

(i) in subsection (e)(2)—

(I) in the paragraph heading, by striking "NURSE AIDE REGISTRY" and inserting "SKILLED NURSING CARE EMPLOYEE REGISTRY";

(II) in subparagraph (A)—

(aa) by striking "By not later than January 1, 1989, the" and inserting "The";

(bb) by striking "a registry of all individuals" and inserting "a registry of (I) all individuals"; and

(cc) by inserting before the period " , and (II) all other skilled nursing facility employees with respect to whom the State has made a finding described in subparagraph (B)";

(III) in subparagraph (B), by striking "involving an individual listed in the registry" and inserting "involving a skilled nursing facility employee"; and

(IV) in subparagraph (C), by striking "nurse aide" and inserting "skilled nursing facility employee or applicant for employment"; and

(i) in subsection (g)(1)—

(I) in subparagraph (C)—

(aa) in the first sentence, by striking "nurse aide" and inserting "skilled nursing facility employee"; and

(bb) in the third sentence, by striking "nurse aide" each place it appears and inserting "skilled nursing facility employee"; and

(II) in subparagraph (D), by striking "nurse aide" each place it appears and inserting "skilled nursing facility employee".

(B) STATE AND FEDERAL REQUIREMENT TO CONDUCT BACKGROUND CHECKS.—Section 1819(e), as amended by section 2(b), is amended by adding at the end the following new paragraph:

"(7) STATE AND FEDERAL REQUIREMENTS CONCERNING CRIMINAL BACKGROUND CHECKS ON SKILLED NURSING FACILITY EMPLOYEES.—

"(A) IN GENERAL.—Upon receipt of a request by a skilled nursing facility pursuant to subsection (b)(9) that is accompanied by the information described in subclauses (II) through (IV) of subsection (b)(9)(A)(ii), a State, after checking appropriate State records and finding no disqualifying information (as defined in subsection (b)(9)(E)), shall submit such request and information to the Attorney General and shall request the Attorney General to conduct a search and exchange of records with respect to the individual as described in subparagraph (B).

"(B) SEARCH AND EXCHANGE OF RECORDS BY ATTORNEY GENERAL.—Upon receipt of a submission pursuant to subparagraph (A), the Attorney General shall direct a search of the records of the Federal Bureau of Investigation for any criminal history records corresponding to the fingerprints or other positive identification information submitted. The Attorney General shall provide any corresponding information resulting from the search to the State.

"(C) STATE REPORTING OF INFORMATION TO NURSING FACILITY.—Upon receipt of the information provided by the Attorney General pursuant to subparagraph (B), the State shall—

"(i) review the information to determine whether the individual has any conviction for a relevant crime (as defined in subsection (b)(9)(E)); and

"(ii) report to the skilled nursing facility the results of such review.

"(D) FEES FOR PERFORMANCE OF CRIMINAL BACKGROUND CHECKS.—

"(i) AUTHORITY TO CHARGE FEES.—

"(I) ATTORNEY GENERAL.—The Attorney General may charge a fee to any State requesting a search and exchange of records pursuant to this paragraph and subsection (b)(9) for conducting the search and providing the records. The amount of such fee shall not exceed the lesser of the actual cost of

such activities or \$50. Such fees shall be available to the Attorney General, or, in the Attorney General's discretion, to the Federal Bureau of Investigation until expended.

"(II) STATE.—A State may charge a skilled nursing facility a fee for initiating the criminal background check under this paragraph and subsection (b)(9), including fees charged by the Attorney General, and for performing the review and report required by subparagraph (C). The amount of such fee shall not exceed the actual cost of such activities.

"(ii) TREATMENT OF FEES FOR PURPOSES OF COST REPORTS.—An entity may not include a fee assessed pursuant to this subparagraph as an allowable item on a cost report under this title or title XIX.

"(iii) PROHIBITION ON CHARGING APPLICANTS OR EMPLOYEES.—An entity may not impose on an applicant for employment or an employee any charges relating to the performance of a background check under this paragraph.

"(E) REGULATIONS.—In addition to the Secretary's authority to promulgate regulations under this title, the Attorney General, consultation with the Secretary, may promulgate such regulations as are necessary to carry out the Attorney General's responsibilities under this paragraph and subsection (b)(9), including regulations regarding the Security confidentiality, accuracy, use, destruction, and dissemination of information, audits and recordkeeping, and the imposition of fees.

"(F) REPORT.—Not later than 2 years after the date of enactment of the "Long-Term Care Patient Protection Act of 1998", the Attorney General shall submit a report to Congress on the number of requests for searches and exchanges of records made under this section and the disposition of such requests."

