

NAYS—295

Allard Andrews Archer Arme... Gilchrest Gillmor Gilman Goodlatte Goodling Gordon Goss Graham Greenwood Gunderson Gutknecht Hall (TX) Hamilton Hancock Hansen Harman Hastert Hastings (WA) Hayes Hayworth Hefley Heineman Herger Hillery Hobson Hoekstra Hoke Holden Horn Hostettler Houghton Hunter Hutchinson Hyde Inglis Istook Johnson (SD) Johnson, Sam Jones Kanjorski Kaptur Kasich Kelly Kennelly Kim King Kingston Klink Klug Knollenberg Latham LaHood Largent Latham LaTourette Leach Lewis (CA) Lewis (KY) Lightfoot Lincoln Linder Lipinski Livingston LoBiondo Longley Lowey Lucas Maloney Manton Manton Martinez Mascara McCollum McCreery McDade McHale McHugh McInnis McIntosh McKee Menendez Metcalf Meyers Mica Miller (FL) Minge Molinari Montgomery Moorhead Morella Murtha Myers Myrick Nethercutt Neumann Ney Norwood

NOT VOTING—10

Becerra Collins (MI) Ford (TN) Frost Johnston Lofgren Martini Smith (TX) Stark Zeliff

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

24.8 RECORDED VOTE

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

Page 2, lines 24 and 25, strike "either a general grant" and insert "general grants".

Page 2, line 25, strike "or" and insert "and".

Page 6, line 6, strike "title, if the State" and insert "title if,"

Page 6, line 7, strike "title—" and all that follows down through "the" on line 9, and insert "title, the".

It was decided in the Yeas 176 negative Nays 247

24.9 [Roll No. 114] YEAS—176

Abercrombie Ackerman Baesler Baldacci Barrett (WI) Barton Beilenson Bentsen Berman Bevill Bishop Bonior Borski Boucher Brewster Browder Brown (FL) Brown (OH) Bryant (TX) Camp Cardin Chapman Clay Clyburn Coleman Collins (IL) Conyers Coyne Cramer Danner DeFazio de la Garza DeLauro Dellums Dicks Dingell Dixon Doggett Dooley Doyle Durbin Edwards Ehlers Engel Eshoo Evans Farr Fattah Fazio Fields (LA) Filner Flake Foglietta Ford (TN) Frank (MA) Furse Gejdenson Gephardt Gibbons Gillmor Gonzalez Gordon Green Gutierrez Hall (TX) Hamilton Hastings (FL) Hayes Hefner Hilliard Hinchey Hoekstra Holden Hoyer Inglis Jackson-Lee Johnson, E.B. Kanjorski Kaptur Kennedy (MA) Kennedy (RI) Kennelly Kildee Kleczka Klink LaFalce Lantos Laughlin Levin Lewis (GA) Lincoln Longley Lowey Maloney Manton Markay Mascara Matsui McDermott McHale McKinney McNulty Meehan Meek Menendez Mfume Miller (CA) Mineta Minge Mink Moakley Mollohan Moran Murtha Nadler Neal Oberstar Obey Olver Ortiz Orton Owens Pallone Pastor Payne (NJ) Pelosi Peterson (FL) Peterson (MN) Pickett Pomeroy Portman Rahall Rangel Reed Reynolds Richardson Rivers Roemer Rose Roybal-Allard Rush Sabo Sanders Sawyer Schroeder Schumer Scott Serrano Skaggs Skelton Slaughter Smith (MI) Stokes Studds Stupak Tanner Thompson Thornton Torres Towns Tucker Upton Velazquez Vento Visclosky Volkmer Ward Waters Waxman Williams Wilson Wise Woolsey Wynn Yates

