

H.R. 2331: Mr. ZELIFF and Mr. CHRYSLER.
H.J. Res: 61: Mr. TALENT.
H. Con. Res. 51: Mr. DAVIS, Mr. SHAYS, Mr. FRANKS of Connecticut, Mr. DURBIN, Mr. LIPINSKI, and Mr. ROHRBACHER.

AMENDMENTS

Under clause 6 of rule XXIII, proposed amendments were submitted as follows:

H.R. 927

OFFERED BY: MR. STEARNS

(Amendment to the Amendment Offered by Mr. Burton of Indiana)

AMENDMENT NO. 2: Add at the end of title I the following:

SEC. 112. CONGRESSIONAL NOTIFICATION OF CONTACTS WITH CUBAN GOVERNMENT OFFICIALS.

(a) **ADVANCED NOTIFICATION REQUIRED.**—No funds made available under any provision of law may be used for the costs and expenses of negotiations, meetings, discussions, or contacts between United States Government officials or representatives and officials or representatives of the Cuban Government relating to normalization of relations between the United States and Cuba unless 15 days in advance the President has notified the Speaker of the House of Representatives and the chairman of the Committee on Foreign Relations of the Senate in accordance with procedures applicable to reprogramming notifications under section 634A of the Foreign Assistance Act of 1961.

(b) **REPORTS.**—Within 15 days of any negotiations, meetings, discussions, or contacts between individuals described in subsection (a), with respect to any matter, the President shall submit a report to the Speaker of the House of Representatives and the chairman of the Committee on Foreign Relations of the Senate detailing the individuals involved, the matters discussed, and any agreements made, including agreements to conduct future negotiations, meetings, discussions, on contracts.

H.R. 1323

OFFERED BY: MR. TRAFICANT

AMENDMENT NO. 1: At the end of the bill, insert the following new section:

SEC. 24. SENSE OF CONGRESS; REQUIREMENT REGARDING NOTICE

(a) **PURCHASE OF AMERICAN-MADE EQUIPMENT AND PRODUCTS.**—It is the sense of the Congress that, to the greatest extent practicable, all equipment and products purchased with funds made available under this Act should be American-made.

(b) **NOTICE TO RECIPIENTS OF ASSISTANCE.**—In providing financial assistance under this Act, the Administrator, to the greatest extent practicable, shall provide to each recipient of the assistance a notice describing the statement made in subsection (a) by the Congress.

H.R. 1617

OFFERED BY: MR. BAKER OF LOUISIANA

AMENDMENT NO. 2: Strike title V of the bill and insert the following:

TITLE V—MISCELLANEOUS PROVISIONS

SEC. 501. EFFECT ON REHABILITATION ACT OF 1973.

Notwithstanding any other provision of this Act, this Act does not have any legal effect on any program under the Rehabilitation Act of 1973.

H.R. 1617

OFFERED BY: MR. BECERRA

AMENDMENT NO. 3: Page 77, line 11, insert after the comma the following: "and disaggregated by demographic characteristics, where feasible,".

Page 78, line 6, after "aggregate data" insert the following: ", and disaggregated data by demographic characteristics, where feasible,".

H.R. 1617

OFFERED BY: MR. BECERRA

AMENDMENT NO. 4: Page 91, after line 18, add the following:

SEC. 143. REPRESENTATION.

The membership of any board or council established pursuant to this Act at the local, State, or national level shall reflect the demographic characteristics, respectively—

- (1) of the local workforce area;
- (2) of the population of the State; or
- (3) of the population of the United States.

H.R. 1617

OFFERED BY: MR. BECERRA

AMENDMENT NO. 5: Page 98, after line 4, add the following:

SEC. 203. PRIORITY.

A national, State, or local program that receives funds under this title, shall establish a process the gives priority to youth who must overcome barriers to complete an education program or to employment such as a lack of sufficient education or vocational skills, economic disadvantages, disability or limited English proficiency.

H.R. 1617

OFFERED BY: MR. BECERRA

AMENDMENT NO. 6: Page 149, line 22, strike "less" and insert "greater".

H.R. 1617

OFFERED BY: MR. BECERRA

AMENDMENT NO. 7: Page 150, line 5 strike "to have the capacity to administer effectively" and insert "to have demonstrated effectiveness in administering".

