H.R. 3937: Mr. FROST and Mr. FILNER.

H.R. 3946: Mr. BROWN of Ohio, Mr. SANDERS, Ms. LEE, and Mr. HORN.

H.R. 3976: Mr. MURTHA and Mr. TOWNS.

H.R. 4007: Mr. YATES, Mr. ACKERMAN, Mr. SCHUMER, Mr. TRAFICANT, Mr. TOWNS, Mr. BENTSEN, Ms. NORTON, Mr. MCGOVERN, Mr. WEXLER, Mr. MCDERMOTT, Mr. FOSSELLA, Mr. FROST, Mr. BEREUTER, and Ms. ROS-LEHTINEN.

H. Con. Res. 27: Mr. ROMERO-BARCELO, Ms. MCCARTHY of Missouri, and Mr. PETERSON of Minnesota.

H. Con. Res. 47: Mr. DAVIS of Illinois and Mr. VENTO.

H. Con. Res. 125: Mr. HINCHEY.

H. Con. Res. 188: Mr. BLUMENAUER.

H. Con. Res. 210: Mr. FAWELL.

H. Con. Res. 281: Mr. LIPINSKI.

H. Con. Res. 286: Ms. CARSON, Mr. ROTHMAN, and Ms. PELOSI.

THURSDAY, JUNE 11, 1998 (56)

The House was called to order by the SPEAKER.

¶56.1 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Wednesday, June 10, 1998.

Pursuant to clause 1, rule I, the Journal was approved.

¶56.2 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XXIV, were referred as follows:

9577. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Phospholipid: Lyso-PE (lysophosphatidylethanolamine); Time-Limited Pesticide Tolerance [OPP–300672; FRL–5795–1] (RIN: 2070–AB78) received June 5, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

9578. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Clean Air Act Reclassification; Anchorage, Alaska Nonattainment Area; Carbon Monoxide [AK 19–1707; FRL–6108–6] received June 5, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

9579. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Removal of the Prohibition on the Use of Point of Use Devices for Compliance with National Primary Drinking Water Regulations [FRL–6109–7] received June 5, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

9580. A letter from the Secretary of Defense and Secretary of State, transmitting the report of discussions with regional allies and likely coalition partners to enhance their preparedness to condust military operations under threat or attack by chemical and biological weapons, pursuant to Senate Executive Resolution 75, Section 2, Condition (11), agreed on April 24, 1997; to the Committee on International Relations.

9581. A letter from the Acting Director, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in Statistical Area 610 [Docket No. 971208297–8054–02; I.D. 052998A] received June 8, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

9582. A letter from the Acting Director, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone off Alaska; Bycatch Rate Standards for the Second Half of 1998 [Docket No. 961107312–7021–02; I.D. 052098B] received June 8, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

9583. A letter from the Acting Director, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—South Atlantic Swordfish Fishery; Fishery Reopening [I.D. 042398A] received June 8, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

9584. A letter from the Acting Director, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Atlantic Highly Migratory Species Fisheries; Import Restrictions [Docket No. 970702161–7197–02; I.D. 041097C] received June 8, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

9585. A letter from the Acting Director, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Economic Exclusive Zone Off Alaska; Groundfish Fisheries by Vessels using Hook-and-Line Gear in the Gulf of Alaska [Docket No. 971208297–8054–02; I.D. 052698A] received June 8, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

9586. A letter from the Acting Director, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Atlantic Shark Fisheries; Quota Adjustment [I.D. 051998A] received June 8, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

9587. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Transfer of Marine Equipment to Ship Operators and Shipyards Removal of Obsolete Regulations [Docket No. R— 175] (RIN: 2133—AB34 (Final)) received June 8, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9588. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Special Local Regulations for Marine Events; Norfolk Harbor, Elizabeth River, Norfolk and Portsmouth, Virginia [CGD 05–98–037] received June 4, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9589. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Safety Zone; San Pedro Bay, CA [COTP Los Angeles-Long Beach, CA; 98–004] (RIN: 2115–AA97) received June 8, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9590. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Modification of Class E Airspace; Marion, OH [Airspace Docket No. 98–AGL–20] received June 8, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9591. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Amendment to Class D and Class E Airspace; St. Joseph, MO; Extension of Comment Period and Correction [Airspace Docket No. 98–ACE–6] received June 8, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9592. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Realignment of Jet Route J–66; TN [Airspsace Docket No. 97–ASO–28] (RIN: 2120–AA66) received June 8, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9593. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Modification of Class D Airspace; Minot AFB, ND; and Class E Airspace; Minot, ND [Airspace Docket No. 97–AGL–61] received June 8, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9594. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Eurocopter France (Formerly Aerospatiale, Society Nationale Industrielle, Sud Aviation) Model SA–365N, SA–365N1, AS–36N25, and SA–366G1 Helicopters [Docket No. 96–SW–22–AD; Amendment 39–10564; AD 98–12–08] (RIN: 2120–AA64) received June 8, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9595. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; SOCATA Groupe Aerospatiale Model TBM 700 Airplanes [Docket No. 97–CE–76–AD; Amendment 39–10559; AD 98–12–02] (RIN: 2120–AA64) received June 8, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9596. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Pilatus Aircraft Ltd. Models PC–6, PC–6/A, PC–6/B, and PC–6/C Series Airplanes [Docket No. 97–CE–09–AD; Amendment 39–10558; AD 98–12–01] (RIN: 2120–AA64) received June 8, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9597. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Alexander Schleicher Segelflugzeugbau Models ASW–19 and ASK 21 Sailplanes [Docket No. 97–CE–102–AD; Amendment 39–10560; AD 98–12–03] (RIN: 2120–AA64) received June 8, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9598. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Glaser-Dirks Flugzeugbau GmbH Model DG–500M Gliders [Docket No. 98–CE–09–AD; Amendment 39–10561; AD 98–12–04] (RIN: 2120–AA64) received June 8, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9599. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; British Aerospace Jetstream Model 3101 Airplanes [Docket No. 98–CE–15–AD; Amendment 39–10567; AD 98–12–11] (RIN: 2120–AA64) received June 8, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9600. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Modification of Class E Airspace; Madison, SD [Airspace Docket No. 98–AGL–17] received June 8, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9601. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Establishment of Class E Airspace; Rush City, MN [Airspace Docket No. 98–AGL–18] received June 8, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9602. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Establishment of Class E Airspace; Fergus Falls, MN [Airspace Docket No. 98–AGL–6] received June 8, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9603. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Amendment of Class E Airspace; Colorado Springs, CO [Airspace Docket No. 98–ANM–06] received June 8, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9604. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Standard Instrument Approach Procedures; Miscellaneous Amendments [Docket No. 29241; Amdt. No. 1871] (RIN: 2120–AA65) received June 8, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9605. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Standard Instrument Approach Procedures; Miscellaneous Amendments [Docket No. 29242; Amdt. No. 1872] (RIN: 2120–AA65) received June 8, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9606. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Modification of Class E Airspace; Rugby, ND [Airspace Docket No. 98–AGL–13] received June 8, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9607. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Modification of Class E Airspace; Traverse City, MI [Airspace Docket No. 98–AGL–16] received June 8, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9608. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Modification of Class E Airspace; Wooster, OH [Airspace Docket No. 98–AGL–19] received June 8, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9609. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Stemme GmbH & Co. KG Models S10 and S10–V Sailplanes [Docket No. 97–CE–129–AD; Amendment 39–10562; AD 98–12–06] (RIN: 2120–AA64) received June 8, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

¶56.3 MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Sherman Williams, one of his secretaries.

¶56.4 MESSAGE FROM THE SENATE

A message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate had passed with amendments in which the concurrence of the House is requested, a concurrent resolution of the House of the following title:

H. Con. Res. 131. Concurrent resolution acknowledging 1998 as the International Year of the Ocean and expressing the sense of Congress regarding the ocean.

The message also announced that the Senate agrees to the amendment of the House to the bill (S. 1900) ''An Act to establish a commission to examine issues pertaining to the disposition of Holocaust-era assets in the United States before, during, and after World War II, and to make recommendations to the President on further action, and for other purposes.''

The message also announced that the Senate passed bills of the following titles, in which concurrence of the House is requested:

S. 1364. An Act to eliminate unnecessary and wasteful Federal reports.

S. 2069. An Act to permit the mineral leasing of Indian land located within the Fort Berthold Indian Reservation in any case in which there is consent from a majority interest in the parcel of land under consideration for lease.

¶56.5 MESSAGE FROM THE PRESIDENT—SANCTIONS REGARDING THE REPUBLIC OF YUGOSLAVIA AND THE REPUBLIC OF SERBIA

The SPEAKER pro tempore, Mr. EWING, laid before the House a message from the President, which was read as follows:

To the Congress of the United States:

In response to the ongoing use of excessive military force in Kosovo by the police and armed forces of the Federal Republic of Yugoslavia (Serbia and Montenegro) and the Republic of Serbia, which has exacerbated ethnic conflict and human suffering and threatens to destabilize other countries in the region, the United States, acting in concert with the European Union, has decided to impose certain economic sanctions. Consistent with decisions taken at the meetings of the Contact Group of countries, consisting of the United States, the United Kingdom, Germany, France, Italy, and Russia, in Birmingham, England, on May 16, 1998, and in Rome on April 29, 1998, the United States will impose a freeze on the assets of the Governments of the Federal Republic of Yugoslavia (Serbia and Montenegro), the Republic of Serbia, and the Republic of Montenegro, and a ban on new investment in the Republic of Serbia. It is our intent to exempt the Government of Montenegro from these sanctions wherever possible.

The Contact Group originally agreed in Rome on April 29 to impose these sanctions in response to the increasingly dangerous situation in Kosovo and Belgrade's failure to meet crucial requirements concerning the adoption of a framework for dialogue with the Kosovar Albanian leadership and a stabilization package, as set out in earlier Contact Group meetings in London on March 9, 1998, and in Bonn on March 25, 1998. The G8 Foreign Ministers reaffirmed the need to impose sanctions at their meeting in London on May 8–9, 1998. The Russian Federation did not associate itself with these sanction measures.

At the May 16 meeting in Birmingham, England, the Contact Group welcomed the establishment of a dialogue between Belgrade and the Kosovar Albanian leadership. With the start of this dialogue, those Contact Group countries that had previously agreed to implement economic measures against the Federal Republic of Yugoslavia (Serbia and Montenegro) and the Republic of Serbia agreed that the proposed measure to stop new investment in the Republic of Serbia would not be put into effect and that they would review at their next meeting the implementation of the freeze on funds. However, the use of indiscriminate force by the police and armed forces of the Federal Republic of Yugoslavia (Serbia and Montenegro) and the Republic of Serbia has undermined the basis for dialogue.

The Contact Group has concluded that the current situation in Kosovo is untenable and the risk of an escalating conflict requires immediate action. It has also found that, if unresolved, the conflict threatens to spill over to other parts of the region. The United States attaches high priority to supporting the security interests of the neighboring states and to ensuring security of borders. It is also of particular importance that developments in Kosovo should not disrupt progress in implementing the Dayton peace agreement in Bosnia and Herzegovina. This threat to the peace of the region constitutes an unusual and extraordinary threat to the national security and foreign policy of the United States.

On June 9, 1998, by the authority vested in me as President by the Constitution and laws of the United States of America, including the International Emergency Economic Powers Act (50 U.S.C. 1701 *et seq.*), the National Emergencies Act (50 U.S.C. 1601 *et seq.*), and section 301 of title 3 of the United States Code, I declared a national emergency to respond to the unacceptable actions and policies of the Belgrade authorities and issued an Executive order to implement the measures called for by the Contact Group. That order freezes the assets of the Governments of the Federal Republic of Yugoslavia (Serbia and Montenegro), the Republic of Serbia, and the Republic of Montenegro that are under U.S. jurisdiction and, in concert with the other Contact Group countries, restricts access of those governments to the international financial system. That order also prohibits new investment by United States persons, or their facilitation of other persons' new investment, in the Republic of Serbia. It is our intent to exempt the Government of the Republic of Montenegro, by means of licenses, from the prohibitions contained in the order wherever possible. That government has been included in the order to ensure effective implementation of sanctions against the Federal Republic of Yugoslavia (Serbia and Montenegro), of which the Republic of Montenegro is a constituent part.

The order carries out these measures by:

—blocking all property, and interests in property, of the Governments of

the Federal Republic of Yugoslavia (Serbia and Montenegro), the Republic of Serbia, and the Republic of Montenegro, including the prohibition of financial transactions with, including trade financing for, those governments; and

—prohibiting new investment by United States persons, or their facilitation of other persons' new investment, in the territory of the Republic of Serbia.

The order provides that the Secretary of the Treasury, in consultation with the Secretary of State, is authorized to take such actions, including the promulgation of rules and regulations, as may be necessary to carry out the purposes of the order. Thus, in the event of improvements in the actions and policies of Belgrade with respect to the situation in Kosovo, the Secretary of the Treasury, in consultation with the Secretary of State, would have the ability, through the issuance of general or specific licenses, to authorize any or all transactions otherwise prohibited by the order. Also, in implementing the sanctions, we intend to license transactions necessary to conduct the official business of the United States Government and the United Nations. We further intend to issue licenses to allow humanitarian, diplomatic, and journalistic activities to continue.

The declaration of a national emergency made under Executive Order 12808, and expanded in Executive Orders 12810 and 12831, remains in effect and is not affected by the June 9, 1998, order.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *June 10, 1998.*

By unanimous consent, the message, together with the accompanying papers, was referred to the Committee on International Relations and ordered to be printed (H. Doc. 105–273).

¶56.6 DISABLED AMERICAN VETERANS RECOGNITION

On motion of Mr. KIM, by unanimous consent, the following concurrent resolution (S. Con. Res. 102) was taken from the Speaker's table:

Resolved by the Senate (the House of Representatives concurring),

SECTION 1. USE OF CAPITOL GROUNDS FOR DISABLED AMERICAN VETERANS EVENT.

Disabled American Veterans shall be permitted to sponsor a public event on the West Front Lawn of the Capitol on June 16 and 17, 1998, or on such other dates as the Speaker of the House of Representatives and the Committee on Rules and Administration of the Senate may jointly designate, in order to announce the donation of 147 vans to the Department of Veterans Affairs by Disabled American Veterans.

SEC. 2. TERMS AND CONDITIONS.

(a) IN GENERAL.—The event authorized by section 1 shall be free of admission charge to the public and arranged not to interfere with the needs of Congress, under conditions to be prescribed by the Architect of the Capitol and the Capitol Police Board.

(b) EXPENSES AND LIABILITIES.—Disabled American Veterans shall assume full responsibility for all expenses and liabilities incident to all activities associated with the event.

SEC. 3. EVENT PREPARATIONS.

(a) STRUCTURES AND EQUIPMENT.—Subject to the approval of the Architect of the Capitol, Disabled American Veterans may erect upon the Capitol Grounds such stage, sound amplification devices, and other related structures and equipment as may be required for the event authorized by section 1.

(b) ADDITIONAL ARRANGEMENTS.—The Architect of the Capitol and the Capitol Police Board are authorized to make any such additional arrangements as may be required to carry out the event, including arrangements to limit access to First Street Northwest and First Street Southwest as required for the event.

SEC. 4. ENFORCEMENT OF RESTRICTIONS.

The Capitol Police Board shall provide for enforcement of the restrictions contained in section 4 of the Act of July 31, 1946 (40 U.S.C. 193d; 60 Stat. 718), concerning sales, displays, and solicitations on the Capitol Grounds, as well as other restrictions applicable to the Capitol Grounds, with respect to the event authorized by section 1.

SEC. 5. PHOTOGRAPHS.

The event authorized by section 1 may be conducted only after the Architect of the Capitol and the Capitol Police Board enter into an agreement with Disabled American Veterans and the manufacturer of the vans referred to in section 1 that prohibits Disabled American Veterans and such manufacturer from using any photograph taken at the event for a commercial purpose. The agreement shall provide for financial penalties to be imposed if any photograph is used in violation of this section.

When said concurrent resolution was considered and agreed to.

A motion to reconsider the vote whereby said concurrent resolution was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶56.7 PROVIDING FOR THE CONSIDERATION OF H.R. 3494

Ms. PRYCE, by direction of the Committee on Rules, called up the following resolution (H. Res. 465):

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 3494) to amend title 18, United States Code, with respect to violent sex crimes against children, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on the Judiciary now printed in the bill. The committee amendment in the nature of a substitute shall be considered as read. All points of order against the committee amendment in the nature of a substitute are waived. No amendment to the committee amendment in the nature of a substitute shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against the amendments printed in the report are waived. The chairman of the Committee of the Whole may: (1) postpone until a time during further consideration in the Committee of the Whole a request for a recorded vote on any amendment; and (2) reduce to five minutes the minimum time for electronic voting on any postponed question that follows another electronic vote without intervening business, provided that the minimum time for electronic voting on the first in any series of questions shall be 15 minutes. At the conclusion of consideration of the bill of amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

When said resolution was considered.

After debate,

On motion of Ms. PRYCE, the previous question was ordered on the resolution to its adoption or rejection and under the operation thereof, the resolution was agreed to.

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

¶56.8 H.J. RES. 119—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. EWING, pursuant to clause 5 of rule I, announced the unfinished business to be the question on the passage of the joint resolution (H.J. Res. 119) proposing an amendment to the Constitution of the United States to limit campaign spending.

The question being put, viva voce,

Will the House pass said joint resolution?

The SPEAKER pro tempore, Mr. EWING, announced that two-thirds of the Members present had not voted in the affirmative.

Ms. PRYCE objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 4, rule XV, and the call was taken by electronic device.

