

Kildee
Kim
Kleczka
Klein
Klink
Kolbe
Kopetski
Kreidler
LaFalce
Lambert
Lancaster
Lantos
LaRocco
Laughlin
Lazio
Leach
Lehman
Levin
Levy
Lewis (CA)
Lewis (GA)
Lipinski
Lloyd
Long
Lowe
Machtley
Maloney
Mann
Manton
Margolies-
Mezvinsky
Markey
Martinez
Matsui
Mazzoli
McCloskey
McCrery
McCurdy
McDermott
McHale
McHugh
McKeon
McKinney
McMillan
Meehan
Meek
Menendez
Meyers
Mfume
Michel
Miller (CA)
Miller (FL)
Mineta
Minge
Mink
Moakley
Molinari
Mollohan
Montgomery
Moran
Morella
Murphy
Murtha
Myers

Nadler
Neal (MA)
Neal (NC)
Nussle
Oberstar
Obey
Olver
Ortiz
Orton
Owens
Pallone
Parker
Payne (NJ)
Payne (VA)
Pelosi
Penny
Peterson (FL)
Peterson (MN)
Petri
Pickett
Pickle
Pombo
Pomeroy
Portman
Poshard
Price (NC)
Pryce (OH)
Quillen
Quinn
Rahall
Ramstad
Rangel
Ravenel
Reed
Regula
Reynolds
Richardson
Roemer
Rogers
Ros-Lehtinen
Rose
Rostenkowski
Roth
Roukema
Roybal-Allard
Rush
Sabo
Sanders
Sangmeister
Santorum
Sarpalius
Sawyer
Saxton
Schenk
Schiff
Schroeder
Schumer
Scott
Serrano
Sharp
Shays
Shepherd
Sisisky

Skaggs
Skeen
Skelton
Slattery
Slaughter
Smith (IA)
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Snowe
Spence
Spratt
Stark
Stenholm
Stokes
Strickland
Studds
Stupak
Sundquist
Swett
Synar
Talent
Tanner
Tauzin
Tejeda
Thomas (CA)
Thomas (WY)
Thompson
Thornton
Thurman
Torkildsen
Torres
Torricelli
Towns
Traficant
Tucker
Unsoeld
Upton
Valentine
Velazquez
Vento
Visclosky
Volkmer
Vucanovich
Walsh
Waters
Watt
Waxman
Weldon
Wheat
Williams
Wilson
Wise
Wolf
Woolsey
Wyden
Wynn
Yates
Young (AK)
Young (FL)
Zeliff

NAYS—79

Allard
Archer
Armey
Bachus (AL)
Baker (CA)
Ballenger
Barrett (NE)
Bartlett
Boehner
Bunning
Burton
Callahan
Coble
Collins (GA)
Combest
Cox
Crane
Crapo
DeLay
Dickey
Doolittle
Dornan
Dreier
Duncan
Dunn
Everett
Ewing

Fields (TX)
Fowler
Franks (NJ)
Gekas
Gingrich
Goodlatte
Grams
Hancock
Hansen
Hastert
Hefley
Herger
Hoke
Hunter
Hutchinson
Inglis
Inhofe
Istook
Johnson, Sam
King
Kingston
Klug
Knollenberg
Kyl
Lewis (FL)
Lightfoot
Linder

Livingston
Manzullo
McCandless
McCollum
McInnis
Mica
Moorhead
Oxley
Packard
Paxon
Porter
Roberts
Rohrabacher
Royce
Schaefer
Sensenbrenner
Shaw
Shuster
Solomon
Stearns
Stump
Taylor (MS)
Taylor (NC)
Walker
Zimmer

NOT VOTING—14

Bacchus (FL)
Clay
Engel
Fish
Gallo

Grandy
Kaptur
McDade
McNulty
Ridge

Rowland
Swift
Washington
Whitten

So the conference report was agreed to.
A motion to reconsider the vote whereby said conference report was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

136.6 H. RES. 329—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mrs. MEEK, pursuant to clause 5, rule I, announced the unfinished business to be the motion to suspend the rules and agree to the resolution (H. Res. 329) designating 1994 as a year to honor the memory and leadership qualities of the Honorable Thomas P. "Tip" O'Neill, Jr., the late Speaker of the House of Representatives; as amended.

The question being put,
Will the House suspend the rules and agree to said resolution, as amended?

The vote was taken by electronic device.