NAYS—247

Allard Andrews Archer Arme... Ballenger Barcia Barr Barrett (NE) Bartlett

Blute Boehlert Boehner Bonilla Bono Brownback Bryant (TN) Bunn Bunning Burr Burton Buyer Callahan Calvert Canady Castle Chabot Chambliss Chenoweth Christensen Chrysler Clayton Clement Clinger Coble Coburn Collins (GA) Combest Condit Cooley Costello Cox Crane Cremeans Cubin Cunningham Davis Deal DeLay Deutsch Diaz-Balart Dickey Doolittle Dornan Dreier Duncan Dunn Ehrlich Emerson English Ensign Everrett Fawell Fields (TX) Flanagan Foley Forbes Fowler Fox Franks (CT) Franks (NJ) Frelinghuysen Frisa Funderburk Gallegly Ganske Gekas Geren Gilchrest Gilman Goodlatte Goodling Goss Graham Greenwood Gunderson Gutknecht Hancock Hansen Harman Hastert Hastings (WA) Hayworth Hefley Heineman Herger Hillery Hobson Hoke Hostettler Houghton Hunter Hutchinson Hyde Istook Jacobs Jefferson Johnson (CT) Johnson, Sam Johnson (SD) Jones Kasich Kelly Kim King Kingston Klug Knollenberg Kolbe LaHood Largent Latham LaTourette Lazio Leach Lewis (CA) Lewis (KY) Lightfoot Linder Lipinski Livingston LoBiondo Lucas Luther Manzullo Martinez Martini McCarthy McCollum McCreery McDade McHugh McInnis McIntosh McKee Metcalf Meyers Mica Miller (FL) Molinari Montgomery Moorhead Morella Myers Myrick Nethercutt Neumann Ney Norwood Nussle Oxley Packard Parker Paxon Payne (VA) Petri Pombo Porter Poshard Pryce Quillen Quinn Radanovich Ramstad Regula Riggs Roberts Rogers Rohrabacher Ros-Lehtinen Roth Roukema Royce Salmon Sanford Saxton Scarborough Schaefer Schiff Seastrand Sensenbrenner Shadegg Shaw Shays Shuster Sisisky Skee Smith (NJ) Solomon Souder Spence Spratt Stearns Stenholm Stockman Stump Talent Tate Taylor (MS) Taylor (NC) Thomas Thornberry Thurman Tiahrt Torkildsen Torricelli Traficant Vucanovich Waldholtz Walker Walsh Wamp Watt (NC) Watts (OK) Weldon (FL) Weldon (PA) Weller Wicker Wolf Wyden Young (AK) Young (FL) Zeliff Zimmer

NOT VOTING—11

Becerra Brown (CA) Collins (MI) Frost Hall (OH) Johnston Lofgren Smith (TX) Smith (WA) Stark Tauzin

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

24.10 RECORDED VOTE

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

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

TITLE I—PRISON GRANT PROGRAM

SEC. 1. GRANT PROGRAM.

Title V of the Violent Crime Control and Law Enforcement Act of 1994 is amended to read as follows:

TITLE V—PRISON GRANTS

SEC. 501. AUTHORIZATION OF GRANTS.

The Attorney General is authorized to provide grants to eligible States and to eligible States organized as a regional compact to build, expand, and operate 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 and to build, expand, and operate temporary or permanent correctional facilities, including facilities on military bases, for the confinement of convicted non-violent offenders and criminal aliens for the purpose of freeing suitable existing prison space for the confinement of persons convicted of a serious violent felony.

SEC. 502. GENERAL GRANTS.

In order to be eligible to receive funds under this title, a State or States organized as a regional compact shall submit an application to the Attorney General that provides assurances that such State since 1993 has—

- (1) increased the percentage of convicted violent offenders sentenced to prison.
(2) increased the average prison time actually to be served in prison by convicted violent offenders sentenced to prison.

SEC. 503. SPECIAL RULES.

Notwithstanding the provisions of paragraphs (1) through (2) to section 502, a State shall be eligible for grants under this title, if the State, not later than the date of the enactment of this title—

- (1) practices indeterminate sentencing; and
(2) the average times served in such State for the offenses of murder, rape, robbery, and assault exceed, by 10 percent or greater, the national average of times served for such offenses.