It was decided in the negative ..... { Yeas ..... 29; Nays ..... 345; Answered present 51 }

¶56.9 [Roll No. 226]

YEAS—29

Barrett (WI)	Ford	Kennedy (RI)
Bereuter	Gillmor	LaFalce
DeFazio	Green	Leach
Dingell	Harman	Lipinski
Doyle	Hinchey	Luther
Duncan	Holden	McHugh
Engel	Kennedy (MA)	Minge

Moran (VA)
Obey
Porter
Poshard
Sandlin
Smith, Adam
Stupak
Vento

NAYS—345

Ackerman
Aderholt
Allen
Andrews
Archer
Armey
Bachus
Baesler
Baker
Baldacci
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bentsen
Berry
Bilbray
Bilirakis
Bishop
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bono
Boswell
Boucher
Brady (TX)
Brown (CA)
Brown (FL)
Bryant
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Capps
Carson
Castle
Chabot
Chambliss
Chenoweth
Christensen
Clay
Clayton
Clement
Clyburn
Coble
Coburn
Collins
Combest
Condit
Conyers
Cook
Cooksey
Costello
Cox
Crane
Crapo
Cubin
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeGette
DeLay
Diaz-Balart
Dickey
Dicks
Dixon
Doggett
Dooley
Doolittle
Dreier
Dunn
Edwards
Ehlers
Ehrlich
Emerson
English
Ensign
Evans
Everett
Ewing
Fawell
Fazio
Filner
Foley
Forbes
Fossella
Fowler
Fox
Franks (NJ)
Frelinghuysen
Gallegly
Ganske
Gejdenson
Gekas
Gibbons
Gilchrest
Gilman
Goode
Goodlatte
Goodling
Goss
Graham
Granger
Greenwood
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hansen
Hastert
Hastings (FL)
Hastings (WA)
Hayworth
Hefley
Hefner
Herger
Hill
Hilleary
Hilliard
Hinojosa
Hobson
Hoekstra
Hooley
Horn
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Inglis
Istook
Jackson (IL)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (WI)
Johnson, E.B.
Johnson, Sam
Jones
Kasich
Kelly
Kennelly
Kildee
Kilpatrick
Kim
Kind (WI)
King (NY)
Kingston
Kleczka
Klink
Klug
Knollenberg
Kolbe
LaHood
Lampson
Lantos
Largent
Latham
LaTourette
Lazio
Lee
Lewis (CA)
Lewis (KY)
Linder
Livingston
LoBiondo
Lofgren
Lucas
Manton
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (NY)
McCollum
McCrery
McDade
McDermott
McHale
McInnis
McIntosh
McIntyre
McKeon
McKinney
McNulty
Meek (FL)
Meeks (NY)
Metcalf
Mica
Millender-McDonald
Miller (FL)
Mink
Mollohan
Moran (KS)
Morella
Murtha
Myrick
Nethercutt
Neumann
Ney
Northup
Norwood
Nussle
Oberstar
Olver
Ortiz
Owens
Oxley
Packard
Pappas
Parker
Pascrell
Pastor
Paul
Paxon
Payne
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Pombo
Portman
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Rangel
Redmond
Regula
Reyes
Riggs
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Roybal-Allard
Royce
Rush
Ryun
Sabo
Salmon
Sanders
Sanford
Saxton
Scarborough
Schaefer, Dan
Schaffer, Bob
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Shimkus
Shuster
Sisisky
Skaggs
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Linda
Snowbarger
Snyder
Solomon
Souder
Spence
Spratt
Stark
Stearns
Stenholm
Stokes
Strickland
Stump
Sununu
Talent
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thompson
Thornberry
Thune
Tiahrt
Torres
Towns
Traficant
Turner
Upton
Velazquez
Visclosky
Walsh
Wamp
Waters
Watkins
Watt (NC)
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Weygand
White
Whitfield
Wicker
Wolf
Wynn
Yates
Young (AK)
Young (FL)

ANSWERED ''PRESENT''—51

Abercrombie
Becerra
Blagojevich
Bonior
Borski
Brady (PA)
Brown (OH)
Cardin
Coyne
Delahunt
DeLauro
Deutsch
Eshoo
Fattah
Frank (MA)
Frost
Furse
Gephardt
Gordon
Gutierrez
Hoyer
Jackson-Lee (TX)
Kanjorski
Kaptur
Kucinich
Levin
Lowey
Maloney (CT)
Maloney (NY)
McCarthy (MO)
McGovern
Meehan
Menendez
Miller (CA)
Moakley
Nadler
Neal
Pallone
Pomeroy
Rothman
Sanchez
Sawyer
Slaughter
Stabenow
Tauscher
Thurman
Tierney
Waxman
Wexler
Wise
Woolsey

NOT VOTING—8

Berman
Boyd
Cramer
Etheridge
Farr
Gonzalez
Lewis (GA)
Schumer

So less than two-thirds of the Members present having voted in favor thereof, said joint resolution was not passed.

A motion to reconsider the vote whereby said joint resolution was not was passed was, by unanimous consent, laid on the table.

¶56.10 SALES INCENTIVE COMPENSATION

The SPEAKER pro tempore, Mr. EWING, pursuant to House Resolution 461 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. 2888) to amend the Fair Labor Standards Act of 1938 to exempt from the minimum wage recordkeeping and overtime compensation requirements certain specialized employees.

Mr. WICKER, Acting Chairman of the Committee of the Whole, resumed the chair.

¶56.11 RECORDED VOTE

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

Page 6, line 9, strike the period, quotation marks, and the period following and insert a semicolon and insert after line 9 the following:

except that an employer may not require an employee who is exempt from overtime payment under this paragraph to work any hours in excess of 40 in any workweek or 8 in any day unless the employee gives the employee's consent, voluntarily and not as a condition of employment, to perform such work.''.

It was decided in the negative { Yeas ..... 181 / Nays ..... 246 }

¶56.12 [Roll No. 227]

AYES—181

Abercrombie
Ackerman
Allen
Baesler
Baldacci
Barcia
Barrett (WI)
Becerra
Bentsen
Berry
Bishop
Blagojevich
Blumenauer
Bonior
Borski
Boucher
Brady (PA)
Brown (CA)
Brown (FL)
Brown (OH)
Capps
Cardin
Carson
Clay
Clayton
Clement
Clyburn
Conyers
Costello
Coyne
Cummings
Danner
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Dixon
Doggett
Doyle
Edwards
Engel
English
Eshoo
Evans
Fattah
Fazio
Filner
Ford
Frank (MA)
Frost
Furse
Gejdenson
Gephardt
Gordon
Green
Gutierrez
Hall (OH)
Harman
Hastings (FL)
Hefner
Hilliard
Hinchey
Hinojosa
Holden
Hooley
Hoyer
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson, E. B.
Kanjorski
Kaptur
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
Kleczka
Klink
Kucinich
LaFalce
Lampson
Lantos
Lee
Levin
Lipinski
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Manton
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McDermott
McGovern
McHale
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller (CA)
Minge
Mink
Moakley
Mollohan
Moran (VA)
Murtha
Nadler
Neal
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Pomeroy
Poshard
Price (NC)
Rahall
Rangel
Reyes
Rivers
Rodriguez
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Schumer
Scott
Serrano
Sherman
Skaggs
Skelton
Slaughter
Smith, Adam
Snyder
Spratt
Stabenow
Stark
Stokes
Strickland
Stupak
Thompson
Thurman
Tierney
Torres
Towns
Turner
Velazquez
Vento
Visclosky
Waters
Watt (NC)
Waxman
Wexler
Weygand
Wise
Woolsey
Wynn
Yates

NOES—246

Aderholt
Andrews
Archer
Armey
Bachus
Baker
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bereuter
Bilbray
Bilirakis
Bliley
Blunt
Boehlert
Boehner
Bonilla
Bono
Boswell
Brady (TX)
Bryant
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Castle
Chabot
Chambliss
Chenoweth
Christensen
Coble
Coburn
Collins
Combest
Condit
Cook
Cooksey
Cox
Cramer
Crane
Crapo
Cubin
Cunningham
Davis (FL)
Davis (VA)
Deal
DeLay
Diaz-Balart
Dickey
Dooley
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
Ensign
Everett
Ewing
Fawell
Foley
Forbes
Fossella
Fowler
Fox
Franks (NJ)
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goodling
Goss
Graham
Granger
Greenwood
Gutknecht

Hall (TX)
Hamilton
Hansen
Hastert
Hastings (WA)
Hayworth
Hefley
Herger
Hill
Hilleary
Hobson
Hoekstra
Horn
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Inglis
Istook
Jenkins
John
Johnson (CT)
Johnson (WI)
Johnson, Sam
Jones
Kasich
Kelly
Kim
Kind (WI)
King (NY)
Kingston
Klug
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Lazio
Leach
Lewis (CA)
Lewis (KY)
Linder
Livingston
LoBiondo
Lucas
Manzullo
McCarthy (NY)
McCollum
McCrery
McDade
McHugh
McInnis
McIntosh
McKeon
Metcalf
Mica
Miller (FL)
Moran (KS)
Morella
Myrick
Nethercutt
Neumann
Ney
Northup
Norwood
Nussle
Oxley
Packard
Pappas
Parker
Paul
Paxon
Pease
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Pombo
Porter
Portman
Pryce (OH)
Quinn
Radanovich
Ramstad
Redmond
Regula
Riggs
Riley
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryun
Salmon
Sanford
Saxton
Scarborough
Schaefer, Dan
Schaffer, Bob
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Shimkus
Shuster
Sisisky
Skeen
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Linda
Snowbarger
Solomon
Souder
Spence
Stearns
Stenholm
Stump
Sununu
Talent
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thornberry
Thune
Tiahrt
Traficant
Upton
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wolf
Young (AK)
Young (FL)

NOT VOTING—6

Berman
Boyd
Etheridge
Farr
Gonzalez
Lewis (GA)

So the amendment was not agreed to.

After some further time,

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

When Mr. WICKER, Acting Chairman, pursuant to House Resolution 461, 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 ''Sales Incentive Compensation Act''.

SEC. 2. EXEMPTION.

Section 13(a) of the Fair Labor Standards Act of 1938 (29 U.S.C. 213(a)) is amended by striking the period at the end of paragraph (17) and inserting a semicolon and by adding at the end the following:

''(18) any employee employed in a sales position if—

''(A) the employee has specialized or technical knowledge related to products or services being sold;

''(B) the employee's—

''(i) sales are predominantly to persons or entities to whom the employee's position has made previous sales; or

''(ii) the position does not involve initiating sales contacts;

''(C) the employee has a detailed understanding of the needs of those to whom the employee is selling;

''(D) the employee exercises discretion in offering a variety of products and services;

''(E) the employee receives—

''(i) base compensation, determined without regard to the number of hours worked by the employee, of not less than an amount equal to one and one-half times the minimum wage in effect under section 6(a)(1) multiplied by 2,080; and

''(ii) in addition to the employee's base compensation, compensation based upon each sale attributable to the employee;

''(F) the employee's aggregate compensation based upon sales attributable to the employee is not less than 40 percent of one and one-half times the minimum wage multiplied by 2,080;

''(G) the employee receives a rate of compensation based upon each sale attributable to the employee which is beyond sales required to reach the compensation required by subparagraph (F) which rate is not less than the rate on which the compensation required by subparagraph (F) is determined; and

''(H) the rate of annual compensation or base compensation for any employee who did not work for an employer for an entire calendar year is prorated to reflect annual compensation which would have been earned if the employee had been compensated at the same rate for the entire calendar year.''.

SEC. 3. CONSTRUCTION.

The amendment made by section 2 may not be construed to apply to individuals who are employed as route sales drivers.

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

The question being put, viva voce,

Will the House pass said bill?

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

Mr. OWENS of New York 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 affirmative ..... { Yeas ..... 261 / Nays 165

¶56.13 [Roll No. 228]

AYES—261

Aderholt
Andrews
Archer
Armey
Bachus
Baker
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bentsen
Bereuter
Bilbray
Bilirakis
Bishop
Bliley
Blunt
Boehner
Bonilla
Boswell
Brady (TX)
Bryant
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Capps
Castle
Chabot
Chambliss
Chenoweth
Christensen
Clement
Coble
Coburn
Collins
Combest
Condit
Cook
Cooksey
Cox
Cramer
Crane
Crapo
Cubin
Cunningham
Danner
Davis (FL)
Davis (VA)
Deal
DeLay
Dickey
Doggett
Dooley
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
Ensign
Everett
Ewing
Fawell
Foley
Forbes
Fossella
Fowler
Fox
Franks (NJ)
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Greenwood
Gutknecht
Hall (TX)
Hansen
Harman
Hastert
Hastings (WA)
Hayworth
Hefley
Herger
Hill
Hilleary
Hinojosa
Hobson
Hoekstra
Holden
Horn
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Inglis
Istook
Jenkins
John
Johnson (CT)
Johnson (WI)
Johnson, Sam
Jones
Kasich
Kelly
Kim
Kind (WI)
King (NY)
Kingston
Klug
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Lazio
Leach
Lewis (KY)
Linder
Lipinski
Livingston
LoBiondo
Lucas
Luther
Manzullo
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McHugh
McInnis
McIntosh
McIntyre
McKeon
Metcalf
Mica
Miller (FL)
Minge
Moran (KS)
Moran (VA)
Morella
Myrick
Nethercutt
Neumann
Ney
Northup
Norwood
Nussle
Oxley
Packard
Pappas
Parker
Paul
Paxon
Pease
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Pombo
Porter
Portman
Price (NC)
Pryce (OH)
Quinn
Radanovich
Ramstad
Redmond
Regula
Riggs
Riley
Rivers
Roemer
Rogan
Rogers
Rohrabacher
Roukema
Royce
Ryun
Salmon
Sanford
Saxton
Scarborough
Schaefer, Dan
Schaffer, Bob
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherman
Shimkus
Shuster
Sisisky
Skeen
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Linda
Snowbarger
Solomon
Souder
Spence
Spratt
Stabenow
Stearns
Stenholm
Stump
Sununu
Talent
Tanner
Tauscher
Tauzin
Taylor (NC)
Thomas
Thornberry
Thune
Thurman
Tiahrt
Traficant
Turner
Upton
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wolf
Young (AK)
Young (FL)

NOES—165

Abercrombie
Ackerman
Allen
Baesler
Baldacci
Barcia
Barrett (WI)
Becerra
Berry
Blagojevich
Blumenauer
Boehlert
Bonior
Bono
Borski
Boucher
Brady (PA)
Brown (CA)
Brown (FL)
Brown (OH)
Cardin
Carson
Clay
Clayton
Clyburn
Conyers
Costello
Coyne
Cummings
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Diaz-Balart
Dicks
Dingell
Dixon
Doyle
Edwards
Engel
English
Eshoo
Evans
Fattah
Fazio
Filner
Ford
Frank (MA)
Frost
Furse
Gejdenson
Gephardt
Gilman
Green
Gutierrez
Hall (OH)
Hamilton
Hastings (FL)
Hefner
Hilliard
Hinchey
Hooley
Hoyer
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson, E. B.
Kanjorski
Kaptur
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
Kleczka
Klink
Kucinich
LaFalce
Lampson
Lantos
Lee
Levin
Lofgren
Lowey
Maloney (CT)
Maloney (NY)
Manton
Markey
Martinez
Mascara
Matsui
McDade
McDermott
McGovern
McHale
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller (CA)
Mink
Moakley
Mollohan
Murtha
Nadler
Neal
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell

Pastor	Sandlin	Tierney
Payne	Sawyer	Torres
Pelosi	Schumer	Towns
Pomeroy	Scott	Velazquez
Poshard	Serrano	Vento
Rahall	Skaggs	Visclosky
Rangel	Skelton	Waters
Reyes	Slaughter	Watt (NC)
Rodriguez	Smith, Adam	Waxman
Ros-Lehtinen	Snyder	Wexler
Rothman	Stark	Weygand
Roybal-Allard	Stokes	Wise
Rush	Strickland	Woolsey
Sabo	Stupak	Wynn
Sanchez	Taylor (MS)	Yates
Sanders	Thompson	

NOT VOTING—7

Berman	Farr	Lewis (GA)
Boyd	Gonzalez	
Etheridge	Lewis (CA)	

So the bill was passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶56.14 CLERK TO CORRECT ENGROSSMENT

On motion of Mr. FAWELL, by unanimous consent,

Ordered, That in the engrossment of the foregoing bill the Clerk be authorized to make technical corrections and conforming and other changes as may be necessary to reflect the actions of the House in amending the bill.

¶56.15 CHILD PROTECTION AND SEXUAL PREDATOR PUNISHMENT

The SPEAKER pro tempore, Mr. EWING, pursuant to House Resolution 465 and rule XXIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 3494) to amend title 18, United States Code, with respect to violent sex crimes against children, and for other purposes.

The SPEAKER pro tempore, Mr. EWING, by unanimous consent, designated Mr. MCHUGH as Chairman of the Committee of the Whole; and after some time spent therein,

¶56.16 RECORDED VOTE

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

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

TITLE V—PUBLIC ACCESS TO FBI DATABASE ON SEXUAL OFFENDERS

SEC. 501. ESTABLISHMENT OF TELEPHONE ACCESS FOR THE PUBLIC TO FBI DATABASE ON SEXUAL OFFENDERS.

Subtitle A of title XVII of the Violent Crime Control and Law Enforcement Act of 1994 (42 U.S.C. 14071 et seq.) is amended by adding at the end the following new section:

"SEC. 170103. TELEPHONE ACCESS FOR THE PUBLIC TO FBI DATABASE.

"(a) ESTABLISHMENT.—(1) The Attorney General shall establish, publicize, and operate a national telephone service by which a person (as defined in subsection (f)(2)) may request the information described in paragraph (2).

"(2) The information described in this paragraph is whether an individual (as defined in subsection (f)(3)), other than a victim of an offense that requires registration under this subtitle, is listed in the database established under section 170102.

"(b) PREREQUISITE FOR ACCESS TO INFORMATION.—The Attorney General shall not disclose the information described in subsection (a)(2) unless the person seeking such information provides his or her full name, the full name of the individual, and one or more of the following:

"(1) The address of the individual's residence.

"(2) The individual's Social Security number.

"(3) The individual's driver's license number or the number the identification card issued by State or local authorities in lieu of a driver's license.

"(4) The individual's date of birth.

"(5) Such other information as the Attorney General determines to be appropriate for purposes of identification of the individual.

"(c) NOTICE TO CALLER.—Prior to disclosing information described in subsection (a)(2), and without charging a fee for the same, the Attorney General shall provide the following general information in the form of a recorded message:

"(1) The requirements described in subsection (b).

"(2) The fee for the use of the telephone service.

"(3) A warning that information received pursuant to such request may not be misused, as described in subsection (e), and notice of the penalties for such misuse of the information.

"(4) A warning that the service is not be available to persons under 18 years of age.

"(5) Such other information as the Attorney General determines to be appropriate.

"(d) FEES FOR USE OF SERVICE.—

"(1) FEE FOR ACCESS TO INFORMATION IN DATABASE.—The Attorney General shall charge a fee for each use of the service for information described in subsection (a) from the service.

"(2) LIMITATION ON NUMBER OF REQUESTS.—A person may not make more than two requests for such information per use of the service.