It was decided in the affirmative { Yeas 416
Nays 2

136.7 [Roll No. 129] YEAS—416

Abercrombie
Ackerman
Allard
Andrews (ME)
Andrews (NJ)
Andrews (TX)
Applegate
Archer
Armey
Bachus (AL)
Baesler
Baker (CA)
Baker (LA)
Ballenger
Barca
Barcia
Barlow
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bateman
Becerra
Beilenson
Bentley
Bereuter
Berman
Bevill
Billbray
Bilirakis
Bishop
Blackwell
Biley
Mica
Blute
Boehlert
Dixon
Boehner
Bonilla
Bonior
Borski
Boucher
Brewster
Dunn
Durbin
Brooks
Browder
Brown (CA)
Brown (FL)
Brown (OH)
Bryant
Bunning
Burton
Buyer
Byrne
Callahan
Calvert
Camp
Canady
Cantwell
Cardin
Carr
Castle
Chapman
Clay
Clayton

Clement
Clinger
Clyburn
Coble
Coleman
Collins (GA)
Collins (IL)
Collins (MI)
Combest
Condit
Conyers
Cooper
Coppersmith
Costello
Cox
Coyne
Cramer
Crane
Crapo
Cunningham
Danner
Darden
de la Garza
Deal
DeFazio
DeLauro
DeLay
Dellums
Derrick
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Dooley
Doolittle
Dornan
Dreier
Duncan
Dunn
Edwards (CA)
Edwards (TX)
Ehlers
Emerson
English
Eshoo
Everett
Ewing
Farr
Fawell
Fazio
Fields (LA)
Fields (TX)
Filner
Fingerhut
Flake
Foglietta
Ford (MI)
Ford (TN)
Fowler

Frank (MA)
Franks (CT)
Franks (NJ)
Frost
Furse
Gallegly
Gejdenson
Gekas
Gephardt
Geren
Gibbons
Gilchrist
Gillmor
Gilman
Gingrich
Glickman
Gonzalez
Goodlatte
Goodling
Gordon
Goss
Grams
Green
Greenwood
Gunderson
Gutierrez
Hall (OH)
Hall (TX)
Hamburg
Hamilton
Hancock
Hansen
Harman
Hastert
Hastings
Hayes
Hefner
Herger
Hilliard
Hinchev
Hoagland
Hobson
Hochbrueckner
Hoekstra
Hoke
Holden
Horn
Hoyer
Huffington
Hughes
Hunter
Hutchinson
Hutto
Hyde
Inglis
Inhofe
Inslee
Jacobs
Jefferson
Johnson (CT)
Johnson (GA)
Johnson (SD)

Johnson, E. B.
Johnson, Sam
Johnston
Kanjorski
Kasich
Kennedy
Kennelly
Kildee
Kim
King
Kingston
Kleczka
Klein
Klink
Klug
Knollenberg
Kolbe
Kopetski
Kreidler
Kyl
LaFalce
Lambert
Lancaster
Lantos
LaRocco
Laughlin
Lazio
Leach
Lehman
Levin
Levy
Lewis (CA)
Lewis (FL)
Lewis (GA)
Lightfoot
Linder
Lipinski
Livingston
Lloyd
Long
Lowe
Machtley
Maloney
Mann
Manton
Manzullo
Margolies-
Mezvinsky
Markey
Martinez
Matsui
Mazzoli
McCloskey
McCollum
McCrery
McCurdy
McDermott
McHale
McHugh
McInnis
McKinney
McMillan
Meehan
Meek
Menendez
Meyers
Mfume
Miller (CA)
Miller (FL)
Minge
Mink
Moakley

Molinari
Mollohan
Montgomery
Moorhead
Moran
Morella
Murphy
Murtha
Myers
Nadler
Neal (MA)
Neal (NC)
Nussle
Oberstar
Obey
Olver
Ortiz
Orton
Owens
Oxley
Packard
Pallone
Parker
Pastor
Paxon
Payne (NJ)
Payne (VA)
Pelosi
Penny
Peterson (FL)
Peterson (MN)
Petri
Pickett
Pickle
Pombo
Pomeroy
Porter
Portman
Poshard
Price (NC)
Pryce (OH)
Quillen
Quinn
Rahall
Ramstad
Rangel
Ravenel
Reed
Regula
Reynolds
Richardson
Roberts
Roemer
Rogers
Rohrabacher
Ros-Lehtinen
Rose
Rostenkowski
Roth
Roukema
Rowland
Roybal-Allard
Royce
Rush
Sabo
Sanders
Sangmeister
Santorum
Sarpalius
Sawyer
Saxton
Schaefer
Schenk
Mineta
Minge
Schroeder
Schumer
Scott

