

Mollohan  
Montgomery  
Moorhead  
Murtha  
Myers  
Myrick  
Neal  
Nethercutt  
Neumann  
Ney  
Norwood  
Nussle  
Oberstar  
Ortiz  
Orton  
Oxley  
Packard  
Parker  
Paxon  
Peterson (MN)  
Petri  
Pickett  
Pombo  
Portman  
Poshard  
Quillen  
Quinn  
Radanovich  
Rahall  
Regula

Roberts  
Roemer  
Rogers  
Rohrabacher  
Ros-Lehtinen  
Roth  
Royce  
Salmon  
Sanford  
Saxton  
Scarborough  
Schaefer  
Schiff  
Seastrand  
Sensenbrenner  
Shadegg  
Shuster  
Sisisky  
Skeen  
Skelton  
Smith (MI)  
Smith (NJ)  
Smith (TX)  
Smith (WA)  
Solomon  
Souder  
Spence  
Stearns  
Stenholm  
Stockman

Stump  
Stupak  
Talent  
Tanner  
Tate  
Tauzin  
Taylor (MS)  
Taylor (NC)  
Tejeda  
Thomas  
Thornberry  
Thornton  
Tiahrt  
Tucker  
Volkmer  
Vucanovich  
Waldholtz  
Walker  
Walsh  
Wamp  
Watts (OK)  
Weldon (FL)  
Weldon (PA)  
White  
Whitfield  
Wicker  
Wolf  
Young (AK)  
Young (FL)  
Zeliff

NOT VOTING—3

Becerra            Crapo            Matsui

So the amendment was not agreed to.

¶26.13 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the amendment in the nature of a substitute, as amended, as reported by the Committee on the Judiciary.

It was decided in the affirmative .....  $\left\{ \begin{array}{l} \text{Yeas ..... 237} \\ \text{Nays ..... 193} \end{array} \right.$

¶26.14 [Roll No. 127] AYES—237

Allard  
Archer  
Army  
Bachus  
Baker (CA)  
Baker (LA)  
Ballenger  
Barr  
Barrett (NE)  
Bartlett  
Barton  
Bass  
Bateman  
Bereuter  
Bilbray  
Billirakis  
Biley  
Boehlert  
Boehner  
Bonilla  
Bono  
Brewster  
Brownback  
Bryant (TN)  
Bunn  
Bunning  
Burr  
Burton  
Buyer  
Callahan  
Calvert  
Camp  
Canady  
Castle  
Chabot  
Chambliss  
Chenoweth  
Christensen  
Chrysler  
Clinger  
Coble  
Coburn  
Collins (GA)  
Combest  
Condit  
Cooley  
Cox  
Crane  
Creameans

Cubin  
Cunningham  
Danner  
Davis  
Deal  
DeLay  
Diaz-Balart  
Dickey  
Doolittle  
Dornan  
Dreier  
Duncan  
Dunn  
Ehlers  
Ehrlich  
Emerson  
English  
Everett  
Ewing  
Fawell  
Fields (TX)  
Flanagan  
Foley  
Forbes  
Fowler  
Fox  
Franks (CT)  
Franks (NJ)  
Frelinghuysen  
Frisa  
Funderburk  
Gallegly  
Ganske  
Gekas  
Geren  
Gilchrest  
Gillmor  
Gilman  
Goodlatte  
Goodling  
Goss  
Graham  
Greenwood  
Gunderson  
Gutknecht  
Hall (TX)  
Hancock  
Hansen  
Hastert

Hastings (WA)  
Hayworth  
Heineman  
Henger  
Hilleary  
Hobson  
Hoekstra  
Hoke  
Horn  
Hostettler  
Houghton  
Hunter  
Hutchinson  
Hyde  
Inglis  
Istook  
Johnson (CT)  
Johnson, Sam  
Jones  
Kasich  
Kelly  
Kim  
King  
Kingston  
Klug  
Knollenberg  
Kolbe  
LaHood  
Largent  
Latham  
LaTourette  
Laughlin  
Lazio  
Leach  
Lewis (CA)  
Lewis (KY)  
Lightfoot  
Linder  
Livingston  
LoBiondo  
Longley  
Lucas  
Manzullo  
Martini  
McCollum  
McCrery  
McDade  
McHugh  
McInnis

McIntosh  
McKeon  
McNulty  
Metcalf  
Meyers  
Mica  
Miller (FL)  
Molinari  
Montgomery  
Moorhead  
Myers  
Myrick  
Nethercutt  
Neumann  
Ney  
Norwood  
Nussle  
Oxley  
Packard  
Parker  
Paxon  
Petri  
Pombo  
Porter  
Portman  
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  
Shuster  
Skeen  
Skelton  
Smith (MI)  
Smith (NJ)  
Smith (TX)  
Smith (WA)  
Solomon  
Souder  
Spence  
Stearns

NOES—193

Abercrombie  
Ackerman  
Andrews  
Baesler  
Baldacci  
Barcia  
Barrett (WI)  
Beilenson  
Bentsen  
Berman  
Bevill  
Bishop  
Blute  
Bonior  
Borski  
Boucher  
Browder  
Brown (CA)  
Brown (FL)  
Brown (OH)  
Bryant (TX)  
Cardin  
Chapman  
Clay  
Clayton  
Clement  
Clyburn  
Coleman  
Collins (IL)  
Collins (MI)  
Conyers  
Costello  
Coyne  
Cramer  
de la Garza  
DeFazio  
DeLauro  
Dellums  
Deutsch  
Dicks  
Dingell  
Dixon  
Doggett  
Dooley  
Doyle  
Durbin  
Edwards  
Engel  
Eshoo  
Evans  
Farr  
Fattah  
Fazio  
Fields (LA)  
Filner  
Flake  
Foglietta  
Ford  
Frank (MA)  
Frost  
Furse  
Gejdenson  
Gephardt  
Gibbons  
Gonzalez