"(3) USE OF FEES TO DEFRAY EXPENSES OF SERVICE.—To the extent provided in advance in appropriations Acts, moneys received under paragraph (1) shall be used to pay for the expenses of the operation of the service.

"(e) PENALTIES FOR MISUSE OF INFORMATION.—

"(1) PROHIBITIONS.—Whoever, having obtained information described in subsection (a)(2) from the service, knowingly uses such information—

"(A) for any purpose other than to protect a minor at risk; or

"(B) with respect to insurance, housing, or any other use that the Attorney General may determine—

"(i) is unnecessary for the protection of a minor at risk or;

"(ii) which creates a disproportionate prejudicial effect,

shall be punished as provided in paragraph (2).

"(2) CIVIL PENALTY.—Each person who violates the provisions of paragraph (1) shall be subject to a civil penalty imposed by the Attorney General of not more than $1,000 for each violation.

"(f) DEFINITIONS.—As used in this section:

"(1) MINOR AT RISK.—The term 'minor at risk' means a minor, as that term is defined in section 2256(1) of title 18, United States Code, who is or may be in danger of becoming a victim of an offense, for which registration is required under this subtitle, by an individual about whom the information described in subsection (a)(2) is sought.

"(2) PERSON.—The term 'person' means a person who requests the information described in subsection (a)(2).

It was decided in the affirmative { Yeas ..... 247 / Nays ..... 175 }

¶56.17 [Roll No. 229]

AYES—247

Abercrombie	Green	Pappas
Ackerman	Gutierrez	Pascrell
Aderholt	Hall (TX)	Pastor
Allen	Hansen	Payne
Andrews	Harman	Pease
Baesler	Hayworth	Peterson (MN)
Baldacci	Hefley	Peterson (PA)
Barcia	Herger	Petri
Barrett (NE)	Hill	Pickering
Bartlett	Hilleary	Pomeroy
Bentsen	Hinchey	Poshard
Bereuter	Hinojosa	Price (NC)
Berry	Hoekstra	Pryce (OH)
Bilbray	Holden	Quinn
Bilirakis	Hooley	Radanovich
Bishop	Horn	Ramstad
Blagojevich	Hostettler	Redmond
Bono	Hoyer	Reyes
Borski	Hulshof	Riley
Boswell	Istook	Rivers
Brady (TX)	Jackson-Lee (TX)	Rodriguez
Brown (CA)	Jefferson	Roemer
Brown (OH)	Jenkins	Rogan
Bryant	John	Ros-Lehtinen
Bunning	Johnson (CT)	Rothman
Burton	Johnson (WI)	Roukema
Calvert	Jones	Royce
Camp	Kaptur	Ryun
Campbell	Kelly	Salmon
Cannon	Kennedy (MA)	Sanchez
Capps	Kennedy (RI)	Sandlin
Carson	Kennelly	Sawyer
Chabot	Kildee	Saxton
Chambliss	Kim	Scarborough
Chenoweth	Kleczka	Schaefer, Dan
Christensen	Klink	Schaffer, Bob
Clayton	Kucinich	Schumer
Clyburn	LaFalce	Serrano
Condit	Largent	Sherman
Cook	Latham	Shimkus
Costello	LaTourette	Skeen
Cox	Lazio	Skelton
Crapo	Leach	Slaughter
Cubin	Levin	Smith (MI)
Cummings	Lewis (KY)	Smith (NJ)
Cunningham	Lipinski	Smith, Adam
Danner	LoBiondo	Snowbarger
Davis (FL)	Lowey	Solomon
DeFazio	Lucas	Souder
Diaz-Balart	Luther	Spratt
Dickey	Maloney (CT)	Stearns
Doggett	Maloney (NY)	Stenholm
Doolittle	Manton	Strickland
Doyle	Manzullo	Sununu
Dreier	Markey	Talent
Emerson	Martinez	Taylor (MS)
Engel	Mascara	Taylor (NC)
English	McCarthy (MO)	Thune
Ensign	McCarthy (NY)	Tiahrt
Etheridge	McGovern	Tierney
Evans	McHale	Torres
Fawell	McHugh	Towns
Fazio	McInnis	Traficant
Filner	McIntyre	Turner
Forbes	McKeon	Upton
Ford	McNulty	Velazquez
Fossella	Meehan	Walsh
Fox	Menendez	Wamp
Franks (NJ)	Metcalf	Watkins
Frelinghuysen	Minge	Watts (OK)
Frost	Moran (KS)	Waxman
Furse	Morella	Weldon (FL)
Gallegly	Nadler	Weldon (PA)
Ganske	Neal	Weller
Gejdenson	Neumann	Weygand
Gephardt	Ney	Whitfield
Gibbons	Nussle	Wicker
Gilman	Oberstar	Wise
Goode	Olver	Woolsey
Goodlatte	Ortiz	Wynn
Goodling	Packard	Yates
Gordon	Pallone	Young (AK)
Graham		

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Archer	Bateman	Boyd
Armey	Bliley	Brady (PA)
Bachus	Blumenauer	Brown (FL)
Baker	Blunt	Burr
Ballenger	Boehlert	Buyer
Barr	Boehner	Callahan
Barrett (WI)	Bonilla	Canady
Barton	Bonior	Cardin
Bass	Boucher	Castle

Clay	Hunter	Pickett
Clement	Hutchinson	Pitts
Coble	Hyde	Pombo
Coburn	Jackson (IL)	Porter
Collins	Johnson, E. B.	Portman
Combest	Johnson, Sam	Rahall
Conyers	Kanjorski	Rangel
Cooksey	Kasich	Regula
Coyne	Kilpatrick	Riggs
Cramer	Kind (WI)	Rogers
Crane	King (NY)	Rohrabacher
Davis (IL)	Kingston	Roybal-Allard
Davis (VA)	Klug	Rush
Deal	Knollenberg	Sabo
DeGette	Kolbe	Sanders
Delahunt	LaHood	Sanford
DeLauro	Lampson	Scott
DeLay	Lantos	Sensenbrenner
Deutsch	Lee	Sessions
Dicks	Lewis (CA)	Shadegg
Dingell	Linder	Shaw
Dixon	Livingston	Shuster
Dooley	Lofgren	Sisisky
Duncan	Matsui	Skaggs
Dunn	McCollum	Smith (OR)
Edwards	McCrery	Smith (TX)
Ehlers	McDade	Smith, Linda
Ehrlich	McDermott	Snyder
Eshoo	McIntosh	Spence
Everett	McKinney	Stabenow
Ewing	Meek (FL)	Stark
Fattah	Meeks (NY)	Stokes
Foley	Mica	Stump
Fowler	Millender-McDonald	Stupak
Frank (MA)	Miller (CA)	Tanner
Gekas	Miller (FL)	Tauscher
Gilchrest	Mink	Tauzin
Gillmor	Mollohan	Thomas
Goss	Moran (VA)	Thompson
Granger	Murtha	Thornberry
Greenwood	Myrick	Thurman
Gutknecht	Nethercutt	Vento
Hall (OH)	Northup	Visclosky
Hamilton	Norwood	Waters
Hastert	Obey	Watt (NC)
Hastings (FL)	Owens	Wexler
Hastings (WA)	Oxley	White
Hefner	Paul	Wolf
Hobson	Pelosi	Young (FL)
Houghton		

NOT VOTING—11

Becerra	Hilliard	Parker
Berman	Inglis	Paxon
Farr	Lewis (GA)	Shays
Gonzalez	Moakley	

So the amendment was agreed to.

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

When Mr. CHAMBLISS, Acting Chairman, pursuant to House Resolution 465, reported the bill back to the House with an amendment adopted by the Committee.

The previous question having been ordered by said resolution.

Strike out all after the enacting clause and insert:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Child Protection and Sexual Predator Punishment Act of 1998''.

TITLE I—PROTECTING CHILDREN FROM SEXUAL PREDATORS AND COMPUTER PORNOGRAPHY

SEC. 101. CONTACTING MINORS FOR SEXUAL PURPOSES.

Section 2422 of title 18, United States Code, is amended by adding at the end the following:

''(c) Whoever, using the mail or any facility or means of interstate or foreign commerce, or within the special maritime and territorial jurisdiction of the United States—

''(1) knowingly contacts an individual who has not attained the age of 18 years; or

''(2) knowingly contacts an individual, who has been represented to the person making the contact as not having attained the age of 18 years,

for the purposes of engaging in any sexual activity, with a person who has not attained the age of 18 years, for which any person may be criminally prosecuted, or attempts to do so, shall be fined under this title or imprisoned not more than 5 years, or both. It is a defense to a prosecution for an offense under this section that the sexual activity is prosecutable only because of the age of the individual contacted, the individual contacted had attained the age of 12 years, and the defendant was not more than 4 years older than the individual contacted.''.

SEC. 102. TRANSFER OF OBSCENE MATERIAL TO MINORS.

(a) IN GENERAL.—Chapter 71 of title 18, United States Code, is amended by adding at the end the following:

''§ 1470. Transfer of obscene material to minors

''Whoever, using the mail or any facility or means of interstate or foreign commerce—

''(1) knowingly transfers obscene matter to an individual who has not attained the age of 18 years, or attempts to do so; or

''(2) knowingly transfers obscene matter to an individual who has been represented to the transferor as not having attained the age of 18 years,

shall be fined under this title or imprisoned not more than 5 years, or both.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 71 of title 18, United States Code, is amended by adding at the end the following new item:

''1470. Transfer of obscene material to minors.''.

SEC. 103. INCREASED PRISON SENTENCES FOR ENTICEMENT OF MINORS.

Section 2422 of title 18, United States Code, is amended—

(1) in subsection (a), by adding at the end ''If the individual had not attained the age of 18 years at the time of the offense, the maximum imprisonment for an offense under this subsection is 10 years.''; and

(2) in subsection (b), by striking ''10'' and inserting ''15''.

SEC. 104. ADDITIONAL JURISDICTIONAL BASE FOR PROSECUTION OF PRODUCTION OF CHILD PORNOGRAPHY.

(a) USE OF A CHILD.—Subsection (a) of section 2251 of title 18, United States Code, is amended by inserting ''if such visual depiction was produced with materials that had been mailed, shipped, or transported in interstate or foreign commerce by any means, including a computer,'' before ''or if''.

(b) ALLOWING USE OF A CHILD.—Subsection (b) of section 2251 of title 18, United States Code, is amended by inserting '', if such visual depiction was produced with materials that had been mailed, shipped, or transported in interstate or foreign commerce by any means, including a computer,'' before ''or if''.

SEC. 105. INCREASED PENALTIES FOR CERTAIN ACTIVITIES RELATING TO MATERIAL INVOLVING THE SEXUAL EXPLOITATION OF MINORS OR CHILD PORNOGRAPHY AND TECHNICAL CORRECTION.

(a) INCREASED PENALTIES IN SECTION 2252.—Section 2252(b) of title 18, United States Code, is amended—

(1) in each of paragraphs (1) and (2), by striking ''or chapter 109A'' and inserting '', chapter 109A, or chapter 117''; and

(2) in paragraph (2), by inserting ''the offense consisted of the possession of 50 or more items of the sort described in subsection (a)(4) or'' after ''if''.

(b) INCREASED PENALTIES IN SECTION 2251(d).—Section 2251(d) of title 18, United States Code, is amended by striking ''or chapter 109A'' each place it appears and inserting '', chapter 109A, or chapter 117''.

(c) INCREASED PENALTIES IN SECTION 2252A.—Section 2252A(b)(2) of title 18, United States Code, is amended by inserting ''the offense consisted of the possession of 50 or more images of the sort described in subsection (a)(4) or'' after ''if''.

(d) MODIFICATION OF POSSESSION OFFENSE.—Section 2252(a) of title 18, United States Code, is amended so that paragraph (4) reads as follows:

''(4) either—

''(A) in the special maritime and territorial jurisdiction of the United States, or on any land or building owned by, leased to, or otherwise used by or under the control of the Federal Government, or in the Indian country (as defined in section 1151 of this title), knowingly possesses a book, magazine, periodical, computer disk, film, video tape, or any other matter that contains a visual depiction of sexually explicit conduct and the production of which involves the use of a minor engaging in that conduct; or

''(B) knowingly possesses a book, magazine, periodical, computer disk, film, video tape, or any other matter that—

''(i) has been mailed, or has been shipped or transported by any means, including computer, in interstate or foreign commerce, or which was produced using materials which were mailed or so shipped or transported; and

''(ii) contains a visual depiction of sexually explicit conduct and the production of which involves the use of a minor engaging in that conduct;''.

(e) CHILD PORNOGRAPHY POSSESSION OFFENSE.—Section 2252A(a)(5) of title 18, United States Code, is amended in each of subparagraphs (A) and (B), by striking ''3 or more images of'' and inserting ''an image of''.

SEC. 106. CRIMINAL FORFEITURE FOR SOLICITATION OF MINORS AND INTERSTATE PROSTITUTION.

Section 2253(a) of title 18, United States Code, is amended by inserting '', or who is convicted of an offense under section 2421, 2422, 2423, 2252A, or 2260 of this title,'' after ''2252 of this chapter'' in the matter preceding paragraph (1).

SEC. 107. PRETRIAL DETENTION OF CHILD SEX OFFENDERS.

Subparagraph (C) of section 3156(a)(4) of title 18, United States Code, is amended to read as follows:

''(C) any felony under chapter 109A, 110, or 117; and''.

SEC. 108. INCREASED PRISON SENTENCES.

Subsection (b) of section 2422 of title 18, United States Code, is amended by adding at the end the following: ''If in the course of committing the offense under this subsection, the defendant used a computer to transmit a communication to the minor, the minimum term of imprisonment for the offense under this subsection is 3 years.''.

SEC. 109. REPEAT OFFENDERS IN TRANSPORTATION OFFENSE.

(a) GENERALLY.—Chapter 117 of title 18, United States Code, is amended by adding at the end the following:

''§ 2425. Repeat offenders

''(a) The maximum term of imprisonment for a violation of this chapter after a prior sex offense conviction shall be twice the term otherwise provided by this chapter.

''(b) As used in this section, the term 'prior sex offense conviction' means a conviction for an offense—

''(1) under this chapter or chapter 109A or 110; or

''(2) under State law for an offense consisting of conduct that would have been an offense under a chapter referred to in paragraph (1) if the conduct had occurred within the special maritime and territorial jurisdiction of the United States or in any Territory or Possession of the United States.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 117 of

title 18, United States Code, is amended by adding at the end the following new item:

''2425. Repeat offenders.''.

SEC. 110. DEFINITION AND ADDITION OF ATTEMPT OFFENSE.

(a) DEFINITION.—

(1) IN GENERAL.—Chapter 117 of title 18, United States Code, is amended by adding at the end the following:

''§ 2426. Definition for chapter

''For the purposes of this chapter, sexual activity for which any person can be charged with a criminal offense includes the production of child pornography, as defined in section 2256(8).''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 117 of title 18, United States Code, is amended by adding at the end the following new item:

''2426. Definition for chapter.''.

(b) ATTEMPT OFFENSE.—Section 2422(a) of title 18, United States Code, is amended by inserting ''or attempts to do so,'' after ''criminal offense,''.

SEC. 111. USE OF INTERSTATE FACILITIES TO TRANSMIT IDENTIFYING INFORMATION ABOUT A MINOR FOR CRIMINAL SEXUAL PURPOSES.

(a) IN GENERAL.—Chapter 110 of title 18, United States Code, is amended by adding at the end the following:

''§ 2260A. Use of interstate facilities to transmit information about a minor

''Whoever, using the mail or any facility or means of interstate or foreign commerce, or within the special maritime and territorial jurisdiction of the United States, knowingly transmits, prints, publishes, or reproduces, or causes to be transmitted, printed, published, or reproduced, the name, address, telephone number, electronic mail address, or other identifying information of an individual who has not attained the age of 18 years for the purposes of facilitating, encouraging, offering, or soliciting any person to engage in any sexual activity for which any person may be criminally prosecuted, or attempts to do so, shall be fined under this title or imprisoned not more than 5 years, or both.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

''2260A. Use of interstate facilities to transmit information about a minor.''.

SEC. 112. STUDY OF PERSISTENT SEXUAL OFFENDERS.

The National Institute of Justice, either directly or through grant, shall carry out a study of persistent sexual predators. Not later than one year after the date of the enactment of this Act, such Institute shall report to Congress and the President the results of such study. Such report shall include—

(1) a synthesis of current research in psychology, sociology, law, criminal justice, and other fields regarding persistent sexual offenders, including—

(A) common characteristics of such offenders;

(B) recidivism rates for such offenders;

(C) treatment techniques and their effectiveness;

(D) responses of offenders to treatment and deterrence; and

(E) the possibility of early intervention to prevent people from becoming sexual predators; and

(2) an agenda for future research in this area.

SEC. 113. REPORTING OF CHILD PORNOGRAPHY BY ELECTRONIC COMMUNICATION SERVICE PROVIDERS.

(a) IN GENERAL.—Whoever, while engaged in providing an electronic communication service or a remote computing service to the public, through a facility or means of interstate or foreign commerce, obtains knowledge of facts or circumstances from which a violation of section 2251, 2251A, 2252, or 2252A of title 18, United States Code, involving child pornography (as defined in section 2256 of such title), is apparent shall, as soon as reasonably possible, make a report of such facts or circumstances to an agency or agencies designated by the Attorney General. The Attorney General shall make a designation of the agency or agencies described in the preceding sentence not later than 180 days after the date of the enactment of this subsection. A person who fails to make a report required under this section shall be fined not more than $100,000. A term used in this section has the same meaning given that term when used in section 226(a) of the Crime Control Act of 1990 (42 U.S.C. 13031(a)).

(b) EXCEPTION TO PROHIBITION ON DISCLOSURE.—Section 2702(b)(6) of title 18, United States Code, is amended to read as follows:

''(6) to a law enforcement agency—

''(A) if such contents—

''(i) were inadvertently obtained by the service provider; and

''(ii) appear to pertain to the commission of a crime; or

''(B) if required by section 113 of the Child Protection and Sexual Predator Punishment Act of 1998.''.

(c) CIVIL LIABILITY.—No provider or user of an electronic communication service or a remote computing service to the public shall be held liable on account of any action taken in good faith to comply with this section.

(d) LIMITATION OF INFORMATION OR MATERIAL REQUIRED IN REPORT.—A report under this section may include information or material developed by an electronic communication service or remote computing service, but the Federal Government may not require an electronic communication service or remote computing service to include such information or material in that report.

TITLE II—PUNISHING SEXUAL PREDATORS

SEC. 201. SENTENCING ENHANCEMENT IN SECTION 2423 CASES.