H.R. 1617

OFFERED BY: MR. BECERRA

AMENDMENT NO. 8: Page 115, strike line 2 and insert the following:

(d) **LIMITATIONS ON USE OF FUNDS.**—

(1) **OUT-OF-SCHOOL.**—Not less than 50 percent of funds allocated to at-risk programs under section 212(a)(1)(B) shall be used for programs that provide services to out-of-school youth.

(2) **ADMINISTRATIVE COSTS.**—Not more than 10 percent of the funds provided under this chapter to a local workforce development board may be used for administrative purposes.

H.R. 1617

OFFERED BY: MR. GOODLING

AMENDMENT NO. 9: Page 2, in the matter of relating to section 108, strike "Education" and insert "education".

Page 2, in the matter relating to subtitle C, strike "Worker Rights" and insert "General Provisions".

Page 2, in the matter relating to section 141, strike "Requirements." and insert "Worker rights."

Page 2, after the matter relating to section 141, insert the following:
Sec. 142. Transferability.

Page 2, strike the matter relating to section 224.

Page 3, strike the matter relating to section 316.

Page 3, strike the matter relating to section 434.

Page 4, in the matter relating to section 702, strike "Amendment to Higher Education Act" and insert "Eligible institutions."

Page 18, line 15, strike "out-of-school".

Page 30, beginning on line 20, strike "organization representing parents".

Page 31, line 1, insert "and entity" after "agency".

Page 31, after line 22, insert the following:
(H) the State entity responsible for setting education policies, consistent with State law, on the date preceding the date of the enactment of this Act.

(3) representatives of the State legislature.

Page 32, after line 24, add the following:

(3) **DISAGREEMENT.**—The Governor shall accept and include with the State plan submitted under section 104, any disagreeing views submitted by a participant of the collaborative process if such views represent disagreement in the area in which such participant was selected for representation.

Page 36, strike lines 8 through 13.

Page 36, line 14, strike "(d)" and insert "(c)".

Page 38, after "including" insert "academic and vocational administrators, members of local schools boards, principals, teachers, postsecondary and other adult education administrators and instructors, including community colleges."

Page 62, line 3, strike "customer" and insert "the".

Page 63, line 1, strike "will measure" and insert "must demonstrate".

Page 63, beginning on line 18, strike "appropriate" and all that follows through "among" on line 19.

Page 71, line 2, insert "by the Secretary of Labor or the Secretary of Education, as the case may be," after "disallowed".

Page 71, line 4, strike "this Act" and insert "chapter 2 of title II, title III,".

Page 71, line 5, strike "the" and insert "such chapter or title".

Page 72, line 25, strike the semicolon and insert ", which, to the extent practicable, shall be done through the private sector;".

Page 88, line 3, strike "elected".

Page 89, line 19, strike "Provision" and insert "Provisions".

Page 92, beginning on line 1, strike "skills" and all that follows through line 3 and insert "foundation and occupational skills needed to be successful in a competitive economy and to complete a high school diploma or general equivalency diploma;".

Page 99, after line 20, insert the following (and redesignate any subsequent paragraphs accordingly):

(4) **FEDERAL FUNDS TO SUPPLEMENT, NOT SUPPLANT, NON-FEDERAL FUNDS.**—Funds received under this title shall be used only to supplement the amount of funds that would, in the absence of such Federal funds, be made available from non-Federal sources for the education of youth participating in programs assisted under this title, and not to supplant such funds.

Page 139, line 15, insert "media" before "technology".

Page 140, line 25, insert "and" after the semicolon.

Page 141, strike lines 1 and 2.

Page 141, line 3, strike "(iii)" and insert "(ii)".

Page 148, line 8, strike "one quarter of one" and insert "4".

Page 149, line 21, strike "one quarter of one" and insert "4".

Page 222, strike line 10 and all that follows through page 225, line 13, and insert the following (and conform the table of contents on page 226, after line 14):

"SEC. 108. STATE OPTION REGARDING ALTERNATIVE DELIVERY SYSTEMS.

"(a) **IN GENERAL.**—In the case of the requirements referred to in subsection (b), a State may, in its discretion, elect to use alternative approaches for the implementation of any of the requirements if (subject to the other provisions of this section) the following conditions are met:

"(1) The Governor appoints a board to develop a proposed plan for the alternative approaches.

"(2) Individuals with disabilities who are not State officials or employees constitute a majority of the members of such board.

"(3) The membership of the board includes—

"(A) each State administrative agent designated pursuant to section 103(a); and

"(B) one or more individuals from private industry.