Gordon  
Green  
Gutierrez  
Hall (OH)  
Hamilton  
Harman  
Hastings (FL)  
Hayes  
Hefley  
Hefner  
Hilliard  
Hinche  
Holden  
Hoyer  
Jackson-Lee  
Jacobs  
Jefferson  
Johnson (SD)  
Johnson, E. B.  
Johnston  
Kanjorski  
Kaptur  
Kennedy (MA)  
Kennedy (RI)  
Kennelly  
Kildee  
Klecza  
Klink  
LaFalce  
Lantos  
Lent  
Lewis (GA)  
Lincoln  
Lipinski  
Lofgren  
Lowe  
Luther  
Maloney  
Manton  
Markey  
Martinez  
Mascara  
McCarthy  
McDermott  
McHale  
McKinney  
Meehan  
Meek  
Menendez  
Mfume  
Miller (CA)  
Mineta  
Minge  
Mink  
Moakley  
Mollohan  
Moran  
Morella  
Murtha  
Nadler  
Neal  
Oberstar  
Obey  
Oliver  
Ortiz

Stenholm  
Stockman  
Stump  
Talent  
Tate  
Tauzin  
Taylor (MS)  
Taylor (NC)  
Thomas  
Thornberry  
Tiahrt  
Traficant  
Upton  
Vucanovich  
Waldholtz  
Walker  
Schiff  
Walsh  
Wamp  
Watts (OK)  
Weldon (FL)  
Weldon (PA)  
Weller  
White  
Whitfield  
Wicker  
Wolf  
Young (AK)  
Young (FL)  
Zeliff  
Zimmer

NOT VOTING—4

Becerra            Ensign  
Crapo            Matsui

So the Committee amendment in the nature of a substitute, as amended, was agreed to.

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

When Mr. GUNDERSON, Chairman, pursuant to House Resolution 79, 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 "Local Government Law Enforcement Block Grants Act of 1995".

SEC. 2. BLOCK GRANT PROGRAM.

(a) IN GENERAL.—Title I of the Violent Crime Control and Law Enforcement Act of 1994 is amended to read as follows:

"TITLE I—LAW ENFORCEMENT BLOCK GRANTS

"SEC. 101. PAYMENTS TO LOCAL GOVERNMENTS.

"(a) PAYMENT AND USE.—

"(1) PAYMENT.—The Director of the Bureau of Justice Assistance shall pay to each unit of local government which qualifies for a payment under this title an amount equal to the sum of any amounts allocated to such unit under this title for each payment period. The Director shall pay such amount from amounts appropriated to carry out this title.

"(2) USE.—Amounts paid to a unit of local government under this section shall be used by the unit for reducing crime and improving public safety, including but not limited to, 1 or more of the following purposes:

"(A)(i) Hiring, training, and employing on a continuing basis new, additional law enforcement officers and necessary support personnel.

"(ii) Paying overtime to presently employed law enforcement officers and necessary support personnel for the purpose of increasing the number of hours worked by such personnel.

"(iii) Procuring equipment, technology, and other material directly related to basic law enforcement functions.

"(B) Enhancing security measures—

"(i) in and around schools; and

"(ii) in and around any other facility or location which is considered by the unit of local government to have a special risk for incidents of crime.

"(C) Establishing crime prevention programs that may, though not exclusively, involve law enforcement officials and that are intended to discourage, disrupt, or interfere with the commission of criminal activity, including neighborhood watch and citizen patrol programs, sexual assault and domestic violence programs, and programs intended to prevent juvenile crime.

"(D) Establishing or supporting drug courts.

"(E) Establishing early intervention and prevention programs for juveniles to reduce or eliminate crime.

"(F) Enhancing the adjudication process of cases involving violent offenders, including the adjudication process of cases involving violent juvenile offenders.

"(G) Enhancing programs under subpart 1 of part E of the Omnibus Crime Control and Safe Streets Act of 1968.

“(H) Establishing cooperative task forces between adjoining units of local government to work cooperatively to prevent and combat criminal activity, particularly criminal activity that is exacerbated by drug or gang-related involvement.

“(I) Establishing a multijurisdictional task force, particularly in rural areas, composed of law enforcement officials representing units of local government, that works with Federal law enforcement officials to prevent and control crime.

“(3) DEFINITIONS.—For purposes of this subsection—

“(A) the term ‘violent offender’ means a person charged with committing a part I violent crime; and

“(B) the term ‘drug courts’ means a program that involves—

“(i) continuing judicial supervision over offenders with substance abuse problems who are not violent offenders; and

“(ii) the integrated administration of other sanctions and services, which shall include—

“(I) mandatory periodic testing for the use of controlled substances or other addictive substances during any period of supervised release or probation for each participant;

“(II) substance abuse treatment for each participant;

“(III) probation, or other supervised release involving the possibility of prosecution, confinement, or incarceration based on noncompliance with program requirements or failure to show satisfactory progress; and

“(IV) programmatic, offender management, and aftercare services such as relapse prevention, vocational job training, job placement, and housing placement.