"(c) ESTABLISHMENT OF NATIONAL REGISTRY OF ABUSIVE NURSING FACILITY WORKERS.—Title XI of the Social Security Act is amended by adding after section 1128E the following new section:

"NATIONAL REGISTRY OF ABUSIVE NURSING FACILITY WORKERS

"SEC. 1128F. (a) IN GENERAL.—The Secretary shall establish a national data collection program for the reporting of information described in subsection (b), with access as set forth in subsection (c), and shall maintain a database of the information collected under the section.

"(b) REPORTING OF INFORMATION.—Each State shall report the information collected pursuant to sections 1819(e)(2)(B) and 1919(e)(2)(B) in such form and manner as the Secretary may prescribe by regulation.

"(c) ACCESS TO REPORTED INFORMATION.—

"(1) AVAILABILITY.—The information in the database maintained under this section shall be available, pursuant to producers maintained under this section, to—

"(A) Federal and State government agencies;

"(B) nursing facilities participating in the program under title XIX and skilled nursing facilities participating in a program under title XVIII; and

"(C) such other persons as the Secretary may specify by regulations,

but only for the purpose of determining the suitability for employment in a nursing facility or skilled nursing facility.

"(2) INFORMATION.—The information in the database shall be exempt from disclosure under 5 U.S.C. 552.

"(3) FEES FOR DISCLOSURE.—

"(A) IN GENERAL.—The Secretary may establish or approve reasonable fees for the disclosure of information in such data base. The amount of such a fee shall be sufficient

to recover the full costs of operating the database. Such fees shall be available to the Secretary or, in the Secretary's discretion, to the agency designated under this section to cover such costs.

"(B) AVAILABILITY OF FEES.—Fees collected pursuant to this subsection shall remain available until expended, in the amounts provided in appropriation acts, for necessary expenses related to the purposes for which the fees were assessed.

"(C) TREATMENT OF FEES FOR PURPOSES OF COST REPORTS.—An entity may not include a fee assessed pursuant to this subsection as an allowable item on a cost report under this title or title XIX.

"(D) PROHIBITION ON CHARGING APPLICANTS OR EMPLOYEES.—An entity may not impose on an applicant for employment or an employee any charges relating to the registry established and maintained under this section."

SEC. 2. EFFECTIVE DATA.

The provisions of and amendments made by the Act shall be effective on and after the date of enactment, without regard to whether implementing regulations are in effect.

CARL D. PERKINS VOCATIONAL-TECHNICAL EDUCATION ACT AMENDMENTS—CONFERENCE REPORT

Mr. JEFFORDS. Mr. President, I submit a report of the committee of conference on the bill (H.R. 1853) to amend the Carl D. Perkins Vocational and Applied Technology Education Act, and ask for its immediate consideration.

The PRESIDING OFFICER. The report will be stated.

The clerk read as follows:

The committee on conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 1853), have agreed to recommend and do recommend to their respective Houses this report, signed by a majority of the conferees.

The PRESIDING OFFICER. Without objection, the Senate will proceed to the consideration of the conference report.

(The conference report is printed in the House proceedings of the RECORD of October 8, 1998.)

Mr. JEFFORDS. Mr. President, I will make a few comments on the vocational education bill at this time.

Today we are considering the reauthorization of the Carl D. Perkins Vocational and Applied Technology Education Act.

This is one of the most important proposals we will consider in the 105th Congress. In July, we passed the Workforce Investment Act. The reauthorization of vocational education is an important partner to the Workforce Investment Act.

There are presently between 200,000 and 300,000 unfilled positions in the technology field. The reason for the difficulty in filling these positions is not because of low unemployment numbers, but because of the lack of skilled workers. Many of these jobs do not require four years and plus of post-secondary education. They do require an excellent vocational education system and the ability to pursue further technical education following high school education.

One of the most fascinating facts to come out of the Senate Labor Committee's hearings on vocational education, was that Malaysia has replicated our Tech Prep model. Tech Prep was created in this country and we have many model Tech Prep programs, but not as many as we should have. Malaysia realized Tech Prep was a key answer to improving their skilled workforce and they have put the resources behind it to make it very successful.

The 1998 vocational education reauthorization strengthens the Tech Prep program by emphasizing the importance of the business community as a partner with the education sector.

The United States is the most productive country in the world, but we are losing our edge to other industrialized nations such as Japan and Germany as well as other rapidly developing countries such as Taiwan, Korea, and China.

Over the past 25 years, the standard of living for those Americans without at least a four year postsecondary degree has plunged. In the next decade, we are in danger of being surpassed as the world's foremost economic power if we don't begin to redefine our priorities at the national, state, and local levels.

Our international competitors have been leaders in making the important connection between education and work.

Last year, a report released by the National Center for Research in Vocational Education, a report which I requested as part of the 1990 vocational education reauthorization, highlighted the importance of a cohesive partnership between educators and employers. Employers are active participants in the governance of work-related education and training in Australia, Great Britain, France, and Germany.

