kim	Roberts
Dunn	King	Rogers
Ehlers	Kingston	Rohrabacher
Ehrlich	Klug	Ros-Lehtinen
Emerson	Kolbe	Roth
English	LaHood	Roukema
Ensign	Largent	Royce
Everett	Latham	Salmon
Ewing	LaTourette	Sanders
Fawell	Lazio	Sanford
Fields (LA)	Leach	Saxton
Fields (TX)	Lewis (CA)	Scarborough
Flanagan	Lewis (KY)	Schaefer
Foley	Lightfoot	Schiff
Forbes	Linder	Seastrand
Fowler	Lipinski	Sensenbrenner
Fox	Livingston	Shadegg
Franks (CT)	LoBiondo	Shaw
Franks (NJ)	Longley	Shays
Frelinghuysen	Lucas	Shuster
Frisa	Manzullo	Sisisky
Funderburk	Martinez	Skeen
Galleghy	Martini	Skelton
Ganske	McCollum	Smith (NJ)
Gekas	McCrery	Smith (TX)
Gilchrist	McDade	Smith (WA)
Gillmor	McHugh	Solomon
Gilman	McInnis	Souder
Goodlatte	McIntosh	Spence
Goodling	McKeon	Spratt
Gordon	McNulty	Stearns
Goss	Metcalf	Stenholm
Graham	Meyers	Stockman
Greenwood	Mica	Stump
Gunderson	Miller (FL)	Talent
Gutknecht	Minge	Tanner
Hamilton	Molinari	Tate
Hancock	Montgomery	Tauzin
Hansen	Moorhead	Taylor (MS)
Harman	Morella	Taylor (NC)
Hastert	Murtha	Thomas
Hastings (WA)	Myers	Thornberry
Hayworth	Myrick	Thurman
Hefley	Nethercutt	Tiahrt
Hefner	Neumann	Torkildsen
Heineman	Ney	Traficant
Herger	Norwood	Vucanovich
Hilleary	Nussle	Waldholtz
Hobson	Oxley	Walsh
Hoke	Packard	Wamp
Horn	Parker	Watts (OK)
Hostettler	Paxon	Weldon (FL)
Houghton	Peterson (MN)	Weldon (PA)
Hunter	Petri	Weller
Hutchinson	Pickett	White
Hyde	Pombo	Whitfield
Inglis	Porter	Wicker
Istook	Portman	Wolf
Jacobs	Poshard	Wyden
Jefferson	Pryce	Young (AK)
Johnson (CT)	Quillen	Young (FL)
Johnson (SD)	Quinn	Zeliff
Johnson, Sam	Radanovich	Zimmer

## NOT VOTING—4

Collins (MI)	Smith (MI)
Rose	Walker

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

## 123.7 RECORDED VOTE

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

Page 2, strike line 4 and all that follows through the matter preceding line 1, page 12, and insert the following:

## TITLE I—PRISON BLOCK GRANT PROGRAM

## SEC. 101. LOCAL CONTROL PRISON GRANT PROGRAM.

Subtitle A of title II of the Violent Crime Control and Law Enforcement Act of 1994 is amended to read as follows:

## "Subtitle A—Prison Block Grants

## "SEC. 201. PAYMENTS TO STATE GOVERNMENTS.

## "(a) PAYMENT AND USE.—

"(1) PAYMENT.—The Attorney General shall pay to each State which qualifies for a payment under this title an amount equal to the

sum of the amount allocated to such State under this title for each payment period from amounts appropriated to carry out this title.

"(2) USE.—Amounts paid to a State under this section shall be used by the State for confinement of persons convicted of serious violent felonies, including but not limited to, one or more of the following purposes:

"(A)(i) Building, expanding, operating, and maintaining space in correctional facilities in order to increase the prison bed capacity in such facilities for the confinement of persons convicted of a serious violent felony.

"(ii) Building, expanding, operating, and maintaining temporary or permanent correctional facilities, including boot camps, and other alternative correctional facilities, including facilities on military bases, for the confinement of convicted nonviolent offenders and criminal aliens for the purpose of freeing suitable existing space for the confinement of persons convicted of a serious violent felony.