“(b) PROHIBITED USES.—Notwithstanding any other provision of this Act, a unit of local government may not expend any of the funds provided under this title to purchase, lease, rent, or otherwise acquire—

“(1) tanks or armored personnel carriers;

“(2) fixed wing aircraft;

“(3) limousines;

“(4) real estate;

“(5) yachts;

“(6) consultants; or

“(7) vehicles not primarily used for law enforcement;

unless the Attorney General certifies that extraordinary and exigent circumstances exist that make the use of funds for such purposes essential to the maintenance of public safety and good order in such unit of local government.

“(c) TIMING OF PAYMENTS.—The Director shall pay each unit of local government 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 unit of local government has provided the Director with the assurances required by section 103(c), whichever is later.

“(d) ADJUSTMENTS.—

“(1) IN GENERAL.—Subject to paragraph (2), the Director shall adjust a payment under this title to a unit of local government to the extent that a prior payment to the unit of local government was more or less than the amount required to be paid.

“(2) CONSIDERATIONS.—The Director may increase or decrease under this subsection a payment to a unit of local government only if the Director determines the need for the increase or decrease, not later than 1 year after the end of the payment period for which a payment was made.

“(e) RESERVATION FOR ADJUSTMENT.—The Director may reserve a percentage of not more than 2 percent of the amount under

this section for a payment period for all units of local government in a State if the Director considers the reserve is necessary to ensure the availability of sufficient amounts to pay adjustments after the final allocation of amounts among the units of local government in the State.

“(f) REPAYMENT OF UNEXPENDED AMOUNTS.—

“(1) REPAYMENT REQUIRED.—A unit of local government shall repay to the Director, by not later than 27 months after receipt of funds from the Director, any amount that is—

“(A) paid to the unit 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 Director.

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

“(3) DEPOSIT OF AMOUNTS REPAID.—Amounts received by the Director as repayments under this subsection shall be deposited in a designated fund for future payments to units of local government. Any amounts remaining in such designated fund after 5 years following the enactment of the Local Government Law Enforcement Block Grants Act of 1995 shall be applied to the Federal deficit or, if there is no Federal deficit, to reducing the Federal debt.

“(g) NONSUPPLANTING REQUIREMENT.—Funds made available under this title to units of local government shall not be used to supplant State or local funds, but shall be used to increase the amount of funds that would, in the absence of funds made available under this title, be made available from State or local sources.

“(h) MATCHING FUNDS.—The Federal share of a grant received under this title may not exceed 90 percent of the costs of a program or proposal funded under this title.

“**SEC. 102. AUTHORIZATION OF APPROPRIATIONS.**”

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

“(1) \$2,000,000,000 for fiscal year 1996;

“(2) \$2,000,000,000 for fiscal year 1997;

“(3) \$2,000,000,000 for fiscal year 1998;

“(4) \$2,000,000,000 for fiscal year 1999; and

“(5) \$2,000,000,000 for fiscal year 2000.

“(b) OVERSIGHT ACCOUNTABILITY AND ADMINISTRATION.—Not more than 3 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 studying the overall effectiveness and efficiency of the provisions of this title, and assuring compliance with the provisions of this title and for administrative costs to carry out the purposes of this title. The Attorney General shall establish and execute an oversight plan for monitoring the activities of grant recipients. Such sums are to remain available until expended.

“(c) TECHNOLOGY ASSISTANCE.—The Attorney General shall reserve 1 percent in each of fiscal years 1996 through 1998 of the amount authorized to be appropriated under subsection (a) for use by the National Institute of Justice in assisting local units to identify, select, develop, modernize, and purchase new technologies for use by law enforcement.

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

“**SEC. 103. QUALIFICATION FOR PAYMENT.**”

“(a) IN GENERAL.—The Director shall issue regulations establishing procedures under which a unit of local government is required to provide notice to the Director re-

garding the proposed use of funds made available under this title.

“(b) PROGRAM REVIEW.—The Director shall establish a process for the ongoing evaluation of projects developed with funds made available under this title.

“(c) GENERAL REQUIREMENTS FOR QUALIFICATION.—A unit of local government qualifies for a payment under this title for a payment period only if the unit of local government submits an application to the Director and establishes, to the satisfaction of the Director, that—

“(1) the unit of local government has established a local advisory board that—

“(A) includes, but is not limited to, a representative from—

“(i) the local police department or local sheriff's department;

“(ii) the local prosecutor's office;

“(iii) the local court system;

“(iv) the local public school system; and

“(v) a local nonprofit, educational, religious, or community group active in crime prevention or drug use prevention or treatment;

“(B) has reviewed the application; and

“(C) is designated to make nonbinding recommendations to the unit of local government for the use of funds received under this title;

“(2) the chief executive officer of the State has had not less than 20 days to review and comment on the application prior to submission to the Director;

“(3)(A) the unit of local government will establish a trust fund in which the government will deposit all payments received under this title; and

“(B) the unit of local government 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 unit of local government;

“(4) the unit of local government will expend the payments received in accordance with the laws and procedures that are applicable to the expenditure of revenues of the unit of local government;

“(5) the unit of local government will use accounting, audit, and fiscal procedures that conform to guidelines which shall be prescribed by the Director 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;

“(6) after reasonable notice from the Director or the Comptroller General to the unit of local government, the unit of local government will make available to the Director and the Comptroller General, with the right to inspect, records that the Director reasonably requires to review compliance with this title or that the Comptroller General reasonably requires to review compliance and operation;

“(7) a designated official of the unit of local government shall make reports the Director reasonably requires, in addition to the annual reports required under this title;

“(8) the unit of local government will spend the funds made available under this title only for the purposes set forth in section 101(a)(2);