"(4) The State provides that the alternative approaches will be implemented in accordance with the plan developed by the board.

"(5) In the development of the plan, the public is afforded a reasonable opportunity to comment on the proposed alternative approaches.

"(6) The Governor submits to the Secretary a notice that the State is electing to use alternative approaches, and the notice is submitted to the Secretary not later than 60 days before the beginning of the first fiscal year to which the election applies.

"(b) ALTERNATIVES REGARDING STATE ADMINISTRATIVE STRUCTURE FOR DELIVERY OF SERVICES.—For purposes of subsection (a), a State may elect to implement alternative approaches to requirements in accordance with the following:

"(1) The allocation under section 102(a) (allocating amounts between State administrative agents and local workforce development boards) is in the discretion of the State, except that not more than 80 percent of a grant under section 101(a) for a fiscal year may be reserved for activities of local workforce development boards.

"(2) With respect to the requirements established in sections 103 and 104, the allocation between State administrative agents and local workforce development boards of responsibilities for carrying out the requirements is in the discretion of the State.

"(3) The selection of State officials who are to administer the requirements of section 103 is in the discretion of the State.

"(c) REVIEW AND REVISION OF ALTERNATIVE APPROACH.—An election under subsection (a) ceases to be effective after the third fiscal year of being in effect unless, during such third year, the plan under the election is reviewed. The plan may be reviewed and revised annually. This section applies to the review and revision of the plan to the same extent and in the same manner as this section applies to an original plan under subsection (a).

"(d) PERFORMANCE ACCOUNTABILITY SYSTEM.—An election under subsection (a) for a State does not, with respect to carrying out the program under this title in the State, affect the applicability to the State of section 110 of the Consolidated and Reformed Education, Employment, and Rehabilitation Systems Act."

Page 236, line 10, strike "2003" and insert "2005".

At each of the following locations, strike "2007" and insert "2009": Page 237, line 16; page 242, line 21; page 243, line 19; and page 249, line 4.

Page 255, after line 21, insert the following new paragraph:

(3) LIMITATION ON OWNERSHIP OF STOCK.—Except as provided in subsection (d)(2) of this section, no stock of the Corporation may be sold or issued to an agency, instrumentality, or establishment of the United States Government, to a Government corporation or a Government controlled corporation (as such terms are defined in section 103 of title 5, United States Code), or to a Government sponsored enterprise (as such term is defined in section 622 of title 2, United States Code). The Student Loan Marketing Association shall not own any stock of the Corporation, except that it may retain the stock it owns on the date of enactment. The Student Loan

Marketing Association shall not control the operation of the Corporation, except that the Student Loan Marketing Association may participate in the election of directors as a shareholder, and may continue to exercise its right to appoint directors under section 754 of the Higher Education Act of 1965 as long as that section is in effect. The Student Loan Marketing Association shall not provide financial support or guarantees to the Corporation. Notwithstanding the prohibitions in this subsection, the United States may pursue any remedy against a holder of the Corporation's stock to which it would otherwise be entitled.

Page 258, beginning on line 8, strike ", upon request of the Secretary of Education".

Page 258, lines 11 and 16, strike "voting common".

Page 258, beginning on line 12, strike "one year" and insert "6 months".

Page 258, beginning on line 18, strike "within" and all that follows through "shall purchase" on line 20 and insert ", the Corporation shall purchase, within the period specified in paragraph (1),".

H.R. 1617

OFFERED BY: MR. GENE GREEN OF TEXAS

AMENDMENT NO. 10: Strike title V of the bill and insert the following:

TITLE V—MISCELLANEOUS PROVISIONS

SEC. 501. EFFECT ON REHABILITATION ACT OF 1973.

Notwithstanding any other provision of this Act, this Act does not have any legal effect on any program under the Rehabilitation Act of 1973.

H.R. 1617

OFFERED BY: MR. KILDEE

AMENDMENT NO. 11: Page 91, strike lines 12 through 18.

H.R. 1617

OFFERED BY: MR. KILDEE

AMENDMENT NO. 12: Page 100, after line 17, insert the following:

(e) FISCAL EFFORT.—

(1) IN GENERAL.—No payments shall be made under this title for any fiscal year to a State unless the Secretary determines that the combined fiscal effort per student or the aggregate expenditures of such State with respect to vocational education for the fiscal year preceding the fiscal year for which the determination is made was not less than 100 percent of such combined fiscal effort or aggregate expenditures for the second fiscal year preceding the fiscal year for which the determination is made.