(a) IN GENERAL.—Pursuant to its authority under section 994(p) of title 28, United States Code, the United States Sentencing Commission shall review and amend the sentencing guidelines to provide a sentencing enhancement for any offense listed in section 2423 of title 18, United States Code.

(b) INSTRUCTION TO COMMISSION.—The Sentencing Commission shall ensure that the sentences, guidelines, and policy statements for offenders convicted of offenses described in subsection (a) are appropriately severe and reasonably consistent with other relevant directives and with other guidelines.

SEC. 202. INCREASED PENALTIES FOR TRANSPORTATION OF MINORS OR ASSUMED MINORS FOR ILLEGAL SEXUAL ACTIVITY AND RELATED CRIMES.

Section 2423 of title 18, United States Code, is amended to read as follows:

''§ 2423. Transportation of minors and assumed minors

''(a) TRANSPORTATION WITH INTENT TO ENGAGE IN CRIMINAL SEXUAL ACTIVITY.—A person who knowingly—

''(1) transports an individual who has not attained the age of 18 years; or

''(2) transports an individual who has been represented to the person doing that transportation as not having attained the age of 18 years,

in interstate or foreign commerce, or in any Territory or Possession of the United States, with intent that the individual engage in prostitution, or in any sexual activity for which any person can be charged with a criminal offense, shall be fined under this title or imprisoned not more than 15 years, or both.

''(b) TRAVEL WITH INTENT TO ENGAGE IN SEXUAL ACT WITH A JUVENILE.—A person who travels in interstate commerce, or conspires to do so, or a United States citizen or an alien admitted for permanent residence in the United States who travels in foreign commerce, or conspires to do so, for the purpose of engaging in any sexual activity, with another person who has not attained the age of 18 years or who has been represented to the traveler or conspirator as not having attained the age of 18 years, for which any person can be charged with a criminal offense, shall be fined under this title, imprisoned not more than 15 years, or both.''.

SEC. 203. INCREASED PENALTIES FOR ABUSIVE SEXUAL CONTACT.

Section 2244 of title 18, United States Code, is amended by adding at the end the following:

''(c) OFFENSES INVOLVING YOUNG CHILDREN.—If the sexual contact that violates this section is with an individual who has not attained the age of 12 years, the maximum term of imprisonment that may be imposed for the offense shall be twice that otherwise provided in this section.''.

SEC. 204. PUNISHMENT FOR REPEAT OFFENDERS.

Section 2241 of title 18, United States Code, is amended by inserting after subsection (d) the following:

''(e) PUNISHMENT FOR REPEAT OFFENDERS.—(1) Whoever has twice previously been convicted of a serious State or Federal sex crime and who—

''(A) violates this section; or

''(B) in a circumstance described in paragraph (2) of this subsection, engages in conduct that would have violated this section if the conduct had occurred in the special maritime and territorial jurisdiction of the United States,

shall be imprisoned for life.

''(2) The circumstance referred to in paragraph (1) of this subsection is that—

''(A) the person engaging in such conduct traveled in interstate or foreign commerce or used the mail or any facility or means of interstate or foreign commerce in furtherance of the offense; or

''(B) such conduct occurs in or affects interstate or foreign commerce and would have violated this section if the conduct had occurred in the special maritime and territorial jurisdiction of the United States.

''(f) SERIOUS STATE OR FEDERAL SEX CRIME.—For the purposes of subsections (e) and (f), the term serious State or Federal sex crime means a State or Federal offense for conduct which—

''(1) is an offense under this section or section 2242 of this title; or

''(2) would have been an offense under either of such sections if the offense had occurred in the special maritime or territorial jurisdiction of the United States.''.

SEC. 205. REPEAT OFFENDERS IN SEXUAL ABUSE CASES.

Section 2247 of title 18, United States Code, is amended to read as follows:

''§ 2247. Repeat offenders

''(a) The maximum term of imprisonment for a violation of this chapter after a prior sex offense conviction shall be twice the term otherwise provided by this chapter.

''(b) As used in this section, the term 'prior sex offense conviction' has the meaning given that term in section 2425.''.

SEC. 206. CIVIL REMEDY FOR PERSONAL INJURIES RESULTING FROM CERTAIN SEX CRIMES AGAINST CHILDREN.

Section 2255(a) of title 18, United States Code, is amended by striking ''2251 or 2252'' and inserting ''2241(c), 2243, 2251, 2252, 2421, 2422, or 2423''.

SEC. 207. ELIMINATION OF REDUNDANCY AND AMBIGUITIES.

(a) REDUNDANCY.—Section 2243(a) of title 18, United States Code, is amended by striking ''crosses a State line with intent to engage in a sexual act with a person who has not attained the age of 12 years, or''.

(b) MAKING CONSISTENT LANGUAGE ON AGE DIFFERENTIAL.—Section 2241(c) of title 18, United States Code, is amended by striking ''younger than that person'' and inserting ''younger than the person so engaging''.

(c) DEFINITION OF STATE.—Section 2246 of title 18, United States Code, is amended—

(1) in paragraph (5), by striking the period and inserting a semicolon; and

(2) by adding a new paragraph as follows:

''(6) the term 'State' means a State of the United States, the District of Columbia, and any commonwealth, possession, or territory of the United States.''.

SEC. 208. DEATH OR LIFE IN PRISON FOR CERTAIN OFFENSES WHOSE VICTIMS ARE CHILDREN.

Section 3559 of title 18, United States Code, is amended by adding at the end the following:

''(d) DEATH OR IMPRISONMENT FOR CRIMES AGAINST CHILDREN.—Notwithstanding any other provision of law, a person who is convicted of a Federal offense that is a serious violent felony (as defined in subsection (c)) or a violation of section 2251 shall, unless the sentence of death is imposed, be sentenced to imprisonment for life, if the victim of the offense is under 14 years of age, the victim dies as a result of the offense, and the defendant, in the course of the offense, engages in conduct described in section 3591(a)(2).''.

TITLE III—FEDERAL INVESTIGATIONS OF SEX CRIMES AGAINST CHILDREN AND SERIAL KILLERS

SEC. 301. ADMINISTRATIVE SUBPOENAS.

(a) IN GENERAL.—Chapter 203 of title 18, United States Code, is amended by adding at the end the following:

''§ 3064. Administrative subpoenas

''(a) AUTHORIZATION OF USE.—In an investigation of an alleged violation of section 2241(c), 2243, 2421, 2422, or 2423 of this title where a victim is an individual who has not attained the age of 18 years, the Attorney General may subpoena witnesses, compel the production of any records (including books, papers, documents, electronic data, and other tangible things which constitute or contain evidence) which the Attorney General finds relevant or material to the investigation. The attendance of witnesses and the production of records may be required from any place in any State or in any territory or other place subject to the jurisdiction of the United States at any designated place of hearing, except that a witness shall not be required to appear at any hearing more than 500 miles distant from the place where the witness was served with a subpoena. Witnesses summoned under this section shall be paid the same fees and commissions that are paid witnesses in the courts of the United States.

''(b) SERVICE.—A subpoena issued under this section may be served by any person designated in the subpoena to serve it. Service upon a natural person may be made by personal delivery of the subpoena to that person or by certified mail with return receipt requested. Service may be made upon a domestic or foreign corporation or upon a partnership or other unincorporated association which is subject to suit under a common name, by delivering the subpoena to an officer, to a managing or general agent, or any other agent authorized by appointment or by law to receive service of process. The affidavit of the person serving the subpoena entered on a true copy thereof by the person serving it shall be proof of service.

''(c) ENFORCEMENT.—In the case of contumacy by or the refusal to obey a subpoena issued to any person under this section, the Attorney General may invoke the aid of any court of the United States within the jurisdiction of which the investigation is carried on, or of which the person is an inhabitant or in which the person carries on business or may be found, to compel compliance with the subpoena. The court may issue an order requiring the subpoenaed person to appear before the Attorney General to produce records, if so ordered, or to give testimony regarding the matter under investigation. Any failure to obey the order of the court may be punished by the court as contempt thereof. All process in any such case may be served in any judicial district in which such person may be found.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 203 of title 18, United States Code, is amended by adding at the end the following new item:

''3064. Administrative subpoenas.''.

SEC. 302. KIDNAPPING.

(a) 24-HOUR RULE.—Section 1201(b) of title 18, United States Code, is amended by adding at the end the following: ''However, the fact that the presumption under this section has not yet taken effect does not preclude a Federal investigation of a possible violation of this section before the twenty-four hour period has ended.''.

(b) JURISDICTIONAL ELEMENTS.—Section 1201(a) of title 18, United States Code, is amended—

(1) by striking ''or'' at the end of paragraph (4); and

(2) by adding after paragraph (5) the following:

''(6) the mail or any facility or means of interstate or foreign commerce is used in furtherance of the offense; or

''(7) the offense affects interstate or foreign commerce, or would do so if the offense were consummated;''.

(c) CLARIFICATION OF ELEMENT OF OFFENSE.—Section 1201(a) of title 18, United States Code, is amended by inserting '', regardless of whether such person was alive when transported across a State boundary provided the person was alive when the transportation began'' before the semicolon at the end of paragraph (1).

SEC. 303. AUTHORITY TO INVESTIGATE SERIAL KILLINGS.

(a) IN GENERAL.—Chapter 33 of title 28, United States Code, is amended by inserting after section 537 the following:

''§ 540B. Investigation of serial killings

''(a) The Attorney General and the Federal Bureau of Investigation may investigate serial killings in violation of the laws of a State or political subdivision, when such investigation is requested by the head of a law enforcement agency with investigative or prosecutive jurisdiction over the offense.

''(b) For purposes of this section—

''(1) the term 'serial killings' means a series of 3 or more killings, at least one of which was committed within the United States, having common characteristics such as to suggest the reasonable possibility that the crimes were committed by the same actor or actors;

''(2) the term 'killing' means conduct that would constitute an offense under section 1111 of title 18, United States Code, if Federal jurisdiction existed; and

''(3) the term 'State' means a State of the United States, the District of Columbia, and any commonwealth, territory, or possession of the United States.''.

(b) The table of sections at the beginning of chapter 33 of title 28, United States Code, is amended by adding at end the following new item:

''540B. Investigation of serial killings.''.

SEC. 304. MORGAN P. HARDIMAN CHILD ABDUCTION AND SERIAL MURDER INVESTIGATIVE RESOURCES CENTER.

(a) ESTABLISHMENT.—Not later than 90 days after the date of the enactment of this Act, the Attorney General shall establish a Child Abduction and Serial Murder Investigative Resources Center to be known as the ''Morgan P. Hardiman Child Abduction and Serial Murder Investigative Resources Center'' (hereinafter in this section referred to as the ''CASMIRC'').

(b) PURPOSE.—The purpose of this section is to establish a Federal Bureau of Investigation Child Abduction and Serial Murder Investigative Resources Center managed by the FBI's Critical Incident Response Group's National Center for the Analysis of Violent Crime (NCAVC) and multidisciplinary resource teams in FBI field offices to provide investigative support through the coordination and provision of Federal law enforcement resources, training, and application of other multidisciplinary expertise, to assist Federal, State, and local authorities in matters involving child abductions, mysterious disappearance of children, child homicide, and serial murder across the country. The CASMIRC shall be co-located with the NCAVC.

(c) DUTIES OF THE CASMIRC.—The CASMIRC shall perform such duties as the Attorney General deems appropriate to carry out the purposes of the CASMIRC, including but not limited to—

(1) identifying, developing, researching, acquiring, and refining multidisciplinary information and specialities to provide for the most current expertise available to advance investigative knowledge and practices used in child abduction, mysterious disappearance of children, child homicide, and serial murder investigations;

(2) providing advice and coordinating the application of current and emerging technical, forensic, and other Federal assistance to Federal, State, and local authorities in child abduction, mysterious disappearances of children, child homicide, and serial murder investigations;

(3) providing investigative support, research findings, and violent crime analysis to Federal, State, and local authorities in child abduction, mysterious disappearances of children, child homicide, and serial murder investigations;

(4) providing, if requested by a Federal, State, or local law enforcement agency, on site consultation and advice in child abduction, mysterious disappearances of children, child homicide and serial murder investigations;

(5) coordinating the application of resources of pertinent Federal law enforcement agencies, and other Federal entities including, but not limited to, the United States Customs Service, the Secret Service, the Postal Inspection Service, and the United States Marshals Service, as appropriate, and with the concurrence of the agency head to support Federal, State, and local law enforcement involved in child abduction, mysterious disappearance of a child, child homicide, and serial murder investigations;

(6) conducting ongoing research related to child abductions, mysterious disappearances

of children, child homicides, and serial murder, including identification and investigative application of current and emerging technologies, identification of investigative searching technologies and methods for physically locating abducted children, investigative use of offender behavioral assessment and analysis concepts, gathering statistics and information necessary for case identification, trend analysis, and case linkages to advance the investigative effectiveness of outstanding abducted children cases, develop investigative systems to identify and track serious serial offenders that repeatedly victimize children for comparison to unsolved cases, and other investigative research pertinent to child abduction, mysterious disappearance of a child, child homicide, and serial murder covered in this section;

(7) working under the Federal Bureau of Investigation's NCAVC in coordination with the National Center For Missing and Exploited Children (NCMEC) and the Office of Juvenile Justice and Delinquency Prevention (OJJDP) to provide appropriate training to Federal, State, and local law enforcement in matters regarding child abductions, mysterious disappearances of children, child homicides; and

(8) establishing a centralized repository based upon case data reflecting child abductions, mysterious disappearances of children, child homicides and serial murder submitted by State and local agencies, and an automated system for the efficient collection, retrieval, analysis, and reporting of information regarding CASMIRC investigative resources, research, and requests for and provision of investigative support services.

(d) APPOINTMENT OF PERSONNEL TO THE CASMIRC.—

(1) SELECTION OF MEMBERS OF THE CASMIRC AND PARTICIPATING STATE AND LOCAL LAW ENFORCEMENT PERSONNEL.—The Director of the Federal Bureau of Investigation shall appoint the members of the CASMIRC. The CASMIRC shall be staffed with FBI personnel and other necessary personnel selected for their expertise that would enable them to assist in the research, data collection, and analysis, and provision of investigative support in child abduction, mysterious disappearance of children, child homicide and serial murder investigations. The Director may, with concurrence of the appropriate State or local agency, also appoint State and local law enforcement personnel to work with the CASMIRC.

(2) STATUS.—Each member of the CASMIRC (and each individual from any State or local law enforcement agency appointed to work with the CASMIRC) shall remain as an employee of that member's or individual's respective agency for all purposes (including the purpose of performance review), and service with the CASMIRC shall be without interruption or loss of civil service privilege or status and shall be on a nonreimbursable basis, except where appropriate to reimburse State and local law enforcement for overtime costs for an individual appointed to work with the resource team. Additionally, reimbursement of travel and per diem expenses will occur for State and local law enforcement participation in resident fellowship programs at the NCAVC when offered.

(3) TRAINING.—CASMIRC personnel, under the guidance of the Federal Bureau of Investigation's National Center for the Analysis of Violent Crime and in consultation with the NCMEC, shall develop a specialized course of instruction devoted to training members of the CASMIRC consistent with the purpose of this section. The CASMIRC shall also work with the NCMEC and OJJDP to develop a course of instruction for State and local law enforcement personnel to facilitate the dissemination of the most current multidisciplinary expertise in the investigation of child abductions, mysterious disappearances of children, child homicides, and serial murder of children.

(e) REPORT TO CONGRESS.—One year after the establishment of the CASMIRC, the Attorney General shall provide a report to Congress that describes the goals and activities of the CASMIRC. The report shall also contain information regarding the number and qualifications of the members appointed to the CASMIRC, provision for equipment, administrative support, and office space for the CASMIRC, and projected resource needs for the CASMIRC.

(f) AUTHORIZATION OF APPROPRIATION.—There are authorized to be appropriated to carry out this section such sums as may be necessary for fiscal year 1999 and each of the two succeeding fiscal years.

(g) CONFORMING REPEAL.—Subtitle C of title XVII of the Violent Crime Control and Law Enforcement Act of 1994 (42 U.S.C. 5776a et seq.) is repealed.

TITLE IV—RESTRICTED ACCESS TO INTERACTIVE COMPUTER SERVICE

SEC. 401. PRISONER ACCESS.

Notwithstanding any other provision of law, no agency, officer, or employee of the United States shall implement, or provide any financial assistance to, any Federal program or Federal activity in which a Federal prisoner is allowed access to any interactive computer service without the supervision of an official of the Federal Government.

SEC. 402. RECOMMENDED PROHIBITION.

(a) FINDINGS.—Congress finds that—

(1) a Minnesota State prisoner, serving 23 years for molesting teenage girls, worked for a nonprofit work and education program inside the prison, through which the prisoner had unsupervised access to the Internet;

(2) the prisoner, through his unsupervised access to the Internet, trafficked in child pornography over the Internet;

(3) Federal law enforcement authorities caught the prisoner with a computer disk containing 280 pictures of juveniles engaged in sexually explicit conduct;

(4) a jury found the prisoner guilty of conspiring to trade in child pornography and possessing child pornography;

(5) the United States District Court for the District of Minnesota sentenced the prisoner to 87 months in Federal prison, to be served upon the completion of his 23-year State prison term; and

(6) there has been an explosion in the use of the Internet in the United States, further placing our Nation's children at risk of harm and exploitation at the hands of predators on the Internet and increasing the ease of trafficking in child pornography.

(b) SENSE OF THE CONGRESS.—Congress strongly urges State Governors, State legislators, and State prison administrators to prohibit unsupervised access to the Internet by State prisoners.

SEC. 403. SURVEY.

(a) SURVEY.—Not later than 6 months after the date of the enactment of this Act, the Attorney General shall conduct a survey of the States to determine to what extent each State allows prisoners access to any interactive computer service and whether such access is supervised by a prison official.

(b) REPORT.—The Attorney General shall submit a report to Congress of the findings of the survey conducted pursuant to subsection (a).

(c) DEFINITION.—For purposes of this section, the term ''State'' means each of the 50 States and the District of Columbia.

TITLE V—SEX OFFENDER MANAGEMENT ASSISTANCE PROGRAM

SEC. 501. GRANTS TO STATES TO OFFSET COSTS ASSOCIATED WITH THE JACOB WETTERLING CRIMES AGAINST CHILDREN AND SEXUALLY VIOLENT OFFENDER REGISTRATION ACT.