“(9) the unit of local government will achieve a net gain in the number of law enforcement officers who perform nonadministrative public safety service if such unit uses funds received under this title to increase the number of law enforcement officers as described under subparagraph (A) of section 101(a)(2);

“(10) the unit of local government—

“(A) has an adequate process to assess the impact of any enhancement of a school security measure that is undertaken under subparagraph (B) of section 101(a)(2), or any crime prevention programs that are estab-

lished under subparagraphs (C) and (E) of section 101(a)(2), on the incidence of crime in the geographic area where the enhancement is undertaken or the program is established;

“(B) will conduct such an assessment with respect to each such enhancement or program; and

“(C) will submit an annual written assessment report to the Director; and

“(11) the unit of local government has established procedures to give members of the Armed Forces who, on or after October 1, 1990, were or are selected for involuntary separation (as described in section 1141 of title 10, United States Code), approved for separation under section 1174a or 1175 of such title, or retired pursuant to the authority provided under section 4403 of the Defense Conversion, Reinvestment, and Transition Assistance Act of 1992 (division D of Public Law 102-484; 10 U.S.C. 1293 note), a suitable preference in the employment of persons as additional law enforcement officers or support personnel using funds made available under this title. The nature and extent of such employment preference shall be jointly established by the Attorney General and the Secretary of Defense. To the extent practicable, the Director shall endeavor to inform members who were separated between October 1, 1990, and the date of the enactment of this section of their eligibility for the employment preference;

“(d) SANCTIONS FOR NONCOMPLIANCE.—

“(1) IN GENERAL.—If the Director determines that a unit of local government has not complied substantially with the requirements or regulations prescribed under subsections (a) and (c), the Director shall notify the unit of local government that if the unit of local government does not take corrective action within 60 days of such notice, the Director will withhold additional payments to the unit of local government for the current and future payment periods until the Director is satisfied that the unit of local government—

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

“(B) will comply with the requirements and regulations prescribed under subsections (a) and (c).

“(2) NOTICE.—Before giving notice under paragraph (1), the Director shall give the chief executive officer of the unit of local government reasonable notice and an opportunity for comment.

“(e) MAINTENANCE OF EFFORT REQUIREMENT.—A unit of local government qualifies for a payment under this title for a payment period only if the unit's expenditures on law enforcement services (as reported by the Bureau of the Census) for the fiscal year preceding the fiscal year in which the payment period occurs were not less than 90 percent of the unit's expenditures on such services for the second fiscal year preceding the fiscal year in which the payment period occurs.

**“SEC. 104. ALLOCATION AND DISTRIBUTION OF FUNDS.**

“(a) STATE SET-ASIDE.—

“(1) IN GENERAL.—Of the total amounts appropriated for this title for each payment period, the Director shall allocate for units of local government in each State an amount that bears the same ratio to such total as the average annual number of part 1 violent crimes reported by such State to the Federal Bureau of Investigation for the 3 most recent calendar years for which such data is available, bears to the number of part 1 violent crimes reported by all States to the Federal Bureau of Investigation for such years.

“(2) MINIMUM REQUIREMENT.—Each State shall receive not less than .25 percent of the total amounts appropriated under section 102 under this subsection for each payment period.

“(3) PROPORTIONAL REDUCTION.—If amounts available to carry out paragraph (2) for any payment period are insufficient to pay in full the total payment that any State is otherwise eligible to receive under paragraph (1) for such period, then the Director shall reduce payments under paragraph (1) for such payment period to the extent of such insufficiency. Reductions under the preceding sentence shall be allocated among the States (other than States whose payment is determined under paragraph (2)) in the same proportions as amounts would be allocated under paragraph (1) without regard to paragraph (2).

“(b) LOCAL DISTRIBUTION.—

“(1) IN GENERAL.—From the amount reserved for each State under subsection (a), the Director shall allocate—

“(A) among reporting units of local government the reporting units' share of such reserved amount, and

“(B) among nonreporting units of local government the nonreporting units' share of the reserved amount.

“(2) AMOUNTS.—

“(A) The reporting units' share of the reserved amount is the amount equal to the product of such reserved amount multiplied by the percentage which the population living in reporting units of local government in the State bears to the population of all units of local government in the State.

“(B) The nonreporting units' share of the reserved amount is the reserved amount reduced by the reporting units' share of the reserved amount.

“(3) ALLOCATION TO EACH REPORTING UNIT.—From the reporting units' share of the reserved amount for each State under subsection (a), the Director shall allocate to each reporting unit of local government an amount which bears the same ratio to such share as the average annual number of part 1 violent crimes reported by such unit to the Federal Bureau of Investigation for the 3 most recent calendar years for which such data is available bears to the number of part 1 violent crimes reported by all units of local government in the State in which the unit is located to the Federal Bureau of Investigation for such years.

“(4) ALLOCATION TO EACH NONREPORTING UNIT.—From the nonreporting units' share of the reserved amount for each State under subsection (a), the Director shall allocate to each nonreporting unit of local government an amount which bears the same ratio to such share as the average number of part 1 violent crimes of like governmental units in the same population class as such unit bears to the average annual imputed number of part 1 violent crimes of all nonreporting units in the State for the 3 most recent calendar years.

“(5) LIMITATION ON ALLOCATIONS.—A unit of local government shall not receive an allocation which exceeds 100 percent of such unit's expenditures on law enforcement services as reported by the Bureau of the Census for the most recent fiscal year. Any amount in excess of 100 percent of such unit's expenditures on law enforcement services shall be distributed proportionally among units of local government whose allocation does not exceed 100 percent of expenditures on law enforcement services.