(2) WAIVERS.—The Secretary may waive, for one fiscal year only, the requirements of this subsection if the Secretary determines that such a waiver would be equitable due to exceptional or uncontrollable circumstances such as a natural disaster or a precipitous and unforeseen decline in the financial resources of the State.

H.R. 1617

OFFERED BY: MR. KLINK

AMENDMENT NO. 13: Page 27, after line 24, insert the following:

SECTION 7. SENSE OF CONGRESS.

It is the sense of Congress, that—

(1) to streamline and consolidate workforce preparation and development programs, eliminate unnecessary duplication and fragmentation in such programs as stated in section 3(a)(5)(A), and to provide maximum authority and responsibility to States and local communities for operation of State and local workforce preparation and development programs as stated in section 3(a)(5)(B), the Federal Government should transfer all of the functions of such programs to the States and local communities,

including the responsibility to raise revenue to fund such programs; and

(2) Federal tax rates should be reduced by the amount saved by relinquishing Federal responsibility for workforce preparation and development programs.

H.R. 1617

OFFERED BY: MR. KLINK

AMENDMENT NO. 14: Page 275, after line 4, insert the following:

TITLE VIII—SENSE OF CONGRESS

SEC. 801. SENSE OF CONGRESS.

It is the sense of Congress, that—

(1) to streamline and consolidate workforce preparation and development programs, eliminate unnecessary duplication and fragmentation in such programs as stated in section 3(a)(5)(A), and to provide maximum authority and responsibility to States and local communities for operation of State and local workforce preparation and development programs as stated in section 3(a)(5)(B), the Federal Government should transfer all of the functions of such programs to the States and local communities, including the responsibility to raise revenue to fund such programs; and

(2) Federal tax rates should be reduced by the amount saved by relinquishing Federal responsibility for workforce preparation and development programs.

H.R. 1617

OFFERED BY: MRS. MINK OF HAWAII

AMENDMENT NO. 15: Page 105, after line 13 insert the following:

(5) a description of how the State will maintain programs for single parents, displaced homemakers, and single pregnant women and programs that promote the elimination of sex bias.

H.R. 1617

OFFERED BY: MRS. MORELLA

AMENDMENT NO. 16: Page 125, line 6, strike "and".

Page 125, line 9, strike the period and insert "; and".

Page 125, after line 9, insert the following: (viii) implementation of innovative programs to increase the number of individuals trained and placed in nontraditional employment.

Page 127, line 19, before the period insert the following: "and individuals seeking to enter nontraditional employment".

H.R. 1617

OFFERED BY: MR. OWENS

AMENDMENT NO. 17: Page 71, strike line 1 and all that follows through line 9.

H.R. 1617

OFFERED BY: MR. OWENS

AMENDMENT NO. 18: Page 71, strike line 1 and all that follows through line 9 and insert the following:

SEC. 113. CRIMINAL PENALTIES.

Section 665 of title 18, United States Code, is amended by striking "or the Job Training Partnership Act" each place it appears and inserting ", the Job Training Partnership Act, or the Consolidated and Reformed Education, Employment, and Rehabilitation Systems Act".

H.R. 1617

OFFERED BY: MR. OWENS

AMENDMENT NO. 19: Page 128, line 11, strike "and".

Page 128, line 14, strike the period and insert "; and".

Page 128, line 14, insert the following:

(C) who are dislocated workers or who are economically disadvantaged individuals.

Page 130, line 13, strike "and".

Page 130, line 16, strike the period and insert "; and".

Page 130, after line 16, insert the following: (D) who are dislocated workers or who are economically disadvantaged individuals.

Page 134, strike line 21 and all that follows through line 2 on page 135.

Page 135, line 3, strike "(f)" and insert "(e)".

Page 135, line 7, strike "(g)" and insert "(f)".

H.R. 1617

OFFERED BY: MR. ROEMER

AMENDMENT No. 20: On page 10, line 4, add immediately before the semi-colon "and section 705(b)".

On page 267, line 21, add at the beginning thereof the subsection designation "(a)".

On page 267, after line 22, add the following new subsection:

"(b) In order to allow States that have received grants under Subtitle B of title II of the School-to-Work Opportunities Act of 1994 prior to its repeal to complete the development and implementation of their state-wide School-to-Work systems, the Secretary of Education and the Secretary of Labor are authorized to use not more than 10 percent of the funds appropriated under section 4(a)(1) of this Act for fiscal year 1997, 7.5 percent of such funds appropriated for fiscal year 1998, and 5 percent of such funds appropriated for fiscal year 1999 to make continuation awards to such States."