(a) IN GENERAL.—Section 170101 of the Violent Crime Control and Law Enforcement Act of 1994 (42 U.S.C. 14071) is amended by—

(1) redesignating the second subsection (g) as subsection (h); and

(2) adding at the end the following new subsection:

''(i) GRANTS TO STATES TO COMPLY WITH THE WETTERLING ACT.—

''(1) PROGRAM AUTHORIZED.—

''(i) IN GENERAL.—The Director of the Bureau of Justice Assistance shall award a grant to each eligible State to offset costs directly associated with complying with the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act. Such grant program shall be known as the ''Sex Offender Management Assistance Program (SOMA)''.

''(ii) USES OF FUNDS.—Grants awarded under this subsection shall be—

''(I) distributed directly to the State for distribution to State and local entities; and

''(II) used for training, salaries, equipment, materials, and other costs directly associated with complying with the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act.

''(2) ELIGIBILITY.—

''(i) APPLICATION.—To be eligible to receive a grant under this subsection, the chief executive of a State shall, on an annual basis, submit an application to the Director of the Bureau of Justice Assistance (in such form and containing such information as the Director may reasonably require) assuring that—

''(I) the State complies with (or made a good faith effort to comply with) the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act; and

''(II) where applicable, the State has penalties comparable to or greater than Federal penalties for crimes listed in such Act.

The Director of the Bureau of Justice Assistance may waive the requirement of subclause (II) if a State demonstrates an overriding need for assistance under this subsection.

''(ii) REGULATIONS.—

''(I) IN GENERAL.—Not later than 90 days after the date of enactment of this subsection, the Director shall promulgate regulations to implement this subsection (including the information that must be included and the requirements that the States must meet) in submitting the applications required under this subsection. In allocating funds under this subsection, the Director may consider the annual number of sex offenders registered in each eligible State's monitoring and notification programs.

''(II) CERTAIN TRAINING PROGRAMS.—Prior to implementing this subsection, the Director of the Bureau of Justice Assistance shall study the feasibility of incorporating into the SOMA program the activities of any technical assistance or training program established as a result of section 40152 of the Violent Crime Control and Law Enforcement Act of 1994 (Public Law 103–322). In a case in which incorporating such activities into the SOMA program will eliminate duplication of efforts or administrative costs, the Director shall take administrative actions, as allowable, and make recommendations to Congress to incorporate such activities into the SOMA program prior to implementing the SOMA program.''.

(b) STUDY.—The Director of the Bureau of Justice Assistance shall conduct a study to assess the efficacy of the SOMA program and

submit recommendations to Congress not later than March 1, 2000.

(c) AUTHORIZATION FOR APPROPRIATIONS.—There are authorized to be appropriated to carry out subsection (i) of section 170101 of the Violent Crime Control and Law Enforcement Act of 1994 (42 U.S.C. 14211), $25,000,000 for each of fiscal years 1999 and 2000.

TITLE VI—FACILITATING FINGERPRINT CHECKS TO PROTECT CHILDREN FROM SEXUAL PREDATORS AND VIOLENT CRIMINALS

SEC. 601. SHORT TITLE.

This title may be cited as the ''Volunteers for Children Act''.

SEC. 602. ACCESS TO CRIMINAL FINGERPRINT BACKGROUND CHECKS.

(a) STATE AGENCY.—Section 3(a) of the National Child Protection Act of 1993 (42 U.S.C. 5119a(a)) is amended by adding at the end the following:

''(3) In the absence of State procedures referred to in paragraph (1), youth-serving volunteer organizations and institutions may contact an authorized agency of the State to request national criminal fingerprint background checks. Entities requesting background checks under this paragraph shall follow the guidelines in subsection (b) and procedures, if any, for requesting national criminal fingerprint background checks established by the State in which they are located.

(b) FEDERAL LAW.—Section 3(b)(5) of such Act (42 U.S.C. 5119a(b)(5)) is amended by inserting before the period at the end the following: '', except that this paragraph does not apply to any request by youth-serving volunteer organizations and institutions for national criminal fingerprint background checks pursuant to subsection (a)(3)''.

(c) AUTHORIZATION.—Section 4(b)(2) of such Act (42 U.S.C. 5119b(b)(2)) is amended by striking ''1994, 1995, 1996, and 1997'' and inserting ''1999, 2000, 2001, and 2002''.

TITLE VII—MODEL NOTIFICATION

SEC. 701. FINDINGS AND SENSE OF THE CONGRESS.

(a) FINDINGS.—Congress finds the following:

(1) States are now required to release certain relevant information to protect the public from sexually violent offenders.

(2) Many States have not established guidelines regarding the notification and release of a sexually violent offender.

(b) SENSE OF THE CONGRESS.—It is the sense of the Congress that each State should enact legislation based on the model notification process described in sections 502 through 514.

SEC. 702. ESTABLISHMENT OF ADVISORY BOARD FOR RISK ASSESSMENT.

(a) ESTABLISHMENT.—The State shall establish an Advisory Board for Risk Assessment (referred to in this title as the ''Board'') which consists of not less than five members appointed by the Chief Executive Officer of the State.

(b) DUTIES.—The Board shall comply with the requirements and guidelines established for a State board under section 170101 of the Violent Crime Control and Law Enforcement Act of 1994 and the provisions of this title.

(c) MEMBERSHIP.—Each member shall, by experience or training, have a personal interest or professional expertise in law enforcement, crime prevention, victim advocacy, criminology, psychology, parole, public education, or community relations.

(d) TERM.—The term of office of each member of such Board shall be determined by the Chief Executive Officer of the State in guidelines issued pursuant to this section.

(e) VACANCY.—Any member chosen to fill a vacancy occurring other than by expiration of a term shall be appointed for the remainder of the unexpired term.

(f) CHAIRPERSON.—The Chief Executive Officer of the State shall designate one of the members of the Board as chairperson to serve in such capacity at the pleasure of the Officer or until the member's term of office expires and a successor is designated in accordance with law, whichever occurs first.

(g) TERMINATION.—Any member of the Board may be removed by the Chief Executive Officer for cause after an opportunity to be heard.

(h) QUORUM.—Except as otherwise provided by law, a majority of the Board shall constitute a quorum for the transaction of all business of the Board.

SEC. 703. GUIDELINES FOR TIER DETERMINATION.

(a) IN GENERAL.—The Chief Executive Officer of the State or a designee shall develop guidelines and procedures for use by the Board to assess the risk of a repeat offense by such sex offender and the threat posed to the public safety. Such guidelines shall be based upon the following:

(1) Criminal history factors indicative of high risk of repeat offense, including—

(A) whether the sex offender has a mental abnormality;

(B) whether the sex offender's conduct was found to be characterized by repetitive and compulsive behavior, associated with drugs or alcohol;

(C) whether the sex offender served the maximum term;

(D) whether the sex offender committed the felony sex offense against a child; and

(E) the age of the sex offender at the time of the commission of the first sex offense.

(2) Other factors to be considered in determining risk, including—

(A) the relationship between such sex offender and the victims;

(B) whether the offense involved the use of a weapon, violence, or infliction of serious bodily injury;

(C) the number, date, and nature of prior offenses;

(D) conditions of release that minimize risk of another offense, including whether the sex offender is under supervision, receiving counseling, therapy or treatment, or residing in a home situation that provides guidance and supervision;

(E) physical conditions that minimize risk of another offense, including advanced age or debilitating illness;

(F) whether psychological or psychiatric profiles indicate a risk of recidivism;

(G) the sex offender's response to treatment;

(H) recent behavior, including behavior while confined;

(I) recent threats or gestures against persons or expression of intent to commit additional offenses; and

(J) review of any victim impact statement.

(b) INFORMATION TRANSFER.—

(1) IN GENERAL.—Notwithstanding any other provision of law, any State or local correctional facility, hospital, or institution shall forward relevant information pertaining to a sex offender to be discharged, paroled, or released to the Board for review prior to the release or discharge for consideration by the Board in its recommendations. Information shall include the commitment file, medical file, and treatment file pertaining to such person.

(2) CONFIDENTIALITY.—All confidential records provided under paragraph (1) shall remain confidential, unless otherwise ordered by a court, by the lawful custodians of the records, or by another person duly authorized to release such information.

SEC. 704. BOARD RECOMMENDATIONS.

The Board shall use the guidelines established pursuant to section 503(a) to recommend to an appropriate court of the State one of the following 3 levels of notification:

(1) TIER I.—If the risk of a repeat offense is low, a tier 1 designation shall be given to such sex offender. In such case the designated law enforcement agency having jurisdiction and the law enforcement agency having had jurisdiction at the time of his conviction shall be notified in accordance with section 170101(b)(4) of the Violent Crime Control and Law Enforcement Act of 1994.

(2) TIER II.—If the risk of a repeat offense is moderate, a tier 2 designation shall be given to such sex offender. In such case the designated law enforcement agency having jurisdiction and the law enforcement agency having had jurisdiction at the time of conviction shall be notified and may notify any victim of the proposed release of such offender and any agency, organization, or group, serving individuals who have similar characteristics to the previous victim or victims of such offender. The notification may include the approximate address (by ZIP Code), background information relating to the crime, type of victim targeted, conviction, including release of a photograph of the offender, and any special conditions imposed on the offender.

(3) TIER III.—If the risk of a repeat offense is high and there exists a threat to the public safety, a tier 3 designation shall be given to such offender. In such case, the appropriate law enforcement agencies shall be notified of such an offender's release and may use the notification procedures described in paragraph (2), except that a precise address may be released and any relevant information necessary to protect the public concerning a specific person required to register under section 170101 of the Violent Crime Control and Law Enforcement Act of 1994 shall be released.

SEC. 705. JUDICIAL DETERMINATION.

(a) NOTIFICATION LEVEL.—

(1) IN GENERAL.—An appropriate court of the State also shall make a determination with respect to the level of notification, after receiving a tier recommendation from the Board. In making the determination, the court shall review any statement by a victim or victims and any materials submitted by the sex offender. The court shall also allow the sex offender to appear and be heard, and inform the sex offender of the right to have counsel appointed if necessary.

(2) APPEAL.—A sex offender may appeal a determination made by the court made under paragraph (1) in accordance with State law.

(3) NOTIFICATION AND REGISTRATION.—The filing of the appeal shall not stay the designated law enforcement agency's notification actions unless the court orders otherwise. Such petition, if granted, shall not relieve the petitioner of the duty to register pursuant to section 170101 of the Violent Crime Control and Law Enforcement Act of 1994 upon conviction of an offense requiring registration in the future.

(b) REVERSAL.—Upon the reversal of a conviction of a sexual offense, the court shall order the expungement of any records required to be kept pursuant to this title.

SEC. 706. PENALTY FOR MISUSE OF REGISTRATION INFORMATION.

(a) FINE.—Any person who uses information disclosed pursuant to this title in violation of the law shall be fined under title 18, United States Code, or imprisoned for not more than 5 years, or both.

(b) CIVIL ACTION.—The State attorney general, a district attorney, or any person aggrieved by information disclosed in violation of the law is authorized to bring a civil action in the appropriate court requesting preventive relief, including an application for a permanent or temporary injunction, restraining order, or other order against the person or group of persons responsible for such action.

(c) ADDITIONAL REMEDIES.—The foregoing remedies shall be independent of any other remedies or procedures that may be available to an aggrieved party under other provisions of law.

SEC. 707. JUVENILE OFFENDERS.

(a) IN GENERAL.—A juvenile residing in a State who has been adjudicated delinquent for any sex offense or attempted sex offense, or who has been convicted of any sex offense or attempted sex offense, or who has been acquitted by reason of insanity for any sex offense or attempted sex offense shall be required to comply with the registration requirements established pursuant to section 170101 of the Violent Crime Control and Law Enforcement Act of 1994.

(b) YOUTH FACILITY.—Any person who is discharged or paroled from a facility in another State that is equivalent to a Department of the Youth Authority to the custody of such a facility because of the commission or attempted commission of specified sex offenses, is required to register pursuant to section 170101 of the Violent Crime Control and Law Enforcement Act of 1994.

SEC. 708. OFFICIAL IMMUNITY FROM LIABILITY.

(a) IMMUNITY.—No official, employee, or agency, whether public or private, shall be subject to any civil or criminal liability for damages for any discretionary decision to release relevant and necessary information pursuant to this section, unless it is shown that such official, employee, or agency acted with gross negligence or in bad faith.

(b) INFORMATION RELEASE.—The immunity provided under this section applies to the release of relevant information to other employees or officials or to the general public.

(c) FAILURE TO RELEASE INFORMATION.—Nothing in this section shall be deemed to impose any civil or criminal liability upon or to give rise to a cause of action against any official, employee, or agency, whether public or private, for failing to release information as authorized in this title unless it is shown that such official, employee, or agency acted with gross negligence or in bad faith.

SEC. 709. IDENTITY OF THE VICTIM.

Any information identifying the victim by name, birth date, address, or relation to the registrant shall be excluded from public access or dissemination.

SEC. 710. GENERAL STATE REQUIREMENTS.

The Chief Executive Officer of a State or designee shall establish reasonable notification requirements under this title, including notification to an offender of any procedures for which the offender is required or is permitted to participate, including the hearing process, appeal rights, and submission of information to the Board.

SEC. 711. ADVISORY COUNCIL FOR COMMUNITY EDUCATION.

(a) IN GENERAL.—The Chief Executive Officer of a State shall appoint a voluntary advisory council to design a policy to assist communities in which a sex offender resides to plan and prepare for such a resident.

(b) COMPOSITION.—Each such advisory council shall include representation from—

(1) law enforcement;

(2) law enforcement organizations;

(3) local corrections agencies;

(4) victims groups; and

(5) other interested members of the public.

(c) DUTIES.—In developing a policy pursuant to subsection (a), an advisory council should make recommendations that include—

(1) the method of distributing community notification information;

(2) methods of educating community residents at public meetings on how they can use such information to enhance their safety and the safety of their family;

(3) procedures for ensuring that community members are educated regarding the right of the sex offender not to be subjected to harassment or criminal acts; and

(4) other matters the council considers necessary to ensure the effective and fair administration of the community notification law.

SEC. 712. EXPUNGEMENT OF OUTDATED INFORMATION.

In accordance with section 170101 of the Violent Crime Control and Law Enforcement Act of 1994, the department required to coordinate the sex offender registration program shall compile and update information regarding the offenders. Any offender whose duty to register has expired or who has been relieved of the duty to register shall be removed from any public database.

SEC. 713. EXCEPTIONAL CIRCUMSTANCES.

Nothing in this title shall be construed to prevent law enforcement officers from notifying members of the public of individuals that pose a danger under circumstances that are not described in section 170101 of the Violent Crime Control and Law Enforcement Act of 1994 or under this title.

SEC. 714. DEFINITIONS.

For purposes of this title:

(1) The term ''criminal offense against a victim who is a minor'' means any criminal offense that consists of—

(A) kidnapping of a minor, except by a parent;

(B) false imprisonment of a minor, except by a parent;

(C) criminal sexual conduct toward a minor;

(D) solicitation of a minor to engage in sexual conduct;

(E) use of a minor in a sexual performance;

(F) solicitation of a minor to practice prostitution;

(G) any conduct that by its nature is a sexual offense against a minor; and

(H) an attempt to commit an offense described in any of subparagraphs (A) through (H) if the State—

(i) makes such an attempt a criminal offense; or

(ii) chooses to include such an offense in those which are criminal offenses against a victim who is a minor for purposes of this section.

For purposes of this paragraph, conduct which is criminal only because of the age of the victim shall not be considered a criminal offense if the perpetrator is 18 years of age or younger.

(2) The term ''sexually violent offense'' means any criminal offense that consists of aggravated sexual abuse or sexual abuse (as described in sections 2241 and 2242 of title 18, United States Code, or as described in the State criminal code) or an offense that has as its elements engaging in physical contact with another person with intent to commit aggravated sexual abuse or sexual abuse (as described in such sections of title 18, United States Code, or as described in the State criminal code).

(3) The term ''mental abnormality'' means a congenital or acquired condition of a person that affects the emotional or volitional capacity of the person in a manner that predisposes that person to the commission of criminal sexual acts to a degree that makes the person a menace to the health and safety of other persons.

(4) The term ''predatory'' means an act directed at a stranger, or a person with whom a relationship has been established or promoted for the primary purpose of victimization.

Any offense committed in another State, which if committed in the State at issue would be one of the above enumerated offenses, is considered a sexual offense for the purposes of this title.

(5) The term ''juvenile'' has the meaning given such term under State law.

TITLE VIII—CHILD HOSTAGE-TAKING TO EVADE ARREST OR OBSTRUCT JUSTICE

SEC. 801. CHILD HOSTAGE-TAKING TO EVADE ARREST OR OBSTRUCT JUSTICE.

(a) IN GENERAL.—Chapter 55 of title 18, United States Code, is amended by adding at the end the following new section:

''§ 1205. Child hostage-taking to evade arrest or obstruct justice

''(a) IN GENERAL.—Whoever uses force or threatens to use force against any officer or agency of the Federal Government, and seizes or detains, or continues to detain, a child in order to—

''(1) obstruct, resist, or oppose any officer of the United States, or other person duly authorized, in serving, or attempting to serve or execute, any legal or judicial writ, process, or warrant of any court of the United States; or

''(2) compel any department or agency of the Federal Government to do or to abstain from doing any act,

or attempts to do so, shall be punished in accordance with subsection (b).

''(b) SENTENCING.—Any person who violates subsection (a)—

''(1) shall be imprisoned not less than 10 years and not more than 25 years;

''(2) if injury results to the child as a result of the violation, shall be imprisoned not less than 20 years and not more than 35 years; and

''(3) if death results to the child as a result of the violation, shall be subject to the penalty of death or be imprisoned for life.

''(c) DEFINITION.—For purposes of this section, the term 'child' means an individual who has not attained the age of 18 years.''.

(b) CLERICAL AMENDMENT.—The table of sections for chapter 55 of title 18, United States Code, is amended by adding at the end the following new item:

''1205. Child hostage-taking to evade arrest or obstruct justice.''.

TITLE IX—CONTINUING THE COMMITMENT OF THE VIOLENCE AGAINST WOMEN ACT

Subtitle A—Law Enforcement and Prosecution Grants To Combat Violence Against Women

SEC. 901. PURPOSE OF THE PROGRAM AND GRANTS.

(a) GENERAL PROGRAM PURPOSE.—The purpose of this subtitle is to assist States, Indian tribal governments, and units of local government to develop and strengthen effective law enforcement and prosecution strategies to combat violent crimes against women.