“(6) DEFINITIONS.—For purposes of this subsection—

“(A) The term 'reporting unit of local government' means any unit of local government that reported part 1 violent crimes to the Federal Bureau of Investigation for the 3 most recent calendar years for which such data is available.

“(B) The term 'nonreporting unit of local government' means any unit of local government which is not a reporting unit of local government.

“(C)(i) The term 'like governmental units' means any like unit of local government as defined by the Secretary of Commerce for general statistical purposes, and means—

“(I) all counties are treated as like governmental units;

“(II) all cities are treated as like governmental units;

“(III) all townships are treated as like governmental units.

“(ii) Similar rules shall apply to other types of governmental units.

“(D) The term 'same population class' means a like unit within the same population category as another like unit with the categories determined as follows:

“(i) 0 through 9,999.

“(ii) 10,000 through 49,999.

“(iii) 50,000 through 149,999.

“(iv) 150,000 through 299,999.

“(v) 300,000 or more.

“(7) LOCAL GOVERNMENTS WITH ALLOCATIONS OF LESS THAN \$10,000.—If under paragraph (3) or (4) a unit of local government is allotted less than \$10,000 for the payment period, the amount allotted shall be transferred to the chief executive officer of the State who shall distribute such funds among State police departments that provide law enforcement services to units of local government and units of local government whose allotment is less than such amount in a manner which reduces crime and improves public safety.

“(8) SPECIAL RULES.—

“(A) If a unit of local government in a State that has been incorporated since the date of the collection of the data used by the Director in making allocations pursuant to this section, such unit shall be treated as a nonreporting unit of local government for purposes of this subsection.

“(B) If a unit of local government in the State has been annexed since the date of the collection of the data used by the Director in making allocations pursuant to this section, the Director shall pay the amount that would have been allocated to such unit of local government to the unit of local government that annexed it.

“(9) RESOLUTION OF DISPARATE ALLOCATIONS.—(A) Notwithstanding any other provision of this title, if—

“(i) the attorney general of a State certifies that a unit of local government under the jurisdiction of the State bears more than 50 percent of the costs of prosecution or incarceration that arise with respect to part 1 violent crimes reported by a specified geographically constituent unit of local government, and

“(ii) but for this paragraph, the amount of funds allocated under this section to—

“(I) any one such specified geographically constituent unit of local government exceeds 200 percent of the amount allocated to the unit of local government certified pursuant to clause (i), or

“(II) more than one such specified geographically constituent unit of local government (excluding units of local government referred to subclause I and in paragraph (7)), exceeds 400 percent of the amount allocated to the unit of local government certified pursuant to clause (i) and the attorney general of the State determines that such allocation is likely to threaten the efficient administration of justice,

then in order to qualify for payment under this title, the unit of local government certified pursuant to clause (i), together with any such specified geographically constituent units of local government described in clause (ii), shall submit to the Director a joint application for the aggregate of funds allocated to such units of local government. Such application shall specify the amount of such funds that are to be distributed to each

of the units of local government and the purposes for which such funds are to be used. The units of local government involved may establish a joint local advisory board for the purposes of carrying out this paragraph.

“(B) In this paragraph, the term ‘geographically constituent unit of local government’ means a unit of local government that has jurisdiction over areas located within the boundaries of an area over which a unit of local government certified pursuant to clause (i) has jurisdiction.

“(c) UNAVAILABILITY AND INACCURACY OF INFORMATION.—

“(1) DATA FOR STATES.—For purposes of this section, if data regarding part 1 violent crimes in any State for the 3 most recent calendar years is unavailable or substantially inaccurate, the Director shall utilize the best available comparable data regarding the number of violent crimes for such years for such State for the purposes of allocation of any funds under this title.

“(2) POSSIBLE INACCURACY OF DATA FOR UNITS OF LOCAL GOVERNMENT.—In addition to the provisions of paragraph (1), if the Director believes that the reported rate of part 1 violent crimes for a unit of local government is inaccurate, the Director shall—

“(A) investigate the methodology used by such unit to determine the accuracy of the submitted data; and

“(B) when necessary, use the best available comparable data regarding the number of violent crimes for such years for such unit of local government.

**“SEC. 105. 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 101(a)(2).

**“SEC. 106. PUBLIC PARTICIPATION.**

“(a) IN GENERAL.—A unit of local government expending payments under this title shall hold not less than 1 public hearing on the proposed use of the payment from the Director in relation to its entire budget.

“(b) VIEWS.—At the hearing, persons shall be given an opportunity to provide written and oral views to the unit of local government authority responsible for enacting the budget and to ask questions about the entire budget and the relation of the payment from the Director to the entire budget.

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

**“SEC. 107. ADMINISTRATIVE PROVISIONS.**

“The administrative provisions of part H of the Omnibus Crime Control and Safe Streets Act of 1968, shall apply to this title and for purposes of this section any reference in such provisions to title I of the Omnibus Crime Control and Safe Streets Act of 1968 shall be deemed to be a reference to this title.

**“SEC. 108. DEFINITIONS.**

“For the purposes of this title:

“(1) The term ‘unit of local government’ means—

“(A) a county, township, city, or political subdivision of a county, township, or city, that is a unit of local government as determined by the Secretary of Commerce for general statistical purposes; and

“(B) the District of Columbia and the recognized governing body of an Indian tribe or Alaskan Native village that carries out substantial governmental duties and powers.