H.R. 1617

OFFERED BY: MS. WATERS

AMENDMENT No. 21: Page 275, after line 4, add the following new title:

TITLE VIII—SUMMER YOUTH EMPLOYMENT AND TRAINING PROGRAMS UNDER THE JOB TRAINING PARTNERSHIP ACT

SEC. 801. SUMMER YOUTH EMPLOYMENT AND TRAINING PROGRAMS.

(a) AUTHORIZATION OF APPROPRIATIONS FOR TITLE II.—Notwithstanding section 4(a)(1) of this Act, there are authorized to be appropriated for title II of this Act, \$1,630,920,000 for fiscal year 1997 and such sums as may be necessary for each of the fiscal years 1998 through 2002 to carry out the programs under such title.

(b) 1996 ALLOTMENT PERCENTAGE FOR STATES UNDER TITLE II.—Notwithstanding section 211(b)(2)(B) of this Act, the allotment percentage of a State for fiscal year 1996 shall be the percentage of funds allotted to the State in fiscal year 1995 under—

(1) section 101 or 101A of the Carl D. Perkins Vocational and Applied Technology Education Act, as such Act was in effect on the day before the date of the enactment of this Act; and

(2) the funding allotted in fiscal year 1995 under section 262 of the Job Training Partnership Act, as such Act was in effect on the day before the date of the enactment of this Act.

(c) RETENTION OF SUMMER YOUTH EMPLOYMENT AND TRAINING PROGRAMS.—

(1) IN GENERAL.—Notwithstanding section 711(a) of this Act, the Job Training Partnership Act (29 U.S.C. 1501 et seq.), except section 1, sections 251 through 256 (relating to the Summer Youth Employment and Training Programs), sections 421 through 439 (relating to the Job Corps), and section 441 of such Act (relating to veterans' employment programs), is hereby repealed.

(2) AUTHORIZATION OF APPROPRIATIONS.—Notwithstanding section 711(b)(4) of this Act, the Job Training Partnership Act (29 U.S.C. 1501 et seq.), as amended by this subsection, is further amended by adding at the end the following new section:

"AUTHORIZATION OF APPROPRIATIONS

"SEC. 23. (a) Except as provided in subsection (b), there are authorized to be appro-

priated such sums as are necessary to carry out this Act.

"(b) For fiscal year 1997, there are authorized to be appropriated \$693,680,000 to carry out sections 251 through 256 of this Act (relating to Summer Youth Employment and Training Programs)."

H.R. 1617

OFFERED BY: MR. WELDON OF FLORIDA

AMENDMENT No. 22: Page 70, line 24, before the period insert "or to meet federally funded or endorsed industry-recognized skill standards or attain federally funded or endorsed skill certificates".

H.R. 1617

OFFERED BY: MR. WELDON OF FLORIDA

AMENDMENT No. 23: Page 70, line 24, before the period insert "or to meet federally funded or endorsed industry-recognized skill standards or attain federally funded or endorsed skill certificates".

Page 100, line 15, before the period insert "or to attain a federally funded or endorsed skill certificate".

Page 110, line 19, insert "and parents" after "employers".

Page 113, line 10, insert "and parents" after "employers".

H.R. 1617

OFFERED BY: MR. WELDON OF FLORIDA

AMENDMENT No. 24: Page 100, line 15, before the period insert "or to attain a federally funded or endorsed skill certificate".

Page 110, line 19, insert "and parents" after "employers".

Page 113, line 10, insert "and parents" after "employers".

H.R. 1617

OFFERED BY: MR. WILLIAMS

AMENDMENT No. 25: Page 31, strike line 1 and insert the following:

(2) the lead State agency, entity, official, or officials

Page 31, line 4, after "(including" insert "the State entity responsible for setting education policies for activities under this Act, consistent with State law, on the day preceding the date of the enactment of this Act and"

Page 32, after line 16, insert the following:

(2) ACCEPTANCE OF CERTAIN RECOMMENDATIONS.—The recommendations of any State agency, State entity, or State public official described in subsection (b)(2) with respect to any portion of the State plan described in section 104 that affects programs that are under the jurisdiction of the agency, entity, or official shall be accepted by the Governor of the State and the other participants in the collaborative process, and shall be incorporated in the plan, unless the plan includes a finding by the Governor that the recommendations are inconsistent with the purpose of this Act.