Sensenbrenner
Serrano
Sharp
Shaw
Shays
Shepherd
Shuster
Sisisky
Skaggs
Skeen
Skelton
Slattery
Slaughter
Smith (IA)
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Snowe
Solomon
Spence
Spratt
Stark
Stenholm
Stokes
Strickland
Studds
Stupak
Sundquist
Swett
Synar
Talent
Tanner
Tauzin
Tejeda
Thomas (CA)
Thomas (WY)
Thompson
Thornton
Thurman
Torkildsen
Torres
Torricelli
Towns
Traficant
Tucker
Unsoeld
Upton
Valentine
Vento
Visclosky
Volkmer
Vucanovich
Walker
Walsh
Waters
Watt
Waxman
Weldon
Wheat
Whitten
Williams
Wilson
Wise
Wolf
Woolsey
Wyden
Wynn
Yates
Young (AK)
Young (FL)
Zimmer

NAYS—2

Hefley
Bacchus (FL)
Engel
Evans
Fish
Gallo

Taylor (NC)
Grandy
Houghton
Istook
Kaptur
McDade

NOT VOTING—14

McNulty
Ridge
Stump
Washington

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

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

36.8 CRIME CONTROL

The SPEAKER pro tempore, Mrs. MEEK, pursuant to House Resolution 401 and rule XXIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 4092) to control and prevent crime.

The Acting Chairman, Mr. SPRATT assumed the Chair; and after some time spent therein,

36.9 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendments en bloc submitted by Mr. BROOKS:

At the end insert the following new title:

TITLE XXIV—CRIMINAL ALIENS

SEC. 2401. INCARCERATION OF UNDOCUMENTED CRIMINAL ALIENS.

(a) INCARCERATION.—Section 242 of the Immigration and Nationality Act (8 U.S.C. 1252) is amended by adding at the end the following:

(j) INCARCERATION.—

(1) If the chief official of the State (or, if appropriate, a political subdivision of the State) exercising authority with respect to the incarceration of an undocumented criminal alien (sentenced to a determinate term of imprisonment) submits a written request to the Attorney General, the Attorney General shall, as determined by the Attorney General—

(A) enter into a contractual arrangement which provides for compensation to the State of a political subdivision of the State, as may be appropriate, with respect to the incarceration of such undocumented criminal alien for such determinate sentence of imprisonment, or

(B) take the undocumented criminal alien into the custody of the Federal Government and incarcerate such alien for such determinate sentence of imprisonment.

(2) Compensation under paragraph (1)(A) shall be determined by the Attorney General and may not exceed the median cost of incarceration of a prisoner in all maximum security facilities in the United States as determined by the Bureau of Justice Statistics.

(3) For purposes of this subsection, the term 'undocumented criminal alien' means an alien who—

(A) has been convicted of a felony and sentenced to a term of imprisonment, and

(B)(i) entered the United States without inspection or at any time or place other than as designated by the Attorney General,

(ii) was the subject of exclusion or deportation proceedings at the time he or she was taken into custody by the State or a political subdivision of the State, or

(iii) was admitted as a nonimmigrant and at the time he or she was taken into custody by the State or a political subdivision of the State has failed to maintain the nonimmigrant status in which the alien was admitted or to which it was changed under section 248, or to comply with the conditions of any such status.

(4)(A) In carrying out paragraph (1), the Attorney General shall give priority to the Federal incarceration of undocumented criminal aliens who have committed aggravated felonies.

(B) The Attorney General shall ensure that undocumented criminal aliens incarcerated in Federal facilities pursuant to this subsection are held in facilities which provide a level of security appropriate to the crimes for which they were convicted."

(b) EFFECTIVE DATE.—The amendments made by this section shall take effect October 1, 1994.

(c) LIMITATION.—The authority created in section 242(j) of the Immigration and Nationality Act (as added by subsection (a)) shall be subject to appropriation until October 1, 1998.

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

TITLE —NATIONAL STALKER AND DOMESTIC VIOLENCE REDUCTION

SEC. . AUTHORIZING ACCESS TO FEDERAL CRIMINAL INFORMATION DATA BASES.

(a) ACCESS.—The Attorney General shall amend existing regulations (published at 28 C.F.R. 20.33(a)) to authorize the dissemination of information from existing national crime information databases, including the National Crime Information Center and III ("Triple I"), to courts and court personnel, civil or criminal, for use in domestic violence or stalking cases. Nothing in this subsection shall be construed to permit any person or court access to criminal history record information for any other purpose or for any other civil case other than for use in a stalking or domestic violence case.