(b) PURPOSES FOR WHICH GRANTS MAY BE USED.—Grants under this subtitle shall provide personnel, training, technical assistance, data collection and other equipment for the more widespread apprehension, prosecution, and adjudication of persons committing violent crimes against women, and specifically, for the purposes of—

(1) training law enforcement officers and prosecutors to more effectively identify and respond to violent crimes against women, including the crimes of sexual assault and domestic violence;

(2) developing, training, or expanding units of law enforcement officers and prosecutors specifically targeting violent crimes against women, including the crimes of sexual assault and domestic violence;

(3) developing and implementing more effective police and prosecution policies, protocols, orders, and services specifically devoted to preventing, identifying, and responding to violent crimes against women, including the crimes of sexual assault and domestic violence;

(4) developing, installing, or expanding data collection and communication systems, including computerized systems, linking police, prosecutors, and courts or for the purpose of identifying and tracking arrests, protection orders, violations of protection orders, prosecutions, and convictions for violent crimes against women, including the crimes of sexual assault and domestic violence;

(5) developing, enlarging, or strengthening programs addressing stalking;

(6) developing, enlarging, or strengthening programs addressing the needs and circumstances of Indian tribes in dealing with violent crimes against women, including the crimes of sexual assault and domestic violence; and

(7) developing, enlarging, or strengthening State court programs, including training for State, local, and tribal judges and court personnel, addressing violent crimes against women, including sexual assault, domestic violence, and stalking.

SEC. 902. STATE GRANTS.

(a) GENERAL GRANTS.—The Attorney General may make grants to States, for use by States, units of local government, and Indian tribal governments for the purposes described in section 501(b).

(b) AMOUNTS.—Of the amounts appropriated for the purposes of this subtitle—

(1) 4 percent shall be available for grants to Indian tribal governments;

(2) $500,000 shall be available for grants to applicants in each State; and

(3) the remaining funds shall be available for grants to applicants in each State in an amount that bears the same ratio to the amount of remaining funds as the population of the State bears to the population of all of the States that results from a distribution among the States on the basis of each State's population in relation to the population of all States (not including populations of Indian tribes).

(c) QUALIFICATION.—Upon satisfying the terms of subsection (d), any State shall be qualified for funds provided under this subtitle upon certification that—

(1) the funds shall be used for any of the purposes described in section 501(b);

(2) grantees and subgrantees shall develop a plan for implementation and shall consult and coordinate with nonprofit, nongovernmental victim services programs, including sexual assault and domestic violence victim services programs;

(3) up to 30 percent shall be allocated to law enforcement, up to 30 percent to prosecution grants, and at least 10 percent to State court systems; and

(4) any Federal funds received under this subtitle shall be used to supplement, not supplant, non-Federal funds that would otherwise be available for activities funded under this subtitle.

(d) APPLICATION REQUIREMENTS.—Each application shall include the certifications of qualification required by subsection (c). An application shall include—

(1) documentation from the prosecution and law enforcement programs to be assisted, demonstrating—

(A) need for the grant funds;

(B) intended use of the grant funds;

(C) expected results from the use of grant funds; and

(D) demographic characteristics of the populations to be served, including age, marital status, disability, race, ethnicity, and language background;

(2) proof of compliance with the requirements for the payment of forensic medical exams provided in section 505; and

(3) proof of compliance with the requirements for paying filing and service fees for domestic violence cases provided in section 506.

(e) DISBURSEMENT.—

(1) IN GENERAL.—Not later than 60 days after the receipt of an application under this subtitle, the Attorney General shall—

(A) disburse the appropriate sums provided for under this subtitle; or

(B) inform the applicant why the application does not conform to the requirements of this section.

(2) REGULATIONS.—In disbursing monies under this subtitle, the Attorney General shall issue regulations to ensure that States will—

(A) give priority to areas of varying geographic size with the greatest showing of need based on the availability of existing domestic violence and sexual assault programs in the population and geographic area to be served in relation to the availability of such programs in other such populations and geographic areas;

(B) determine the amount of subgrants based on the population and geographic area to be served;

(C) equitably distribute monies on a geographic basis including nonurban and rural areas of various geographic sizes;

(D) recognize and address the needs of underserved populations; and

(E)(i) if, at the end of the 9th month of any fiscal year for which funds are appropriated under section 507, the amounts made available are unspent or unobligated, such unspent or unobligated funds shall be reallotted to the current fiscal year recipients in the victim services area pursuant to section 502(c)(3)) proportionate to their original allotment for the current fiscal year; and

(ii) for the first 2 fiscal years following the effective date of this Act, the Attorney General may waive the qualification requirements of section 502(c), at the request of the State and with the support of law enforcement and prosecution grantees currently funded under this section, if the reallocation of funds among law enforcement, prosecution, victims' services, and State court systems mandated by this subtitle adversely impacts victims of sexual assault, domestic violence, and stalking, due to the reduction of funds to programs and services funded under this section in the prior fiscal year.

(f) FEDERAL SHARE.—The Federal share of a grant made under this subtitle may not exceed 75 percent of the total costs of the projects described in the application submitted.

(g) INDIAN TRIBES.—Funds appropriated by the Congress for the activities of any agency of an Indian tribal government or of the Bureau of Indian Affairs performing law enforcement functions on any Indian lands may be used to provide the non-Federal share of the cost of programs or projects funded under this subtitle.

(h) GRANTEE REPORTING.—

(1) IN GENERAL.—Upon completion of the grant period under this subtitle, a State or Indian tribal grantee shall file a performance report with the Attorney General explaining the activities carried out, which report shall include an assessment of the effectiveness of those activities in achieving the purposes of this subtitle.

(2) CERTIFICATION BY GRANTEE AND SUBGRANTEES.—A section of the performance report shall be completed by each grantee and subgrantee that performed the direct services contemplated in the application, certifying performance of direct services under the grant.

(3) SUSPENSION OF FUNDING.—The Attorney General shall suspend funding for an approved application if—

(A) an applicant fails to submit an annual performance report;

(B) funds are expended for purposes other than those described in this subtitle; or

(C) a report under paragraph (1) or accompanying assessments demonstrate to the Attorney General that the program is ineffective or financially unsound.

(D) for failure to provide documentation, including memoranda of understanding, contract, or other document of any collaborative efforts with other agencies or organizations.

SEC. 903. DEFINITIONS.

In this subtitle—

(1) the term ''domestic violence'' includes felony or misdemeanor crimes of violence committed by a current or former spouse of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other adult person against a victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction receiving grant monies;

(2) the term ''Indian country'' has the meaning stated in section 1151 of title 18, United States Code;

(3) the term ''Indian tribe'' means a tribe, band, pueblo, nation, or other organized group or community of Indians, including any Alaska Native village or regional or village corporation (as defined in, or established pursuant to, the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.)), that is recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians;

(4) the term ''law enforcement'' means a public agency charged with policing functions, including any of its component bureaus (such as governmental victim services programs);

(5) the term ''prosecution'' means any public agency charged with direct responsibility for prosecuting criminal offenders, including such agency's component bureaus (such as governmental victim services programs);

(6) the term ''sexual assault'' means any conduct proscribed by chapter 109A of title 18, United States Code, whether or not the conduct occurs in the special maritime and territorial jurisdiction of the United States or in a Federal prison and includes both assaults committed by offenders who are strangers to the victim and assaults committed by offenders who are known or related by blood or marriage to the victim; and

(7) the term ''underserved populations'' includes populations underserved because of geographic location (such as rural isolation), underserved racial or ethnic populations, and populations underserved because of special needs, such as language barriers or physical disabilities.

SEC. 904. GENERAL TERMS AND CONDITIONS.

(a) NONMONETARY ASSISTANCE.—In addition to the assistance provided under this subtitle, the Attorney General may request any Federal agency 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, tribal, and local assistance efforts.

(b) REPORTING.—Not later than 180 days after the end of each fiscal year for which grants are made under this subtitle, the Attorney General shall submit to the Committee on the Judiciary of the House of Representatives and the Committee on the Judiciary of the Senate a report that includes, for each State and for each grantee Indian tribe—

(1) the number of grants made and funds distributed under this subtitle;

(2) a summary of the purposes for which those grants were provided and an evaluation of their progress;

(3) a statistical summary of persons served, detailing the nature of victimization, and providing data on age, sex, relationship of victim to offender, geographic distribution, race, ethnicity, language, and disability; and

(4) an evaluation of the effectiveness of programs funded under this subtitle.

(c) REGULATIONS OR GUIDELINES.—Not later than 120 days after the date of enactment of this subtitle, the Attorney General shall publish proposed regulations or guidelines implementing this subtitle. Not later than 180 days after the date of enactment, the Attorney General shall publish final regulations or guidelines implementing this subtitle.

SEC. 905. RAPE EXAM PAYMENTS.

(a) RESTRICTION OF FUNDS.—

(1) IN GENERAL.—A State, Indian tribal government, or unit of local government, shall not be entitled to funds under this subtitle unless the State, Indian tribal government, unit of local government, or another governmental entity incurs the full out-of-pocket cost of forensic medical exams described in subsection (b) for victims of sexual assault.

(2) REDISTRIBUTION.—Funds withheld from a State or unit of local government under paragraph (1) shall be distributed to other States or units of local government pro rata. Funds withheld from an Indian tribal government under paragraph (1) shall be distributed to other Indian tribal governments pro rata.

(b) MEDICAL COSTS.—A State, Indian tribal government, or unit of local government shall be deemed to incur the full out-of-pocket cost of forensic medical exams for victims of sexual assault if any government entity—

(1) provides such exams to victims free of charge to the victim;

(2) arranges for victims to obtain such exams free of charge to the victims; or

(3) reimburses victims for the cost of such exams if—

(A) the reimbursement covers the full cost of such exams, without any deductible requirement or limit on the amount of a reimbursement;

(B) the reimbursing governmental entity permits victims to apply for reimbursement for not less than one year from the date of the exam;

(C) the reimbursing governmental entity provides reimbursement not later than 90 days after written notification of the victim's expense; and

(D) the State, Indian tribal government, unit of local government, or reimbursing governmental entity provides information at the time of the exam to all victims, including victims with limited or no English proficiency, regarding how to obtain reimbursement.

SEC. 906. FILING COSTS FOR CRIMINAL CHARGES.

(a) IN GENERAL.—A State, Indian tribal government, or unit of local government, shall not be entitled to funds under this subtitle unless the State, Indian tribal government, or unit of local government—

(1) certifies that its laws, policies, and practices do not require, in connection with the prosecution of any misdemeanor or felony domestic violence offense, that the abused bear the costs associated with the filing of criminal charges against the domestic violence offender, or the costs associated with the issuance or service of a warrant, protection order, or witness subpoena; or

(2) gives the Attorney General assurances that its laws, policies and practices will be in compliance with the requirements of paragraph (1) within the later of—

(A) the period ending on the date on which the next session of the State legislature ends; or

(B) two years.

(b) REDISTRIBUTION.—Funds withheld from a State, unit of local government, or Indian tribal government under subsection (a) shall be distributed to other States, units of local government, and Indian tribal government, respectively, pro rata.

SEC. 907. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to carry out this subtitle $185,000,000 for each of fiscal years 2001, 2002, and 2003.

Subtitle B—Grants to Encourage Arrest Policies

SEC. 911. PROGRAM AUTHORIZED.

(a) PURPOSE.—The purpose of this subtitle is to encourage States, Indian tribal governments, and units of local government to treat domestic violence as a serious violation of criminal law.

(b) GRANT AUTHORITY.—The Attorney General may make grants to eligible States, Indian tribal governments, or units of local government for the following purposes:

(1) To implement mandatory arrest or proarrest programs and policies in police departments, including mandatory arrest programs and policies for protection order violations.

(2) To develop policies and training in police departments to improve tracking of cases involving domestic violence.

(3) To centralize and coordinate police enforcement, prosecution, or judicial responsibility for domestic violence cases in groups or units of police officers, prosecutors, or judges.

(4) To coordinate computer tracking systems to ensure communication between police, prosecutors, and both criminal and family courts.

(5) To educate judges in criminal and other courts about domestic violence and to improve judicial handling of such cases.

(c) ELIGIBILITY.—Eligible grantees are States, Indian tribal governments, or units of local government that—

(1) certify that their laws or official policies—

(A) encourage or mandate arrests of domestic violence offenders based on probable cause that an offense has been committed; and

(B) encourage or mandate arrest of domestic violence offenders who violate the terms of a valid and outstanding protection order;

(2) demonstrate that their laws, policies, or practices and their training programs discourage dual arrests of offender and victim;

(3) certify that their laws, policies, or practices prohibit issuance of mutual restraining orders of protection except in cases where both spouses file a claim and the court makes detailed findings of fact indicating that both spouses acted primarily as aggressors and that neither spouse acted primarily in self-defense; and

(4) certify that their laws, policies, or practices do not require, in connection with the prosecution of any misdemeanor or felony domestic violence offense, that the abused bear the costs associated with the filing of criminal charges or the service of such charges on an abuser, or that the abused bear the costs associated with the issuance or service of a warrant, protection order, or witness subpoena.

SEC. 912. APPLICATIONS.

(a) APPLICATION.—An eligible grantee shall submit an application to the Attorney General that—

(1) contains a certification by the chief executive officer of the State, Indian tribal government, or local government entity that the conditions of section 511(c) are met or will be met within the later of—

(A) the period ending on the date on which the next session of the State or Indian tribal legislature ends; or

(B) two years of the date of enactment of this Act;

(2) describes plans to further the purposes stated in section 511(a);

(3) identifies the agency or office or groups of agencies or offices responsible for carrying out the program; and

(4) includes documentation from nonprofit, private sexual assault and domestic violence programs demonstrating their participation in developing the application, and identifying such programs in which such groups will be consulted for development and implementation.

(b) PRIORITY.—In awarding grants under this subtitle, the Attorney General shall give priority to applicants that—

(1) do not currently provide for centralized handling of cases involving domestic violence by police, prosecutors, and courts; and

(2) demonstrate a commitment to strong enforcement of laws, and prosecution of cases, involving domestic violence.

SEC. 913. REPORTS.

Each grantee receiving funds under this subtitle shall submit a report to the Attorney General evaluating the effectiveness of projects developed with funds provided under this subtitle and containing such additional information as the Attorney General may prescribe.

SEC. 914. REGULATIONS OR GUIDELINES.

Not later than 120 days after the date of enactment of this Act, the Attorney General shall publish proposed regulations or guidelines implementing this subtitle. Not later than 180 days after the date of enactment of this Act, the Attorney General shall publish final regulations or guidelines implementing this subtitle.

SEC. 915. DEFINITIONS.

For purposes of this subtitle—

(1) the term ''domestic violence'' includes acts or threats of violence, not including acts of self-defense, committed by a current or former spouse of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim, by a person who is or has been in a continuing social relationship of a romantic or intimate nature with the victim, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction, or by any other person against a victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction; and

(2) the term ''protection order'' includes any injunction issued for the purpose of preventing violent or threatening acts of domestic violence, including temporary and final orders issued by civil or criminal courts (other than support or child custody orders or provisions) whether obtained by filing an independent action or as a pendente lite order in another proceeding.

SEC. 916. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to carry out this subtitle—

(1) $63,000,000 for fiscal year 1999;

(2) $67,000,000 for fiscal year 2000;

(3) $70,000,000 for fiscal year 2001;

(4) $70,000,000 for fiscal year 2002; and

(5) $70,000,000 for fiscal year 2003.

TITLE X—LIMITING THE EFFECTS OF VIOLENCE ON CHILDREN

SEC. 1001. DEFENSE TO CRIMINAL CUSTODIAL INTERFERENCE OR PARENTAL ABDUCTION CHARGE.

Section 1073 of title 18, United States Code, is amended by striking ''Whoever moves'' and inserting ''(a) Whoever moves'' and by adding at the end the following:

''(b) For any charge of parental abduction, of custodial interference, or of felony criminal contempt of court related to an underlying child custody or visitation determination, that would otherwise provide a basis for prosecution under this section, it shall be a defense to such prosecution that the individual against whom this section is invoked—

''(1) acted pursuant to the provisions of a court order valid when and where issued—

''(A) which granted the defendant legal custody or visitation rights;

''(B) which was obtained in compliance with section 1738A of title 28;

''(C) which is not inconsistent with such section or with the Uniform Child Custody Jurisdiction Enforcement Act as promulgated by the Uniform Law Commissioners; and

''(D) which was in effect at the time the defendant left the State;

''(2) was fleeing an incident or pattern of domestic violence or sexual assault of the child, which had been previously reported to law enforcement authorities; or

''(3) would otherwise have a defense under the terms of the International Parental Kidnapping Prevention Act (18 U.S.C. 1204).

''(c) The Attorney General shall issue guidance to assist the United States Attorneys and the Federal Bureau of Investigation in determining when to decline to initiate or to terminate an investigation or prosecution under subsection (b) due to the potential availability of any defense.''.

SEC. 1002. FULL FAITH AND CREDIT GIVEN TO CHILD CUSTODY DETERMINATIONS.

(a) SECTION INTENT.—Section 1738A(a) of title 28, United States Code, is amended by adding at the end the following: ''This section is intended to preempt any inconsistent State law and to apply to every proceeding in the United States or its territories that is not governed by inconsistent aspects of any treaty to which the United States Government is a signatory or has ratified that involves custody and visitation concerning a minor child. Any provisions of a protection order regarding the custody and visitation of a minor child, whether consensual or not, otherwise consistent with section 2265 of title 18 and with this section shall be given full faith and credit by the courts of any State where the party who sought the order seeks enforcement.''.

(b) DEFINITIONS.—Section 1738A(b) of such title is amended—

(1) by inserting after paragraph (3) the following:

''(4) 'domestic violence' includes acts or threats of violence, not including acts of self defense, committed by a current or former spouse of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim, by a person who is or has been in a continuing social relationship of a romantic or intimate nature with the victim, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction, or by any other person against a victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction;

''(5) 'sexual assault' means any conduct proscribed by chapter 109A of title 18, United States Code, whether or not the conduct occurs in the special maritime and territorial jurisdiction of the United States or in a Federal prison and includes both assaults committed by offenders who are strangers to the victim and assaults committed by offenders who are known to the victim or related by blood or marriage to the victim;'';

(2) by redesignating paragraphs (4), (5), and (6) as paragraphs (6), (7), and (8), respectively;

(3) by redesignating paragraph (7) as paragraph (9) and by striking ''and'' after the semicolon;

(4) by inserting after paragraph (9) (as so redesignated) the following:

''(10) 'predominant aggressor' means the individual who has been determined to be the principal perpetrator of violence, by factors including—

''(A) history of domestic violence;

''(B) relative severity of the injuries inflicted on each person;

''(C) the likelihood of future injury to each person;

''(D) whether one of the persons acted in self-defense; and

''(E) the degree to which one of the persons has acted with more deliberate intent to control, isolate, intimidate, emotionally demean, or cause severe pain or injury, or fear of harm to the other or a third person''; and

(5) by redesignating paragraph (8) as paragraph (11).