"(iii) Contributing to funds administered by a regional compact organized by two or more States to carry out any of the foregoing purposes.

"(b) TIMING OF PAYMENTS.—The Attorney General shall pay to each State that has submitted an application under this title not later than—

"(1) 90 days after the date that the amount is available, or

"(2) the first day of the payment period if the State has provided the Attorney General with the assurances required by section 203(d),

whichever is later.

## "(c) ADJUSTMENTS.—

"(1) IN GENERAL.—Subject to paragraph (2), the Attorney General shall adjust a payment under this title to a State to the extent that a prior payment to the State was more or less than the amount required to be paid.

"(2) CONSIDERATIONS.—The Attorney General may increase or decrease under this subsection a payment to a State only if the Attorney General determines the need for the increase or decrease, or if the State requests the increase or decrease, not later than one year after the end of the payment period for which a payment was made.

"(d) RESERVATION FOR ADJUSTMENT.—The Attorney General may reserve a partnership of not more than 2 percent of the amount under this section for a payment period for all States, if the Attorney General considers the reserve is necessary to ensure the availability of sufficient amounts to pay adjustments after the final allocation of amounts among the States.

## "(e) REPAYMENT OF UNEXPENDED AMOUNTS.—

"(1) REPAYMENT REQUIRED.—A State shall repay to the Attorney General, by not later than 27 months after receipt of funds from the Attorney General, any amount that is—

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

"(B) not expended by the unit within 2 years after receipt of such funds from the Attorney General.

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

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

"(f) NONSUPPLANTING REQUIREMENT.—Funds made available under this title to States shall not be used to supplant State funds, but shall be used to increase the amount of funds that would, in the absence

of funds under this title, be made available from State sources.

## "SEC. 202. AUTHORIZATION OF APPROPRIATIONS.

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

"(1) \$232,000,000 for fiscal year 1995;

"(2) \$997,500,000 for fiscal year 1996;

"(3) \$1,330,000,000 for fiscal year 1997;

"(4) \$2,527,000,000 for fiscal year 1998;

"(5) \$2,660,000,000 for fiscal year 1999; and

"(6) \$2,753,100,000 for fiscal year 2000.

"(b) ADMINISTRATIVE COSTS.—Not more than 2.5 percent of the amount authorized to be appropriated under subsection (a) for each of the fiscal years 1996 through 2000 shall be available to the Attorney General for administrative costs to carry out the purposes of this title. Such sums are to remain available until expended.

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

## "SEC. 203. QUALIFICATION FOR PAYMENT.

"(a) IN GENERAL.—The Attorney General shall issue regulations establishing procedures under which a State is required to give notice to the Attorney General regarding the proposed use of assistance under this title.

"(b) GENERAL REQUIREMENTS FOR QUALIFICATION.—A State qualifies for a payment under this title for a payment period only if the State submits an application to the Attorney General and establishes, to the satisfaction of the Attorney General, that—

"(1) the State will establish a trust fund in which the State will deposit all payments received under this title;

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

"(3) the State will expend the payments received in accordance with the laws and procedures that are applicable to the expenditure of revenues of the State;

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

"(5) after reasonable notice from the Attorney General or the Comptroller General to the State, the State will make available to the Attorney General and the Comptroller General, with the right to inspect, records that the Attorney General reasonably requires to review compliance with this title or that the Comptroller General reasonably requires to review compliance and operation;

"(6) a designated official of the State shall make reports to the Attorney General reasonably requires, in addition to the annual reports required under this title; and

"(7) the State will spend the funds only for the purposes authorized in section 201(a)(2).

## "(c) SANCTIONS FOR NONCOMPLIANCE.—

"(1) IN GENERAL.—If the Attorney General determines that a State has not complied substantially with the requirements or regulations prescribed under subsection (b), the Attorney General shall notify the State that if the State does not take corrective action within 60 days of such notice, the Attorney General will withhold additional payments to the State for the current and future payment period until the Attorney General is satisfied that the State—

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

"(B) will comply with the requirements and regulations prescribed under subsection (b).