(b) ENTRY.—The Attorney General shall amend existing regulations to permit Federal and State criminal justice agencies, assigned to input information into national crime information databases, to include arrests, warrants, and orders for the protection of parties from stalking or domestic violence, whether issued by a criminal, civil, or family court. Such amendment shall include a definition of criminal history information that covers warrants, arrests, and orders for the protection of parties from stalking or domestic violence. Nothing in this subsection shall be construed to permit access to such information for any purpose which is different than the purposes described in subsection (a).

(c) PROCEDURES.—The regulations required by subsection (a) shall be proposed no later than 90 days after the date of the enactment of this Act, after appropriate consultation with the Director of the Federal Bureau of Investigation, the officials charged with managing the National Crime Information Center, and the National Crime Information Center Advisory Policy Board. Final regulations shall be issued no later than 180 days after the date of the enactment of this Act.

SEC. . NONSERIOUS OFFENSE BAR.

The Attorney General shall amend existing regulations to specify that the term "non-serious offenses", as used in 28 C.F.R. 20.32, does not include stalking or domestic violence offenses. Nothing in this section is intended to change current regulations requiring that juvenile offenses shall be excluded from national crime information databases unless the juvenile has been tried as an adult.

SEC. . PERFORMANCE GRANT PROGRAM.

(a) IN GENERAL.—The Attorney General, through the Director of the Bureau of Justice Assistance, is authorized to provide performance grants to the States to improve processes for entering data about stalking and domestic violence into national crime information databases.

(b) ELIGIBILITY.—Eligible grantees under subsection (a) are States that provide, in their application, that all criminal justice agencies within their jurisdiction shall enter into the National Crime Information Center all records of (1) warrants for the arrest of persons violating civil protection orders intended to protect victims from stalking or domestic violence; (2) arrests of persons violating civil protection orders intended to protect victims from stalking or domestic violence; and (3) orders for the protection of persons from violence, including stalking and domestic violence.

(c) PERFORMANCE-BASED DISTRIBUTION.—Eligible grantees under subsection (a) shall be

awarded 25 percent of their grant moneys upon application approval as "seed money" to cover start-up costs for the project funded by the grant. Upon successful completion of the performance audit provided in subsection (d), the grantees shall be awarded the remaining sums in the grant.

(d) PERFORMANCE AUDIT.—Within 6 months after the initial 25 percent of a grant is provided, the State shall report to the Federal Bureau of Investigation and the Bureau of Justice Assistance, the number of records included in national crime information databases as a result of the grant funding, including separate data for warrants, arrests, and protective orders. If the State can show a substantial increase in the number of records entered, then it shall be eligible for the entire grant amount. However, the Director shall suspend funding for an approved application if an applicant fails to submit a 6 month performance report or if funds are expended for purposes other than those set forth under this title. Federal funds may be used to supplement, not supplant, State funds.

(e) GRANT AMOUNT.—From amounts appropriated, the amount of grants under subsection (a) shall be—

(1) \$75,000 to each State; and

(2) That portion of the then remaining available money to each State that results from a distribution among the States on the basis of each State's population in relation to the population of all States.

SEC. . APPLICATION REQUIREMENTS.

The application requirements provided in section 513 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3711 et seq.) shall apply to grants made under this title. In addition, applications shall include documentation showing—

(1) the need for grant funds and that State funding does not already cover these operations;

(2) intended use of the grant funds, including a plan of action to increase record input; and

(3) an estimate of expected results from the use of the grant funds.

SEC. . DISBURSEMENT.

(a) GENERAL RULE.—No later than 30 days after the receipt of an application under this title, the Director shall either disburse the appropriate sums provided for under this title or shall inform the applicant why the application does not conform to the terms of section 513 of the Omnibus Crime Control and Safe Streets Act of 1968 or to the requirements of section of this title.

(b) REGULATIONS.—In disbursing moneys under this title, the Director of the Bureau of Justice Assistance shall issue regulations to ensure that grantees give priority to the areas with the greatest showing of need.

SEC. . FEDERAL NONMONETARY ASSISTANCE.

In addition to the assistance provided under the performance grant program, the Attorney General may direct any Federal agency, with or without reimbursement, to use its authorities and the resources granted to it under Federal law (including personnel, equipment, supplies, facilities, and managerial, technical, and advisory services) in support of State and local law enforcement efforts to combat stalking and domestic violence.

SEC. . AUTHORIZATION.

There are authorized to be appropriated for each of the fiscal years 1994, 1995, and 1996, \$2,000,000 to carry out the purposes of the Performance Grant Program under this title.

SEC. . TRAINING PROGRAMS FOR JUDGES.

The National Institute of Justice, in conjunction with a nationally recognized nonprofit organization expert in stalking and domestic violence cases, shall conduct train-