SEC. 504. FORMULA FOR GRANTS.

To determine the amount of funds that each eligible State or eligible States organized as a regional compact may receive to carry out programs under section 502, the Attorney General shall apply the following formula:

- (1) \$500,000 or 0.40 percent, whichever is greater shall be allocated to each participating State or compact, as the case may be; and
(2) of the total amount of funds remaining after the allocation under paragraph (1), there shall be allocated to each State or compact, as the case may be, an amount which bears the same ratio to the amount of remaining funds described in this paragraph as the population of such State or compact, as the case may be, bears to the population of all the States.

SEC. 505. ACCOUNTABILITY.

(a) FISCAL REQUIREMENT.—A State or States organized as a regional compact that receives funds under this title shall use accounting, audit, and fiscal procedures that conform to guidelines which shall be prescribed by the Attorney General.

(b) REPORTING.—Each State that receives funds under this title shall submit an annual report, beginning on January 1, 1996, and each January 1 thereafter, to the Congress regarding compliance with the requirements of this title.

(c) ADMINISTRATIVE PROVISIONS.—The administrative provisions of sections 801 and 802 of the Omnibus Crime Control and Safe Streets Act of 1968 shall apply to the Attorney General in the same manner as such provisions apply to the officials listed in such sections.

SEC. 506. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—There are authorized to be appropriated to carry out this title—

- (1) \$497,500,000 for fiscal year 1996;
(2) \$830,000,000 for fiscal year 1997;
(3) \$2,027,000,000 for fiscal year 1998;
(4) \$2,160,000,000 for fiscal year 1999; and
(5) \$2,253,100,000 for fiscal year 2000.
(b) LIMITATIONS ON FUNDS.—
(1) USES OF FUNDS.—Funds made available under this title may be used to carry out the purposes described in section 501(a).
(2) NONSUPPLANTING REQUIREMENT.—Funds made available under this section shall not be used to supplant State funds, but shall be used to increase the amount of funds that would, in the absence of Federal funds, be made available from State sources.
(3) ADMINISTRATIVE COSTS.—Not more than three percent of the funds available under this section may be used for administrative costs.
(4) MATCHING FUNDS.—The Federal share of a grant received under this title may not exceed 75 percent of the costs of a proposal as described in an application approved under this title.
(5) CARRY OVER OF APPROPRIATIONS.—Any funds appropriated but not expended as provided by this section during any fiscal year shall remain available until expended.
(c) EVALUATION.—From the amounts authorized to be appropriated under subsection (a) for each fiscal year, the Attorney General shall reserve 1 percent for use by the National Institute of Justice to evaluate the effectiveness of programs established under this title by units of local government and the benefits of such programs in relation to the cost of such programs.

SEC. 507. DEFINITIONS.

- As used in this title—
(1) the term 'indeterminate sentencing' means a system by which—
(A) the court has discretion on imposing the actual length of the sentence imposed, up to the statutory maximum; and
(B) an administrative agency, generally the parole board, controls release between court-ordered minimum and maximum sentence;
(2) the term 'serious violent felony' means—
(A) an offense that is a felony and has as an element the use, attempted use, or threatened use of physical force against the person or property of another and has a maximum term of imprisonment of 10 years or more.
(B) any other offense that is a felony and that, by its nature, involves a substantial risk that physical force against the person or property of another may be used in the course of committing the offense and has a maximum term of imprisonment of 10 years or more, or
(C) such crimes include murder, assault with intent to commit murder, arson, armed burglary, rape, assault with intent to commit rape, kidnapping, and armed robbery; and
(3) the term 'State' means a State of the United States, the District of Columbia, or any commonwealth, territory, or possession of the United States.