SEC. 204. ALLOCATION AND DISTRIBUTION OF FUNDS.

(a) STATE DISTRIBUTION.—Except as provided in section 203(c), of the total amounts appropriated for this title for each payment period, the Attorney General shall allocate for States—

- (1) 0.25 percent to each State; and
(2) of the total amounts of funds remaining after allocation under paragraph (1), an amount that is equal to the ratio that the number of part 1 violent crimes reported by such State to the Federal Bureau of Investigation for 1993 bears to the number of part 1 violent crimes reported by all States to the Federal Bureau of Investigation for 1993.

(b) UNAVAILABILITY OF INFORMATION.—For purposes of this section, if the data regarding part 1 violent crimes in any State for 1993 is unavailable or substantially inaccurate, the Attorney General shall utilize the best available comparable data regarding the number of violent crimes for 1993 for such State for the purposes of allocation of any funds under this title.

SEC. 205. UTILIZATION OF PRIVATE SECTOR.

Funds or a portion of funds allocated under this title may be utilized to contract with private, nonprofit entities or community-based organizations to carry out the purposes specified under section 201(a)(2).

SEC. 206. PUBLIC PARTICIPATION.

(a) IN GENERAL.—A State expending payments under this title shall hold at least one public hearing on the proposed use of the payment from the Attorney General.

(b) VIEWS.—At the hearing, persons, including elected officials of units of local government within such State, shall be given an opportunity to provide written and oral views to the State and to ask questions about the entire budget and the relation of the payment from the Attorney General to the entire budget.

(c) TIME AND PLACE.—The State shall hold the hearing at a time and place that allows and encourages public attendance and participation.

SEC. 207. ADMINISTRATIVE PROVISIONS.

For the purposes of this title:

(1) The term 'State' means any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, American Samoa, Guam, and the Northern Mariana Islands, except that American Samoa, Guam, and the Northern Mariana Islands shall be considered as one State and that, for purposes of section 104(a), 33 percent of the amounts allocated shall be allocated to American Samoa, 50 percent to Guam, and 17 percent to the Northern Mariana Islands.

(2) The term 'payment period' means each 1-year period beginning on October 1 of any year in which a grant under this title is awarded.

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

It was decided in the Yeas ..... 179
negative ..... Nays ..... 251

23.8 [Roll No. 111] YEAS—179

Table with 3 columns: Name, State, and Vote. Includes names like Abercrombie, Ackerman, Andrews, Baesler, Baldacci, Barcia, Barrett (WI), Becerra, Beilenson, Bentsen, Berman, Beville, Bishop, Bonior, Borski, Brewster, Browder, Brown (CA), Brown (FL), Brown (OH), Bryant (TX), Chapman, Clay, Clyburn, Coleman, Collins (IL), Conyers, Costello, Coyne, Cramer, de la Garza, Deal, DeFazio, etc.