“(2) The term ‘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 ‘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 1 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.

“(4) The term ‘juvenile’ means an individual who is 17 years of age or younger.

“(5) 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.

“(6) The term ‘Director’ means the Director of the Bureau of Justice Assistance.”.

(b) CONFORMING AMENDMENTS.—

(1) Part Q of the Omnibus Crime Control and Safe Streets Act of 1968 is repealed effective on September 30, 1995.

(2) Notwithstanding the provisions of paragraph (1), any funds that remain available to an applicant under part Q of title I of the Omnibus Crime Control and Safe Streets Act of 1968 shall be used in accordance with such part as in effect on the day preceding the date of the enactment of this Act.

(3) Effective on the date of the enactment of this Act, section 1001(a) of the Omnibus Crime Control and Safe Streets Act is amended—

(A) in paragraph (3), by striking “Q,”; and

(B) by striking paragraph (11).

**SEC. 3. CONFORMING AMENDMENTS.**

(a) OUNCE OF PREVENTION COUNCIL.—

(1) IN GENERAL.—Subtitle A of title III of the Violent Crime Control and Law Enforcement Act of 1994 is repealed.

(2) FUNDING.—Notwithstanding the provisions of paragraph (1), any funds that remain available to an applicant under subtitle A of title III of the Violent Crime Control and Law Enforcement Act of 1994 shall be used in accordance with such subtitle as in effect on the day preceding the date of enactment of this Act.

(b) LOCAL CRIME PREVENTION BLOCK GRANT PROGRAM.—Subtitle B of title III of the Violent Crime Control and Law Enforcement Act of 1994 is repealed.

(c) MODEL INTENSIVE BLOCK GRANT PROGRAMS.—Subtitle C of title III of the Violent Crime Control and Law Enforcement Act of 1994 is repealed.

(d) FAMILY AND COMMUNITY ENDEAVOR SCHOOLS GRANT PROGRAM.—

(1) IN GENERAL.—Subtitle D of title III of the Violent Crime Control and Law Enforcement Act of 1994 is repealed.

(2) FUNDING.—Notwithstanding the provisions of paragraph (1), any funds that remain available to an applicant under subtitle D of title III of the Violent Crime Control and Law Enforcement Act of 1994 shall be used in accordance such subtitle as in effect on the day preceding the date of enactment of this Act.

(e) ASSISTANCE FOR DELINQUENT AND AT-RISK YOUTH.—Subtitle G of title III of the Violent Crime Control and Law Enforcement Act of 1994 is repealed.

(f) POLICE RETIREMENT.—Subtitle H of title III of the Violent Crime Control and Law Enforcement Act of 1994 is repealed.

(g) LOCAL PARTNERSHIP ACT.—

(1) SUBTITLE J.—Subtitle J of title III of the Violent Crime Control and Law Enforcement Act of 1994 is repealed.

(2) FEDERAL PAYMENTS.—Chapter 67 of title 31, United States Code is repealed.

(3) TABLE OF CHAPTERS.—The table of chapters at the beginning of subtitle V of title 31, United States Code, is amended by striking the matter relating to chapter 67.

(4) FUNDING.—Notwithstanding the provisions of paragraph (2), any funds that remain available to an applicant under chapter 67 of title 31, United States Code, shall be used in accordance with such chapter as in effect on the day preceding the date of enactment of this Act.

(h) NATIONAL COMMUNITY ECONOMIC PARTNERSHIP.—Subtitle K of title III of the Violent Crime Control and Law Enforcement Act of 1994 is repealed.

(i) URBAN RECREATION AND AT-RISK YOUTH.—

(1) RECREATION.—Subtitle O of title III of the Violent Crime Control and Law Enforcement Act of 1994 is repealed.

(2) URBAN PARK AND RECREATION RECOVERY.—(A) Section 1004 of the Urban Park and Recreation Recovery Act of 1978 is amended—

(i) by striking subsection (d); and

(ii) by redesignating subsections (e) through (k) as (d) through (j), respectively.

(B) Section 1005 of the Urban Park and Recreation Recovery Act of 1978 is amended by inserting “and” at the end of paragraph (6), by striking “; and” and inserting a period at the end of paragraph (7), and by striking paragraph (8).

(C) Section 1007(b) of the Urban Park and Recreation Recovery Act of 1978 is amended by striking the last 2 sentences.

(D) Section 1013 of the Urban Park and Recreation Recovery Act of 1978 is amended by striking “(a) IN GENERAL.—” after “1013” and by striking subsection (b).

(j) COMMUNITY-BASED JUSTICE GRANTS FOR PROSECUTORS.—Subtitle Q of title III of the Violent Crime Control and Law Enforcement Act of 1994 is repealed.

(k) FAMILY UNITY DEMONSTRATION PROJECT.—Subtitle S of title III of the Violent Crime Control and Law Enforcement Act of 1994 is repealed.

(l) GANG RESISTANCE AND EDUCATION TRAINING.—(1) Subtitle X of title III of the Violent Crime Control and Law Enforcement Act of 1994 is repealed.

(2) Notwithstanding the provisions of subparagraph (A), any funds that remain available to an applicant under subtitle X of title III of the Violent Crime Control and Law Enforcement Act of 1994 shall be used in accordance with such subtitle as in effect on the day preceding the date of enactment of this Act.

(m) CLERICAL AMENDMENTS.—

(1) The matter relating to title I in the table of contents of the Violent Crime Control and Law Enforcement Act of 1994 is amended to read as follows:

“TITLE I—LAW ENFORCEMENT BLOCK GRANTS

“Sec. 101. Payments to local governments.