(c) CONDITION FOR CUSTODY DETERMINATION.—Section 1738A(c)(2)(C) of such title is amended—

(1) by striking ''he'' and inserting ''the child, or a sibling or parent of the child,''; and

(2) by inserting '', including acts of domestic violence by the other parent'' after ''abuse''.

(d) JURISDICTION.—Section 1738A(d) of such title is amended by inserting before the period at the end the following: '', except that after 2 years have passed while a child is living in another State after relocation due to domestic violence or sexual assault of the child, the court of the original State shall decline jurisdiction provided that the courts of the new State would have personal jurisdiction over the other parent under that State's law''.

(e) CHILD CUSTODY DETERMINATIONS.—Section 1738A of such title is amended by adding at the end the following:

''(h) A court may decline to exercise jurisdiction on behalf of a parent who has engaged in domestic violence as a predominant aggressor, if a court of another State has emergency jurisdiction under subsection (c)(2)(C)(ii). A court may decline to exercise jurisdiction on behalf of a parent who has wrongfully taken the child from a State without justification, or engaged in similar unjustifiable conduct, unless no other State would have jurisdiction under any provision of subsection (c).

TITLE XI—SEXUAL ASSAULT PREVENTION

Subtitle A—Standards, Practice, and Training for Sexual Assault Examinations

SEC. 1101. SHORT TITLE.

This subtitle may be cited as the ''Standards, Practice, and Training for Sexual Assault Examinations Act''.

SEC. 1102. STANDARDS, PRACTICE, AND TRAINING FOR SEXUAL ASSAULT EXAMINATIONS.

(a) IN GENERAL.—The Attorney General shall—

(1) evaluate existing standards of training and practice for licensed health care professionals performing sexual assault forensic examinations and develop a national recommended standard for training;

(2) recommend sexual assault examination training for all health care students to improve the recognition of injuries suggestive of rape and sexual assault and baseline knowledge of appropriate evidence collection; and

(3) review existing national, State, and local protocols on sexual assault for forensic examinations, and based on this review, develop a recommended national protocol, and establish a mechanism for its nationwide dissemination.

(b) CONSULTATION.—The Attorney General shall consult with national, State, and local experts in the area of rape and sexual assault, including but not limited to, rape crisis centers, State sexual assault and domestic violence coalitions and programs, criminal justice, forensic nursing, forensic science, emergency room medicine, law, social services, sex crimes in underserved communities as defined in 42 U.S.C. 3796gg–2(7).

(c) REPORT.—The Attorney General shall ensure that no later than 1 year after the date of enactment of this Act, a report of the directives in subsection (a) is submitted to Congress.

(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section $200,000 for fiscal year 1999.

Subtitle B—Prevention of Custodial Sexual Assault by Correctional Staff

SEC. 1111. SHORT TITLE.

This subtitle may be cited as the ''Prevention of Custodial Sexual Assault by Correctional Staff Act''.

SEC. 1112. FINDINGS.

Congress finds the following:

(1) According to an extensive 1996 report by the Women's Rights Project of Human Rights Watch, sexual abuse of women prisoners by correctional officers is a serious problem in our Nation's prisons, jails, and correctional facilities.

(2) Custodial sexual assault of women by correctional officers includes documented incidents of vaginal, oral, and anal rape.

(3) Because correctional officers wield near absolute power over female prisoners, officers may abuse that power to sexually assault and abuse female prisoners, as well as engage in constant groping, harassment, and other abuse.

SEC. 1113. ESTABLISHMENT OF PREVENTION PROGRAM.

(a) PROGRAM GUIDELINES.—

(1) IN GENERAL.—The Attorney General shall establish guidelines for States and disseminate such information to the States regarding the prevention of custodial sexual misconduct by correctional staff.

(2) REQUIREMENTS.—Such guidelines shall include requirements that—

(A) prohibit a State department of corrections from hiring correctional staff who have been convicted on criminal charges, or found liable in civil suits, for custodial sexual misconduct; and

(B) each State department of corrections maintain databases, including the names and identifying information of individuals who have been convicted on criminal charges or found liable in civil suits for custodial sexual misconduct and to check these databases prior to hiring any correctional staff.

(3) NATIONAL DATABASE.—This information shall also be submitted to the Department of Justice where it will be maintained and updated on a national database.

(b) RELEASE OF INFORMATION.—The information collected under subsection (a)(2) shall be treated as private data except that—

(1) such information may be disclosed to law enforcement agencies for law enforcement purposes;

(2) such information may be disclosed to government agencies conducting confidential background checks; and

(3) the designated State law enforcement agency and any local law enforcement agency authorized by the State agency may release relevant information that is necessary to protect prisoners concerning a specific person whose name is included in the database, except that the identity of a victim of an offense that requires information to be maintained under this section shall not be released.

(c) IMMUNITY FOR GOOD FAITH CONDUCT.—Law enforcement agencies, employees of law enforcement agencies, and State officials

shall be immune from criminal or civil liability for good faith conduct in releasing information under this section.

(d) INELIGIBILITY FOR FUNDS.—

(1) IN GENERAL.—A State that fails to implement the program as described under this section shall not receive 10 percent of the funds that would otherwise be allocated to the State under subtitle A of title II of the Violent Crime Control and Law Enforcement Act of 1994 (42 U.S.C. 13701).

(2) REALLOCATION.—Any funds that are not allocated for failure to comply with this section shall be reallocated to States that comply with this section.

(3) COMPLIANCE DATE.—Each State shall have not more than 3 years from the date of enactment of this Act in which to implement this section, except that the Attorney General may grant an additional 2 years to a State that is making good faith efforts to implement this section.

SEC. 1114. DEFINITIONS.

For purposes of this subtitle—

(1) the term ''correctional staff'' means any employee, contractual employee, volunteer, or agent of a correctional department who is working in any contact position with any prisoners under the jurisdiction of that department; and

(2) the term ''custodial sexual misconduct'' means any physical contact, directly or through the clothing, with the sexual or intimate parts of a person for the purpose of sexual gratification of either party, when the—

(A) parties involved are a person in custody of a correctional department and a member of the correctional staff; or

(B) contact occurs under circumstances of coercion, duress, or threat of force by a member of the correctional staff.

TITLE XII—FULL FAITH AND CREDIT FOR PROTECTION ORDERS

SEC. 1201. FULL FAITH AND CREDIT FOR PROTECTION ORDERS.

(a) Section 2265 of title 18, United States Code, is amended by adding at the end the following:

''(d) FORMULA GRANT REDUCTION FOR NONCOMPLIANCE.—

''(1) REDUCTION.—The Attorney General shall reduce by 10 percent (for redistribution to other participating States that comply with subsections (a) and (b)) the amount a State would receive under subpart 1 of part E of title I of the Omnibus Crime Control and Safe Streets Act of 1968 if such State fails to comply with the requirements of subsections (a), (b), and (c).

''(2) EFFECTIVE DATE.—The Attorney General may begin to reduce funds described in paragraph (1) on the first day of each fiscal year succeeding the first fiscal year beginning after the date of the enactment of this subsection.

''(e) REGISTRATION.—Nothing in this section shall require prior filing or registration of a protection order in the enforcing State in order to secure enforcement pursuant to subsection (a). Nothing in this section shall permit a State to notify the party against whom the order has been made that a protection order has been registered and/or filed in that State.''

''(f) NOTICE.—Nothing in this section shall require notification of the party against whom the order was made in order to secure enforcement by a law enforcement officer pursuant to subsection (a).''.

(b) DEFINITIONS.—Section 2266 of title 18, United States Code, is amended—

(1) by inserting ''issued pursuant to State divorce and child custody codes'' after ''custody orders''; and

(2) by adding ''Custody and visitation provisions in protection orders are subject to the mandates of this chapter.'' after ''seeking protection.''.

(b) COMPLIANCE—FULL FAITH AND CREDIT.—Within 180 days, the Attorney General shall issue regulations to determine whether a State is in compliance with 18 U.S.C. 2265(a), (b), and (c), taking into account the following factors:

(1) The State's documented good faith efforts to ensure compliance by judicial, law enforcement, and other State officials, including the extent and nature of any training programs, outreach, and other activities.

(2) The degree to which any case of noncompliance by a State official represents an isolated incident, rather than a pattern of nonenforcement.

(3) Any barriers to compliance presented by outdated technology, recordkeeping problems, or similar issues, and the State's documented good faith efforts to removing those barriers.

SEC. 1202. GRANT PROGRAM.

(a) IN GENERAL.—The Attorney General may provide grants to assist States, Indian tribal governments, and units of local government to develop and strengthen effective law enforcement and recordkeeping strategies to assist States, Indian tribal governments, and units of local government to enforce protective orders issued by other States, Indian tribal governments, or units of local government.

(b) USES OF FUNDS.—

(1) IN GENERAL.—Grants under this section shall provide training and enhanced technology compatible with existing law enforcement systems including the National Crime Information Center to enforce protection orders.

(2) USES OF FUNDS.—Funds received under this section may be used to train law enforcement, prosecutors, court personnel, and others responsible for the enforcement of protection orders, and to develop, install, or expand data collection and communication systems, including computerized systems, linking police, prosecutors, and courts for the purpose of identifying and tracking protection orders and violations of protection orders and training.

(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to carry out this section, $5,000,000 for each of fiscal years 1999, 2000, 2001, 2002, and 2003.

TITLE XIII—FEDERAL WITNESS PROTECTION FOR VICTIMS OF DOMESTIC VIOLENCE

SEC. 1301. WITNESS PROTECTION.

(a) IN GENERAL.—Section 3521(a)(1) of title 18, United States Code, is amended by inserting ''or of a victim of an offense set forth in chapter 110A of this title directed at victims of domestic violence,'' after ''other serious offense,''.

(b) OTHER ACTIONS.—Section 3521(b)(1) of title 18, United States Code, is amended by inserting ''or a victim of domestic violence,'' after ''potential witness,''.

(c) GUIDELINES.—Not later than 180 days after the date of enactment of this section, the Attorney General shall establish guidelines for determining eligibility for the Federal witness protection program of persons who are eligible for that program under the amendment made by subsection (a).

TITLE XIV—CIVILIAN JURISDICTION FOR CRIMES OF SEXUAL ASSAULT AND DOMESTIC VIOLENCE

SEC. 1401. CRIMINAL OFFENSES COMMITTED OUTSIDE THE UNITED STATES BY PERSONS ACCOMPANYING THE ARMED FORCES.

(a) IN GENERAL.—Title 18, United States Code, is amended by inserting after chapter 211 the following new chapter:

''CHAPTER 212—DOMESTIC VIOLENCE AND SEXUAL ASSAULT OFFENSES COMMITTED OUTSIDE THE UNITED STATES

''Sec.

''3261. Domestic violence and sexual assault offenses committed by persons formerly serving with, or presently employed by or accompanying, the Armed Forces outside the United States.

''3262. Definitions for chapter.

''§ 3261. Domestic violence and sexual assault offenses committed by persons formerly serving with, or presently employed by or accompanying, the Armed Forces outside the United States

''(a) IN GENERAL.—Whoever, while serving with, employed by, or accompanying the Armed Forces outside of the United States, engages in conduct that would constitute a misdemeanor or felony domestic violence or sexual assault offense, if the conduct had been engaged in within the special maritime and territorial jurisdiction of the United States, shall be subject to prosecution in the Federal District Court of the jurisdiction of origin.

''(b) CONCURRENT JURISDICTION.—Nothing contained in this chapter deprives courts-martial, military commissions, provost courts, or other military tribunals of concurrent jurisdiction with respect to offenders or offenses that by statute or by the law of war may be tried by courts-martial, military commissions, provost courts, or other military tribunals.

''(c) ACTION BY FOREIGN GOVERNMENT.—No prosecution may be commenced under this section if a foreign government, in accordance with jurisdiction recognized by the United States, has prosecuted or is prosecuting such person for the conduct constituting such offense, except upon the approval of the Attorney General of the United States or the Deputy Attorney General of the United States (or a person acting in either such capacity), which function of approval shall not be delegated.

''§ 3262. Definitions for chapter

''As used in this chapter—

''(1) the term 'Armed Forces' has the same meaning as in section 101(a)(4) of title 10;

''(2) a person is 'employed by the Armed Forces outside of the United States' if the person—

''(A) is employed as a civilian employee of the Department of Defense, as a Department of Defense contractor, or as an employee of a Department of Defense contractor;

''(B) is present or residing outside of the United States in connection with such employment; and

''(C) is not a national of the host nation; and

''(3) a person is 'accompanying the Armed Forces outside of the United States' if the person—

''(A) is a dependent of a member of the Armed Forces;

''(B) is a dependent of a civilian employee of the Department of Defense;

''(C) is residing with the member or civilian employee outside of the United States; and

''(D) is not a national of the host nation.''.

(b) CLERICAL AMENDMENT.—The table of chapters at the beginning of part II of title 18, United States Code, is amended by inserting after the item relating to chapter 211 the following:

''212. Domestic Violence and Sexual Assault Offenses Committed Outside the United States ..... 3261''.

TITLE XV—PREVENTING VIOLENCE AGAINST WOMEN IN TRADITIONALLY UNDERSERVED COMMUNITIES

SEC. 1501. ELDER ABUSE, NEGLECT, AND EXPLOITATION.

(a) DEFINITIONS.—In this section:

(1) IN GENERAL.—The terms ''elder abuse, neglect, and exploitation'', ''domestic vio-

lence'', and ''older individual'' have the meanings given the terms in section 102 of the Older Americans Act of 1965 (42 U.S.C. 3002).

(2) SEXUAL ASSAULT.—The term ''sexual assault'' has the meaning given the term in section 2003 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796gg–2).

(b) CURRICULA.—The Attorney General shall develop curricula and offer, or provide for the offering of, training programs to assist law enforcement officers and prosecutors in recognizing, addressing, investigating, and prosecuting instances of elder abuse, neglect, and exploitation, including domestic violence, and sexual assault, against older individuals.

(c) AUTHORIZATION.—There are authorized to be appropriated such sums as may be necessary to carry out this subtitle.

TITLE XVI—VIOLENCE AGAINST WOMEN TRAINING FOR HEALTH PROFESSIONS

SEC. 1601. SHORT TITLE.

This title may be cited as the ''Violence Against Women Training for Health Professions Act''.

SEC. 1602. DOMESTIC VIOLENCE AND SEXUAL ASSAULT FORENSIC EVIDENCE.

(a) IN GENERAL.—In the case of a health professions, the Attorney General shall award grants and contracts, giving preference to any such entity (if otherwise a qualified applicant for the award involved) that has in effect the requirement that, as a condition of receiving a degree or certificate (as applicable) from the entity, each student have had significant training developed in consultation and collaboration with national, State, and local domestic violence and sexual assault coalitions and programs in carrying out the following functions as a provider of health care:

(1) Identifying victims of domestic violence and sexual assault, and maintaining complete medical records that include documentation of the examination, treatment given, and referrals made, and recording the location and nature of the victim's injuries.

(2) Examining and treating such victims, within the scope of the health professional's discipline, training, and practice.

(b) RELEVANT HEALTH PROFESSIONS ENTITIES.—For purposes of paragraph (1), a health professions entity specified in this paragraph is any entity that is a school of medicine, a school of osteopathic medicine, a graduate program in mental health practice, a school of nursing, a program for the training of physician assistants, or a program for the training of allied health professionals.

(c) REPORT TO CONGRESS.—Not later than 2 years after the date of the enactment of the Violence Against Women Training for Health Professions Act, the Attorney General shall submit to the House of Representatives, and the Senate, a report specifying the health professions entities that are receiving grants or contracts under this section; the number of hours of training required by the entities for purposes of such paragraph; the extent of clinical experience so required; and the types of courses through which the training is being provided, including the extent of involvement of nonprofit nongovernmental domestic violence and sexual assault victims services programs in the training.

(d) DEFINITIONS.—For purposes of this section—

(1) the term ''domestic violence'' includes acts or threats of violence, not including acts of self defense, committed by a current or former spouse of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim, by a person who is or has been in a continuing social relationship of a romantic or intimate nature with the victim, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction, or by any other person against a victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction; and

(2) the term ''sexual assault'' means any conduct proscribed by chapter 109A of title 18, United States Code, whether or not the conduct occurs in the special maritime and territorial jurisdiction of the United States or in a Federal prison and includes both assaults committed by offenders who are strangers to the victim and assaults committed by offenders who are known to the victim or related by blood or marriage to the victim.

TITLE XVII—VIOLENCE AGAINST WOMEN INTERVENTION, PREVENTION, AND EDUCATION RESEARCH

Subtitle A—Violence Against Women Prevention, Detection and Investigation Research

SEC. 1701. FINDINGS.

(a) FINDINGS.—Congress finds the following:

(1) According to a Panel on Research on Violence Against Women convened by the National Research Council in response to the mandates by the Violence Against Women Act of 1994—

(A) significant gaps exist in understanding the extent and causes of violence against women and the impact and the effectiveness of education, prevention, and interventions;

(B) funding for research on violence against women is spread across numerous Federal agencies with no mechanism through which to coordinate these efforts or to link with other federally sponsored research initiatives; and

(C) research on violence against women would benefit from an infrastructure that supports interdisciplinary efforts and aids in integrating these efforts into practice and policy.

(2) Despite the increased funding to prevent and respond to violence against women in underserved populations, few studies have examined incidence and prevalence data from the perspective of racial, ethnic, language, age, disability, and other underserved populations. Moreover, little is known about the types of prevention, detection, and investigation strategies that are most effective in underserved populations.

(3) Most studies currently focus on aspects of domestic violence related to physical abuse. Few studies explore the harm caused by emotional and psychological abuse and the appropriate prevention, detection, and investigation strategies for victims experiencing this form of abuse.

(4) Violence exposure as a risk factor for disease must be examined for a range of diseases and diagnoses to better understand the correlation between violence and disease including intervening variables.