Table with 3 columns: Name, State, and Vote. Includes names like DeLauro, Dellums, Dicks, Dingell, Dixon, Doggett, Dooley, Doyle, Durbin, Edwards, Ehlers, Engel, Eshoo, Evans, Farr, Fattah, Fazio, Filner, Flake, Foglietta, Ford (TN), Frank (MA), Furse, Gejdenson, Gephardt, Gibbons, Gonzalez, Gordon, Green, Gutierrez, Hall (OH), Hamilton, Hastings (FL), Hayes, Hilliard, Hinchey, Holden, Hoyer, Inglis, Jackson-Lee, Jacobs, Johnson, E.B., Johnston, Kanjorski, Kaptur, Kennedy (MA), Kennedy (RI), Kennelly, Kildee, Kleczka, Klink, LaFalce, Lantos, Laughlin, Levin, Lewis (GA), Lincoln, Lipinski, Lofgren, Lowey, Maloney, Manton, Markey, Martinez, Mascara, Matsui, McCarthy, McDermott, McHale, McKinney, McNulty, Meehan, Meek, Menendez, Mfume, Miller (CA), Mineta, Mink, Moakley, Mollohan, Montgomery, Moran, Murtha, Nadler, Neal, Oberstar, Obey, Olver, Ortiz, Orton, Owens, Pallone, Pastor, Payne (NJ), Pelosi, Peterson (FL), Pomeroy, Poshard, Cox, Crane, Crapo, Cremeans, Cubin, Cunningham, Danner, Davis, DeLay, Deutsch, Diaz-Balart, Dickey, Doolittle, Dornan, Dreier, Duncan, Dunn, Ehrlich, Emerson, English, Ensign, Everett, Ewing, Fawell, Fields (LA), Fields (TX), Flanagan, Foley, Forbes, Fowler, Fox, Franks (CT), Franks (NJ), Frelinghuysen, Frisa, Funderburk, Gallegly, Ganske, Gekas, Geren, Gilchrist, Gillmor, Gilman, Gingrich, Goodlatte, Goodling, Goss, Graham, Greenwood, Gunderson, Gutknecht, Hall (TX), Hancock, Hansen, Harman, Hastert, Hastings (WA), Hayworth, Hefley, Hefner, Heineman, Hergert, Hilleary, Hobson, Hoekstra, Hoke, Horn, Hostettler, Houghton, Hunter, Hutchinson, Hyde, Istook, Jefferson, Johnson (CT), Johnson (SD), Johnson, Sam, Jones, Kasich, Kelly, Kim, King, Kingston, Klug, Knollenberg, Kolbe, LaHood, Largent, Latham, LaTourette, Lazio, Leach, Lewis (CA), Lewis (KY), Lightfoot, Linder, Livingston, LoBiondo, etc.

Table with 3 columns: Name, State, and Vote. Includes names like Longley, Lucas, Luther, Manzullo, Martino, McCollum, McCrery, McDade, McHugh, McInnis, McIntosh, McKeon, Metcalf, Meyers, Mica, Miller (FL), Minge, Molinari, Moorhead, Morella, Myers, Myrick, Nethercutt, Neumann, Ney, Norwood, Nussle, Oxley, Packard, Parker, Paxon, Payne (VA), Peterson (MN), Petri, Pickett, Poombo, Porter, Portman, Pryce, Quillen, Quinn, Radanovich, Ramstad, Regula, Riggs, Roberts, Rogers, Rohrabacher, Ros-Lehtinen, Rose, Roth, Roukema, Royce, Salmon, Sanford, Saxton, Scarborough, Schaefer, Schiff, Seastrand, Shadegg, Shaw, Shays, Shuster, Sisisky, Skeen, Skelton, Smith (MI), Smith (NJ), Smith (TX), Frost, Souder, etc.

NOT VOTING—4

Table with 2 columns: Name, State. Includes Boucher, Collins (MI).

So the amendment was not agreed to. After some further time, The Committee rose informally to receive a message from the President. The SPEAKER pro tempore, Mr. CUNNINGHAM, assumed the Chair.

23.9 MESSAGES FROM THE PRESIDENT

Sundry messages in writing from the President of the United States were communicated to the House by Mr. Edwin Thomas, one of his secretaries.

The Committee resumed its sitting; and after some further time spent therein,

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

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

23.10 MESSAGE FROM THE PRESIDENT— NATIONAL ENDOWMENT FOR HUMANITIES

The SPEAKER pro tempore, Mr. CUNNINGHAM, laid before the House a message from the President, which was read as follows:

To the Congress of the United States:

I am pleased to present to you the Twenty-ninth Annual Report of the National Endowment for the Humanities [NEH], the Federal agency charged with fostering scholarship and imparting knowledge in the humanities. Its work supports an impressive range of humanities projects.

These projects can reach an audience as general as the 28 million who watched the documentary Baseball, or as specialized as the 50 scholars who this past fall examined current research on Dante. Small local historical societies have received NEH support, as have some of the Nation's largest cultural institutions. Students from kindergarten through graduate school,