Another significant finding of the report was that European nations, such as the Netherlands and Denmark, are attempting to develop a technical education system that can serve as either a bridge to additional vocational training or pursuing college level courses.

This reauthorization package emphasizes the important balance between a strong academic background and a vocational and technical education system that reflects today's global economy.

The 1998 reauthorization also requires the states and local communities to set-up an accountability system which will give us a visual picture of how states and local communities are implementing vocational and technical education programs. Most importantly, how these programs are impacting vocational and technical education students.

I would like to thank my colleagues on the Senate Labor Committee and the staff, especially the Congressional Research Staff and the legislative counsel staff who have all put in countless hours on this bill which is an excellent foundation for the 21st century workforce.

I thank my colleagues on the Senate Labor Committee and the staff, especially the Congressional Research staff and the legislative counsel staff who all put in countless hours on this bill which is an excellent foundation for the 21st century workforce. I also commend the members of my committee, certainly, but also the Members of the House. We are bringing this to a close just at the end of the session. For a long period of time, it looked like we would not be here, but we are. I thank Chairman GOODLING, in particular, and Congressman BUCK MCKEON for their tremendous help in bringing this to fruition.

Mr. KENNEDY. Mr. President, I strongly support this reauthorization of the Vocational Education Act, the Carl Perkins Vocational and Applied Technology Education Amendments of 1998. This bill, along with the Workforce Investment Act passed earlier this year, are important steps to improve the quality of the nation's workforce. Well-educated and well-trained workers are essential for the nation's future. As students prepare to enter the workforce, they should have a variety of choices, and this bill gives it to them.

It encourages more effective integration of academic skills and job skills. It helps school districts form partnerships with community colleges, area technical schools, and businesses of all sizes to combine quality academic instruction with real-world work experiences. These partnerships will provide internships, apprenticeships, and practical job experience that will teach students about many difficult aspects of the world of work.

It also encourages schools to use state-of-the-art techniques and equipment in teaching, so that students are offered challenging courses, and so that graduates can continue their education or enter the workforce better prepared for good careers.

States are also guaranteed a greater flexibility in providing funds to local schools to improve their vocational and technical education programs.

The Perkins Act has had a highly positive effect on the quality of vocational education across the nation. Its goal is to encourage innovation and ensure fairer opportunities for all students—especially those who have historically been denied access to high-level careers, and have suffered the most from the inequities in the job market.

The bill also recognizes the importance of preparing students and trainees for non-traditional employment. Supporting these underserved populations is increasingly important if we are to meet the demands of the 21st Century economy.

Finally, this legislation retains our commitment to the important role of gender equity in vocational education. Gender equity issues must continue to be part of every state's priority. Every student should be convinced that good

careers are not out of reach because of such discrimination. Vocational education must expand opportunities, not restrict them.

Overall, this legislation enables the nation to move forward in all of these important ways. I urge the Senate to support it, and I'm confident it will be effective in bringing us closer to the goals we share for vocational education in the years ahead.

Mr. JEFFORDS. I ask unanimous consent that all time be yielded back on the conference report to accompany H.R. 1853, the vocational education bill. I further ask that the conference report be agreed to, the motion to reconsider be laid upon the table, and any statements relating to the conference report appear at this point in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The conference report was agreed to.

REDESIGNATING THE UNITED STATES CAPITOL POLICE HEADQUARTERS BUILDING THE "ENEY, CHESTNUT, GIBSON MEMORIAL BUILDING"

Mr. JEFFORDS. I ask unanimous consent that the Rules Committee be discharged from further consideration S. Con. Res. 120, and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 120) to redesignate the United States Capitol Police headquarters building located at 119 D Street, Northeast, Washington, DC, as the "Eney, Chestnut, Gibson Memorial Building."

The PRESIDING OFFICER. Is there objection to the immediate consideration of the concurrent resolution?

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. JEFFORDS. I ask unanimous consent that the concurrent resolution be agreed to, the preamble be agreed to, that the motion to reconsider be laid upon the table, and that any statements relating to the resolution be printed in the RECORD at this point.

The PRESIDING OFFICER. Without objection, it is so ordered.

The concurrent resolution (S. Con. Res. 120) was agreed to.

The preamble was agreed to.

The concurrent resolution, with its preamble, is as follows:

S. CON. RES. 120

Whereas the United States Capitol Police force has protected the Capitol and upheld the beacon of democracy in America;

Whereas 3 officers of the United States Capitol Police have lost their lives in the line of duty;

Whereas Sgt. Christopher Eney was killed on August 24, 1984, during a training exercise;

Whereas officer Jacob "J.J." Chestnut was killed on July 24, 1998, while guarding his post at the Capitol; and

Whereas Detective John Gibson was killed on July 24, 1998, while protecting the lives of