It was decided in the Yeas 155 negative Nays 268

- Doggett
Dooley
Duncan
Durbin
Ehlers
Ensign
Eshoo
Farr
Fattah
Fawell
Fazio
Fields (LA)
Filner
Flake
Foglietta
Ford (TN)
Frank (MA)
Franks (NJ)
Funderburk
Gejdenson
Gephardt
Gilchrest
Green
Greenwood
Gunderson
Gutierrez
Hancock
Hastings (FL)
Hefner
Hilliard
Hinchev
Hoekstra
Hoyer
Hutchinson
Inglis
Jackson-Lee
Jacobs
Johnson (CT)
Johnson, E.B.
Kaptur
Kennedy (MA)
Kennedy (RI)
Kennelly
Klecza
Klug
LaFalce
Lantos
Lazio
Leach
Lewis (GA)
LoBiondo
Longley
Markey
Martinez
Martini
Matsui
McDermott
McKinney
Meehan
Meek
Menendez
Mfume
Miller (CA)
Mineta
Minge
Mink
Moakley
Mollohan
Morella
Nadler
Neal
Oberstar
Obey
Olver
Owens
Pastor
Payne (NJ)
Pelosi
Peterson (FL)
Porter
Quinn
Ramstad
Rangel
Reed
Reynolds
Rivers
Rohrabacher
Rose
Roth
Roybal-Allard
Royce
Rush
Sabo
Sanders
Sanford
Sawyer
Schroeder
Scott
Sensenbrenner
Serrano
Shays
Skaggs
Slaughter
Smith (MI)
Stokes
Studds
Thompson
Tiahrt
Torkildsen
Torres
Towns
Tucker
Upton
Velazquez
Vento
Visclosky
Ward
Waters
Watt (NC)
Waxman
Williams
Woolsey
Wynn
Yates
Zimmer

NAYS—268

- Allard
Andrews
Archer
Army
Bachus
Baesler
Baker (CA)
Baker (LA)
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bentsen
Bereuter
Bevill
Bilbray
Bilirakis
Bliley
Blute
Boehner
Bonilla
Bono
Boucher
Brewster
Browder
Brownback
Bryant (TN)
Bryant (TX)
Bunn
Bunning
Burr
Buyer
Callahan
Calvert
Canady
Chabot
Chambliss
Chenoweth
Christensen
Chrysler
Clement
Clinger
Coble
Coburn
Coleman
Collins (GA)
Combest
Condit
Cooley
Costello
Cox
Cramer
Crane
Crapo
Creameans
Cubin
Cunningham
Danner
Davis
de la Garza
Deal
DeLay
Deutsch
Diaz-Balart
Dickey
Dicks
Doolittle
Dornan
Doyle
Dreier
Edwards
Ehrlich
Emerson
Engel
English
Evans
Everett
Ewing
Fields (TX)
Flanagan
Foley
Forbes
Fowler
Fox
Franks (CT)
Frelinghuysen
Frisa
Furse
Galleghy
Ganske
Gekas
Geren
Gillmor
Gilman
Gonzalez
Goodlatte
Goodling
Gordon
Goss
Graham
Gutknecht
Hall (TX)
Hamilton
Hansen
Harman
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Heineman
Herger
Hilleary
Hobson
Hoke
Holden
Horn
Hostettler
Houghton
Hunter
Hyde
Istook
Jefferson
Johnson (SD)
Johnson, Sam
Jones
Kanjorski
Kasich
Kelly
Kildoe
Kim
King
Kingston
Klink
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Laughlin
Levin
Lewis (CA)
Lewis (KY)
Lightfoot
Lincoln
Linder
Lipinski
Livingston
Lowe
Lucas
Luther
Maloney
Manton
Manzullo
Mascara

- Abercrombie
Ackerman
Baldacci
Barcia
Barrett (WI)
Beilenson
Berman
Bishop
Boehlert
Bonior
Borski
Brown (CA)
Brown (FL)
Brown (OH)
Burton
Camp
Cardin
Castle
Chapman
Clay
Clayton
Clyburn
Collins (IL)
Conyers
Coyne
DeFazio
DeLauro
Dellums
Dingell
Dixon