“Sec. 102. Authorization of appropriations.

“Sec. 103. Qualification for payment.

“Sec. 104. Allocation and distribution of funds.

“Sec. 105. Utilization of private sector.

“Sec. 106. Public participation.

“Sec. 107. Administrative provisions.

“Sec. 108. Definitions.”.

(2) The table of contents of the Violent Crime Control and Law Enforcement Act of 1994 is amended by striking the matter relating to subtitles A, B, C, D, G, H, J, K, O, Q, S, and X of title III.

(3) The table of contents of the Omnibus Crime Control and Safe Streets Act of 1968 is amended by striking the matter relating to part Q of title I.

The bill, as amended, was ordered to be engrossed and read a third time, was read a third time by title.

Mr. CONYERS moved to recommit the bill to the Committee on the Judiciary with instructions to report the

bill back to the House forthwith with the following amendment:

Page 4, after line 5, insert the following:  
 “(D) Establishing the programs described in the following subtitles of title III of the Violent Crime Control and Law Enforcement Act of 1994 (as such title and the amendments made by such title were in effect on the day preceding the date of the enactment of this Act):

“(i) Assistance for Delinquent and At-Risk Youth under subtitle G.

“(ii) Urban Recreation and At-Risk Youth subtitle O which made amendments to the Urban Park and Recreation Recovery Act of 1978.

“(iii) Gang Resistance and Education Training under subtitle X.”

Page 6, after line 24, insert the following (and redesignate any subsequent subsections accordingly):

“(C) PREVENTION SET-ASIDE FOR YOUTH.—Of the amounts to be appropriated under subsection (a), the Attorney General shall allocate \$100,000,000 of such funds for each of fiscal years 1996 through 2000 to carry out the purposes of subparagraph (D) of section 101(a)(2).

Page 9, after line 2, insert the following (and redesignate any subsequent subsections accordingly):

“(b) RESERVATION FOR BYRNE PROGRAMS.—The Attorney General shall reserve such sums as may be necessary of the amounts authorized under this section in each fiscal year to ensure that not less than \$450,000,000 is available to carry out the programs under subpart 1 of part E of title I of the Omnibus Crime Control and Safe Streets Act of 1986.

After debate,

On motion of Mr. MCCOLLUM, the previous question was ordered on the motion to recommit with instructions.

The question being put, viva voce,

Will the House recommit said bill with instructions?

The SPEAKER pro tempore, Mr. GOODLATTE, announced that the nays had it.

Mr. CONYERS demanded a recorded vote on agreeing to said motion, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the { Yeas ..... 184  
 negative ..... } Nays ..... 247

¶26.15 [Roll No. 128]  
 AYES—184

Abercrombie	Coleman	Fazio
Ackerman	Collins (IL)	Fields (LA)
Andrews	Collins (MI)	Filner
Baesler	Condit	Flake
Baldacci	Conyers	Foglietta
Barcia	Costello	Ford
Barrett (WI)	Coyne	Frank (MA)
Beilenson	Cramer	Frost
Bentsen	de la Garza	Furse
Berman	DeFazio	Gejdenson
Bevill	DeLauro	Gephardt
Bishop	Dellums	Geren
Bonior	Deutsch	Gibbons
Borski	Dicks	Gonzalez
Brewster	Dingell	Gordon
Browder	Dixon	Green
Brown (CA)	Doggett	Gutierrez
Brown (FL)	Dooley	Hall (OH)
Brown (OH)	Doyle	Harman
Bryant (TX)	Durbin	Hastings (FL)
Cardin	Edwards	Hayes
Chapman	Engel	Hefner
Clay	Eshoo	Hilliard
Clayton	Evans	Hinchey
Clement	Farr	Holden
Clyburn	Fattah	Hoyer

Jackson-Lee	Mineta	Scott
Jacobs	Minge	Serrano
Jefferson	Mink	Skaggs
Johnson, E. B.	Moakley	Skelton
Johnston	Mollohan	Slaughter
Kanjorski	Moran	Spratt
Kaptur	Murtha	Stark
Kennedy (MA)	Nadler	Stenholm
Kennedy (RI)	Neal	Stokes
Kennelly	Oberstar	Studds
Kildee	Obey	Stupak
Kleczka	Olver	Tanner
Klink	Orton	Tejeda
LaFalce	Owens	Thompson
Lantos	Pallone	Thornton
Levin	Pastor	Thurman
Lewis (GA)	Payne (NJ)	Torres
Lincoln	Pelosi	Torricelli
Lofgren	Peterson (FL)	Towns
Lowe	Pomeroy	Tucker
Luther	Poshard	Velazquez
Maloney	Rahall	Vento
Manton	Rangel	Visclosky
Markey	Reed	Volkmer
Martinez	Reynolds	Ward
Mascara	Richardson	Waters
McCarthy	Rivers	Watt (NC)
McDermott	Roemer	Waxman
McHale	Rose	Wilson
McKinney	Roybal-Allard	Wise
McNulty	Rush	Woolsey
Meehan	Sabo	Wyden
Meek	Sanders	Wynn
Menendez	Sawyer	Yates
Mfume	Schroeder	
Miller (CA)	Schumer	