Page 32, line 17, strike "(2)" and insert "(3)".

Page 36, after line 7, insert the following:

(11) A designation, consistent with State law, of the State agency or agencies to serve as administrative or fiscal agents for purposes of titles II and IV.

H.R. 1617

OFFERED BY: MR. WILLIAMS

AMENDMENT No. 26: Page 246, after line 4, insert the following new subsection (and redesignate the succeeding subsections accordingly):

"(e) ADDITIONAL TRANSITION PROVISIONS IN THE EVENT OF NO REORGANIZATION.—In the event no reorganization is approved under this section, the following provisions shall apply beginning on the date which is 18

months after the date of enactment of this section:

"(1) TERMINATION PLAN.—No later than the date which is 24 months after the date of this section, the Association shall submit for the approval of the Secretary of the Treasury (hereinafter in this subsection referred to as the 'Secretary') a plan for the orderly winding up of its business which shall ensure that the Association will have adequate assets to transfer to a trust, as provided in subsection (e), to ensure payment of debt obligations of the Association that are outstanding as of December 31, 2004 (hereinafter in this subsection referred to as the 'remaining obligations'), in accordance with their terms.

"(2) PLAN REVIEW AND AMENDMENT.—The Secretary may require any amendments to the plan as the Secretary deems necessary or appropriate to ensure full payment of the remaining obligations. Once the plan or amended plan has been approved by the Secretary, the Secretary shall continue to review the plan and the financial condition of the Association no less than annually. After each review, the Secretary may require any additional amendments to the plan as are necessary to ensure full payment of the remaining obligations.

"(3) IMPLEMENTATION BY THE ASSOCIATION.—The Association shall promptly implement the plan or amended plan approved by the Secretary and shall promptly implement any subsequent amendments required based on the annual review.

"(4) PAYMENT OF DIVIDENDS.—Prior to the payment of any dividend, the Association shall certify to the Secretary that the Association is in full compliance with the termination plan then in effect, including subsequent amendments. The Association may not make any cash or non-cash distributions unless the Secretary has approved the termination plan, the Association is in full compliance with the plan as approved, including any subsequent amendments required by the Secretary, and the Secretary has approved the Association's certification of compliance.

Page 248, strike lines 20 through 25 and redesignate the succeeding subsections accordingly.

H.R. 1617

OFFERED BY: MS. WOOLSEY

AMENDMENT No. 27: Page 5, line 15, strike "\$2,324,600,000" and insert "\$3,000,000,000".

H.R. 1617

OFFERED BY: MS. WOOLSEY

AMENDMENT No. 28: Page 5, line 15, strike "\$2,324,600,000" and insert "\$2,183,000,000".

Page 5, line 19, strike "\$2,183,000,000" and insert "\$3,225,000,000".

Page 5, line 23, strike "\$280,000,000" and insert "\$597,000,000".

H.R. 2274

OFFERED BY: MRS. BARRETT OF NEBRASKA

AMENDMENT No. 18: Page 96, after line 13, insert the following:

(4) DRIVERS OF UTILITY SERVICE VEHICLES.—Such regulations shall, in the case of a driver of a utility service vehicle, permit any period of 8 consecutive days to end with the beginning of an off-duty period of 24 or more consecutive hours for the purposes of determining maximum driving and on-duty time.

Page 96, line 14, strike "(4)" and insert "(5)".

Page 97, line 3, strike "(5)" and insert "(6)".

Page 99, after line 6, insert the following:

(6) UTILITY SERVICE VEHICLE.—The term "utility service vehicle" means any motor vehicle, regardless of gross weight—

(A) used on highways in interstate or intrastate commerce in the furtherance of building, repairing, expanding, improving, maintaining, or operating any structures, facilities, excavations, poles, lines, or any

other physical feature necessary for the delivery of public utility services, including the furnishing of electric, water, sanitary sewer, telephone, and television cable or community antenna service;

(B) while engaged in any activity necessarily related to the ultimate delivery of

such public utility services to consumers, including travel or movement to, from, upon, or between activity sites (including occasional travel or movement outside the service area necessitated by any utility emergency as determined by the utility provider); and

(C) except for any occasional emergency use, operated primarily within the service area of a utility's subscribers or consumers, without regard to whether the vehicle is owned, leased, or rented or otherwise contracted for by the utility.