NOES—247

Allard	Ehlers	Kingston
Archer	Ehrlich	Klug
Armey	Emerson	Knollenberg
Bachus	English	Kolbe
Baker (CA)	Ensign	LaHood
Baker (LA)	Everett	Largent
Ballenger	Ewing	Latham
Barr	Fawell	LaTourette
Barrett (NE)	Fields (TX)	Laughlin
Bartlett	Flanagan	Lazio
Barton	Foley	Leach
Bass	Forbes	Lewis (CA)
Bateman	Fowler	Lewis (KY)
Bereuter	Fox	Lightfoot
Bilbray	Franks (CT)	Linder
Bilirakis	Franks (NJ)	Lipinski
Bliley	Frelinghuysen	Livingston
Blute	Frisa	LoBiondo
Boehlert	Funderburk	Longley
Boehner	Gallely	Lucas
Bonilla	Ganske	Manzullo
Bono	Gekas	Martini
Boucher	Gilchrest	McCollum
Brownback	Gillmor	McCrery
Bryant (TN)	Gilman	McDade
Bunn	Goodlatte	McHugh
Bunning	Goodling	McInnis
Burr	Goss	McIntosh
Burton	Graham	McKeon
Buyer	Greenwood	Metcalf
Callahan	Gunderson	Meyers
Calvert	Gutknecht	Mica
Camp	Hall (TX)	Miller (FL)
Canady	Hamilton	Molinari
Castle	Hancock	Montgomery
Chabot	Hansen	Moorhead
Chambliss	Hastert	Morella
Chenoweth	Hastings (WA)	Myers
Christensen	Hayworth	Myrick
Chrysler	Hefley	Nethercutt
Clinger	Heineman	Neumann
Coble	Heger	Ney
Coburn	Hilleary	Norwood
Collins (GA)	Hobson	Nussle
Combust	Hoekstra	Ortiz
Cooley	Hoke	Oxley
Cox	Horn	Packard
Crane	Hostettler	Parker
Creameans	Houghton	Paxon
Cubin	Hunter	Payne (VA)
Cunningham	Hutchinson	Peterson (MN)
Danner	Hyde	Petri
Davis	Inglis	Pickett
Deal	Istook	Pombo
DeLay	Johnson (CT)	Porter
Diaz-Balart	Johnson (SD)	Portman
Dickey	Johnson, Sam	Pryce
Doolittle	Jones	Quillen
Dornan	Kasich	Quinn
Dreier	Kelly	Radanovich
Duncan	Kim	Ramstad
Dunn	King	Regula

Riggs	Skewn	Upton
Roberts	Smith (MI)	Vucanovich
Rogers	Smith (NJ)	Waldholtz
Rohrabacher	Smith (TX)	Walker
Ros-Lehtinen	Smith (WA)	Walsh
Roth	Solomon	Wamp
Roukema	Souder	Watts (OK)
Royce	Spence	Weldon (FL)
Salmon	Stearns	Weldon (PA)
Sanford	Stockman	Weller
Saxton	Stump	White
Scarborough	Talent	Whitfield
Schaefer	Tate	Wicker
Schiff	Tauzin	Williams
Seastrand	Taylor (MS)	Wolf
Sensenbrenner	Taylor (NC)	Young (AK)
Shadegg	Thomas	Young (FL)
Shaw	Thornberry	Zeliff
Shays	Tiahrt	Zimmer
Shuster	Torkildsen	
Sisisky	Traficant	

NOT VOTING—3

Becerra	Crapo	Matsui
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So the motion to recommit with instructions was not agreed to.

The question being put, viva voce,

Will the House pass said bill?

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

Mr. CONYERS 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 { Yeas ..... 238  
 affirmative ..... } Nays ..... 192

¶26.16 [Roll No. 129]  
 AYES—238

Allard	Danner	Heineman
Archer	Davis	Heger
Armey	Deal	Hilleary
Bachus	DeLay	Hobson
Baker (CA)	Diaz-Balart	Hoekstra
Baker (LA)	Dickey	Hoke
Ballenger	Doolittle	Horn
Barr	Dornan	Hostettler
Barrett (NE)	Dreier	Houghton
Bartlett	Duncan	Hunter
Barton	Dunn	Hutchinson
Bass	Ehlers	Hyde
Bateman	Ehrlich	Inglis
Bereuter	Emerson	Istook
Bilbray	English	Johnson, Sam
Bilirakis	Ensign	Jones
Bliley	Everett	Kasich
Boehlert	Ewing	Kelly
Boehner	Fawell	Kim
Bonilla	Fields (TX)	King
Bono	Flanagan	Kingston
Brewster	Foley	Klug
Brownback	Forbes	Knollenberg
Bryant (TN)	Fowler	Kolbe
Bunn	Fox	LaHood
Bunning	Franks (CT)	Largent
Burr	Franks (NJ)	Latham
Burton	Frelinghuysen	LaTourette
Buyer	Frisa	Laughlin
Callahan	Funderburk	Lazio
Calvert	Gallely	Leach
Camp	Ganske	Lewis (CA)
Canady	Geren	Lewis (KY)
Castle	Gilchrest	Lightfoot
Chabot	Gillmor	Lincoln
Chambliss	Linder	Livingston
Chenoweth	Gilman	LoBiondo
Christensen	Gingrich	Longley
Chrysler	Goodlatte	Lucas
Clinger	Goodling	Manzullo
Coble	Goss	Martini
Coburn	Graham	McCollum
Collins (GA)	Greenwood	McCrery
Combust	Gunderson	McDade
Cooley	Gutknecht	McHugh
Cox	Hall (TX)	McInnis
Crane	Hancock	McIntosh
Creameans	Hansen	McKeon
Cubin	Hastert	Hastings (WA)
Cunningham	Hastings (WA)	McNulty
Danner	Hayworth	Metcalf