(5) Violence against women occurs within the context of a sociocultural environment that should be studied to assist in a greater understanding of those factors that promote and maintain violence against women and to provide a framework for developing and assessing education, prevention, and intervention strategies.

SEC. 1702. TASK FORCE.

(a) PURPOSES.—The Attorney General shall establish a task force to coordinate research on violence against women. The task force shall comprise representation from all Federal agencies that fund such research.

(b) USES OF FUNDS.—Funds appropriated under this section shall be used to—

(1) develop a coordinated strategy to strengthen research focussed on education, prevention, and intervention strategies on violence against women;

(2) track and report on all Federal research and expenditures on violence against women;

(3) identify gaps in research and develop criteria for all Federal agencies for evaluating research proposals, taking into account the context within which women live their lives, including the broad social and cultural context as well as individual factors; and

(4) set priorities for research efforts that explore factors such as race, social, and economic class, geographic location, age, language, sexual orientation, disability, and other factors that result in violent crimes against women.

(c) AUTHORIZATION OF APPROPRIATION.—There shall be appropriated $500,000 for each of fiscal years 1999, 2000, and 2001 to fulfill the purposes of this section.

SEC. 1703. PREVENTION, DETECTION, AND INVESITIGATION RESEARCH GRANTS.

(a) PURPOSES.—The Department of Justice shall make grants to entities, including domestic violence and sexual assault organizations, research organizations, and academic institutions, to support research to further the understanding of the causes of violent behavior against women and to evaluate prevention, detection, and investigation programs.

(b) USE OF FUNDS.—The research conducted under this section shall include, but not be limited to the following areas and others that may be identified by the Task Force established under section 1702 of this title—

(1) longitudinal research to study the developmental trajectory of violent behavior against women and the way such violence differs from other violent behaviors;

(2) examination of risk factors for sexual and intimate partner violence for victims and perpetrators, such as poverty, childhood victimization and other traumas;

(3) examination of short- and long-term efforts of programs designed to prevent sexual and intimate partner violence;

(4) outcome evaluations of interventions targeted at children and teenagers;

(5) examination of and documentation of the processes and informal strategies women experience in attempting to manage and end the violence in their lives; and

(6) development and testing of effective methods of screening and providing services at all points of entry to the health care system, including mental health, emergency medicine, and primary care.

(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated $6,000,000 for each of the fiscal years 1999, 2000, and 2001 to carry out this section.

SEC. 1704. ADDRESSING GAPS IN RESEARCH.

(a) PURPOSES.—The Department of Justice shall make grants to domestic violence and sexual assault organizations, research organizations and academic institutions for the purpose of expanding knowledge about violence against women, with a particular emphasis on exploring such issues as they affect underserved communities.

(b) USES OF FUNDS.—Funds appropriated under this section shall be used to examine, but not be limited to, the following areas—

(1) development of national- and community-level survey studies to measure the incidence and prevalence of violence against women in underserved populations and the definitions women use to describe their experience of violence;

(2) qualitative and quantitative research to understand how factors such as race, ethnicity, socioeconomic status, age, language, disability, and sexual orientation that result in violent crimes against women;

(3) study of the availability and accessibility of State and local legal remedies to

victims of intimate partner violence within the context of a same sex intimate relationship;

(4) the use of nonjudicial alternative dispute resolution (such as mediation, negotiation, conciliation, and restorative justice models) in cases where domestic violence is a factor, comparing nonjudicial alternative dispute resolution and traditional judicial methods based upon the quality of representation of the victim, training of mediators or other facilitators, satisfaction of the parties, and outcome of the proceedings, as well as other factors that may be identified; and

(5) other such research as may be determined by the Task Force established under section 1702 in consultation with domestic violence and sexual assault advocates, coalitions, national experts, and researchers.

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated $4,500,000 for each of fiscal years 1999, 2000, and 2001 to carry out this section.

SEC. 1705. STUDY.

The United States Sentencing Commission shall study the following and report to the Congress—

(1) sentences given to persons incarcerated in Federal and State prison for assault or homicide crimes in which the relationship to the victim was a spouse, former spouse, or intimate partner;

(2) the effect of illicit drugs and alcohol on domestic violence and the sentences imposed for offenses involving such illicit drugs and alcohol where domestic violence occurred;

(3) the extent to which acts of domestic violence committed against the defendant, including coercion, may play a role in the commission of an offense;

(4) analysis delineated by race, gender, type of offense, and any other categories that would be useful for understanding the problem; and

(5) recommendations with respect to the offenses described in this section particularly any basis for a downward adjustment in any applicable guidelines determination.

SEC. 1706. STATUS REPORT ON LAWS REGARDING RAPE AND SEXUAL ASSAULT OFFENSES.

(a) STUDY.—The Attorney General, in consultation with national, State, and local domestic violence and sexual assault coalitions and programs, including, nationally recognized experts on sexual assault, such as from the judiciary, the legal profession, psychological associations, and sex offender treatment providers, shall conduct a national study to examine the status of the law with respect to rape and sexual assault offenses and the effectiveness of the implementation of laws in addressing such crimes and protecting their victims. The Attorney General may utilize the Bureau of Justice Statistics, the National Institute of Justice, and the Office for Victims of Crime in carrying out this section.

(b) REPORT.—Based on the study required under subsection (a), the Attorney General shall prepare a report, including an analysis of the uniformity of the rape and sexual assault laws including sex offenses committed against children and sex offenses involving penetration of any kind among the States and their effectiveness in prosecuting crimes of rape and sexual assault offenses as follows:

(1) Definitions of rape and sexual assault, including any marital rape exception and any other exception or downgrading of offense.

(2) Element of consent and coercive conduct, including deceit.

(3) Element of physical resistance and affirmative nonconsent as a precondition for conviction.

(4) Element of force, including penetration requirement as aggravating factor and use of coercion.

(5) Evidentiary matters—

(A) inferences—timeliness of complaint under the Model Penal Code;

(B) post traumatic stress disorder (including rape trauma syndrome) relevancy of scope and admissibility;

(C) rape shield laws—in camera evidentiary determinations;

(D) prior bad acts; and

(E) corroboration requirement and cautionary jury instructions.

(6) Existence of special rules for rape and sexual assault offenses.

(7) Use of experts.

(8) Sentencing—

(A) plea bargains;

(B) presentence reports;

(C) recidivism and remorse;

(D) adolescents;

(E) psychological injuries;

(F) gravity of crime and trauma to victim; and

(G) race.

(9) Any personal or professional relationship between the perpetrator and the victim.

(10) Any recommendations of the Attorney General for reforms to foster uniformity among the States in addressing rape and sexual assault offenses in order to protect victims more effectively while safeguarding due process.

(c) DEFINITION.—For purposes of this section, the term ''rape and sexual assault offenses'' includes carnal knowledge of a child, abduction with intent to defile, indecent liberties, beastiality, forcible sodomy, sexual penetration with an animate or inanimate object, forced sexual intercourse (labia majora penetration or anus penetration), cunnilingus, fellatio, anallingus, anal intercourse, sexual battery, aggravated sexual battery, and sexual abuse, accomplished by use of force, threats, or intimidation.

(d) REPORT.—The Attorney General shall ensure that no later than 1 year after the date of enactment of this Act, the study required under subsection (a) is completed and a report describing the findings made is submitted to Congress.

(e) AUTHORIZATION OF APPROPRIATION.—It is authorized that $200,000 be appropriated to carry out the study required by this section.

SEC. 1707. RESEARCH CENTERS.

The Attorney General shall establish 3 research centers to support the development of research and training program to focus on violence against women, to provide mechanisms for collaboration between researchers and practitioners, and to provide technical assistance for integrating research into service provision. Each Center shall be organized around a research area such as epidemiology and measurement of violence against women, causes and risk factors, and prevention and intervention evaluation research. At least one of the centers shall be established at an entity other than an academic institution. There are authorized to be appropriated $3,000,000 for each of the fiscal years 1999, 2000, and 2001 to carry out this section.

TITLE XVIII—PUBLIC ACCESS TO FBI DATABASE ON SEXUAL OFFENDERS

SEC. 1801. ESTABLISHMENT OF TELEPHONE ACCESS FOR THE PUBLIC TO FBI DATABASE ON SEXUAL OFFENDERS.

Subtitle A of title XVII of the Violent Crime Control and Law Enforcement Act of 1994 (42 U.S.C. 14071 et seq.) is amended by adding at the end the following new section:

''SEC. 170103. TELEPHONE ACCESS FOR THE PUBLIC TO FBI DATABASE.

''(a) ESTABLISHMENT.—(1) The Attorney General shall establish, publicize, and operate a national telephone service by which a person (as defined in subsection (f)(2)) may request the information described in paragraph (2).

''(2) The information described in this paragraph is whether an individual (as defined in subsection (f)(3)), other than a victim of an offense that requires registration under this subtitle, is listed in the database established under section 170102.

''(b) PREREQUISITE FOR ACCESS TO INFORMATION.—The Attorney General shall not disclose the information described in subsection (a)(2) unless the person seeking such information provides his or her full name, the full name of the individual, and one or more of the following:

''(1) The address of the individual's residence.

''(2) The individual's Social Security number.

''(3) The individual's driver's license number or the number the identification card issued by State or local authorities in lieu of a driver's license.

''(4) The individual's date of birth.

''(5) Such other information as the Attorney General determines to be appropriate for purposes of identification of the individual.

''(c) NOTICE TO CALLER.—Prior to disclosing information described in subsection (a)(2), and without charging a fee for the same, the Attorney General shall provide the following general information in the form of a recorded message:

''(1) The requirements described in subsection (b).

''(2) The fee for the use of the telephone service.

''(3) A warning that information received pursuant to such request may not be misused, as described in subsection (e), and notice of the penalties for such misuse of the information.

''(4) A warning that the service is not be available to persons under 18 years of age.

''(5) Such other information as the Attorney General determines to be appropriate.

''(d) FEES FOR USE OF SERVICE.—

''(1) FEE FOR ACCESS TO INFORMATION IN DATABASE.—The Attorney General shall charge a fee for each use of the service for information described in subsection (a) from the service.

''(2) LIMITATION ON NUMBER OF REQUESTS.—A person may not make more than two requests for such information per use of the service.

''(3) USE OF FEES TO DEFRAY EXPENSES OF SERVICE.—To the extent provided in advance in appropriations Acts, moneys received under paragraph (1) shall be used to pay for the expenses of the operation of the service.

''(e) PENALTIES FOR MISUSE OF INFORMATION.—

''(1) PROHIBITIONS.—Whoever, having obtained information described in subsection (a)(2) from the service, knowingly uses such information—

''(A) for any purpose other than to protect a minor at risk; or

''(B) with respect to insurance, housing, or any other use that the Attorney General may determine—

''(i) is unnecessary for the protection of a minor at risk or;

''(ii) which creates a disproportionate prejudicial effect,

shall be punished as provided in paragraph (2).

''(2) CIVIL PENALTY.—Each person who violates the provisions of paragraph (1) shall be subject to a civil penalty imposed by the Attorney General of not more than $1,000 for each violation.

''(f) DEFINITIONS.—As used in this section:

''(1) MINOR AT RISK.—The term 'minor at risk' means a minor, as that term is defined in section 2256(1) of title 18, United States Code, who is or may be in danger of becom-

ing a victim of an offense, for which registration is required under this subtitle, by an individual about whom the information described in subsection (a)(2) is sought.

''(2) PERSON.—The term 'person' means a person who requests the information described in subsection (a)(2).

''(3) INDIVIDUAL.—The term 'individual' means an individual who is required to register under this subtitle.''.

TITLE XIX—LIMITING AVAILABILITY OF PORNOGRAPHY ON COMPUTERS

SEC. 1901. LIMITING AVAILABILITY OF PORNOGRAPHY ON COMPUTERS.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Federal Bureau of Investigation and the Attorney General shall begin a study of computer-based technologies and other approaches to the problem of the availability of pornographic material to children on the Internet, in order to develop possible amendments to Federal criminal law and other law enforcement techniques to respond to this problem.

(b) CONTENTS OF STUDY.—The study shall address the following:

(1) The capabilities of present-day computer-based control technologies for controlling electronic transmission of pornographic images.

(2) Research needed to develop computer-based control technologies to the point of practical utility for controlling the electronic transmission of pornographic images.

(3) Any inherent limitations of computer-based control technologies for controlling electronic transmission of pornographic images.

(4) Operational policies or management techniques needed to ensure the effectiveness of these control technologies for controlling electronic transmission of pornographic images.

(5) Policy and criminal law and law enforcement options for promoting the deployment of such control technologies and the costs and benefits of such options.

(6) The possible constitutional limitations or constraints with respect to any of the matters described in paragraphs (1) through (5).

(c) FINAL REPORT.—Not later than 2 years after the date of the enactment of this section, the Federal Bureau of Investigation shall make a final report of the results of the study to the Committee on the Judiciary of the House of Representatives and the Committee on the Judiciary of the Senate. The final report of the study shall set forth the findings, conclusions, and recommendations of the Council and shall be submitted to relevant Government agencies and congressional committees.

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

Ms. JACKSON-LEE 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:

Add at the end the following:

TITLE V—LIMITING AVAILABILITY OF PORNOGRAPHY ON COMPUTERS

SEC. 501. LIMITING AVAILABILITY OF PORNOGRAPHY ON COMPUTERS.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Federal Bureau of Investigation and the Attorney General shall begin a study of computer-based technologies and other approaches to the problem of the availability of pornographic material to children on the Internet in order to develop possible amendments to Federal criminal law and other law enforcement techniques to respond to this problem.

(b) CONTENTS OF STUDY.—The study shall address the following:

(1) The capabilities of present-day computer-based control technologies for controlling electronic transmission of pornographic images.

(2) Research needed to develop computer-based control technologies to the point of practical utility for controlling the electronic transmission of pornographic images.

(3) Any inherent limitations of computer-based control technologies for controlling electronic transmission of pornographic images.

(4) Operational policies or management techniques needed to ensure the effectiveness of these control technologies for controlling electronic transmission of pornographic images.

(5) Policy and criminal law and law enforcement options for promoting the deployment of such control technologies and the costs and benefits of such options.

(6) The possible constitutional limitations or constraints with respect to any of the matters described in paragraphs (1) through (5).

(c) FINAL REPORT.—Not later than 2 years after the date of the enactment of this section, the Federal Bureau of Investigation shall make a final report of the results of the study to the Committee on the Judiciary of the House of Representatives and the Committee on the Judiciary of the Senate. The final report of the study shall set forth the findings, conclusions, and recommendations of the Council and shall be submitted to relevant Government agencies and congressional committees.

After debate,

By unanimous consent, 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. LATOURETTE, announced that the yeas had it.

So the motion to recommit with instructions was agreed to.

Mr. MCCOLLUM, by direction of the Committee on the Judiciary and pursuant to the foregoing order of the House reported the bill back to the House with said amendment.

The question being put, viva voce,

Will the House agree to said amendment?

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

So the amendment was agreed to.

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

The question being put, viva voce,

Will the House pass said bill?

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

Mr. MCCOLLUM demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 416; Nays ..... 0; Answered present 1

¶56.18 [Roll No. 230]

YEAS—416

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Archer
Armey
Bachus
Baesler
Baker
Baldacci
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bateman
Bentsen
Bereuter
Berry
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (CA)
Brown (FL)
Brown (OH)
Bryant
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Capps
Cardin
Carson
Castle
Chabot
Chambliss
Chenoweth
Christensen
Clay
Clayton
Clement
Clyburn
Coble
Coburn
Collins
Combest
Condit
Conyers
Cook
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crapo
Cubin
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Ensign
Eshoo
Etheridge
Evans
Everett
Ewing
Fattah
Fawell
Fazio
Filner
Foley
Forbes
Ford
Fossella
Fowler
Fox
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Furse
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gilman
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hansen
Harman
Hastert
Hastings (FL)
Hastings (WA)
Hayworth
Hefley
Hefner
Herger
Hill
Hilleary
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hyde
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (WI)
Johnson, E. B.
Jones
Kanjorski
Kaptur
Kasich
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
Kim
Kind (WI)
King (NY)
Kingston
Kleczka
Klink
Klug
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Lantos
Largent
Latham
LaTourette
Lazio
Leach
Lee
Levin
Lewis (CA)
Lewis (KY)
Linder
Lipinski
Livingston
LoBiondo
Lofgren
Lowey
Lucas
Luther
Maloney (CT)
Maloney (NY)
Manton
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDade
McDermott
McGovern
McHale
McHugh
McInnis
McIntosh
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Menendez
Metcalf
Mica
Millender-McDonald
Miller (CA)
Miller (FL)
Minge
Mink
Mollohan
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Neal
Nethercutt
Neumann
Ney

Northup	Roukema	Stump
Norwood	Roybal-Allard	Stupak
Nussle	Royce	Sununu
Oberstar	Rush	Talent
Obey	Ryun	Tanner
Olver	Sabo	Tauscher
Ortiz	Salmon	Tauzin
Owens	Sanchez	Taylor (MS)
Oxley	Sanders	Taylor (NC)
Packard	Sandlin	Thomas
Pallone	Sanford	Thompson
Pappas	Sawyer	Thornberry
Pascrell	Saxton	Thune
Pastor	Scarborough	Thurman
Payne	Schaefer, Dan	Tiahrt
Pease	Schaffer, Bob	Tierney
Pelosi	Schumer	Torres
Peterson (MN)	Scott	Towns
Peterson (PA)	Sensenbrenner	Traficant
Petri	Serrano	Turner
Pickering	Sessions	Upton
Pickett	Shadegg	Velazquez
Pitts	Shaw	Vento
Pombo	Sherman	Visclosky
Pomeroy	Shimkus	Walsh
Porter	Shuster	Wamp
Portman	Sisisky	Waters
Poshard	Skaggs	Watkins
Price (NC)	Skeen	Watt (NC)
Pryce (OH)	Skelton	Watts (OK)
Quinn	Slaughter	Waxman
Radanovich	Smith (MI)	Weldon (FL)
Rahall	Smith (NJ)	Weldon (PA)
Ramstad	Smith (OR)	Weller
Rangel	Smith (TX)	Wexler
Redmond	Smith, Linda	Weygand
Regula	Snowbarger	White
Reyes	Snyder	Whitfield
Riggs	Solomon	Wicker
Riley	Souder	Wise
Rivers	Spence	Wolf
Rodriguez	Spratt	Woolsey
Roemer	Stabenow	Wynn
Rogan	Stark	Yates
Rogers	Stearns	Young (AK)
Rohrabacher	Stenholm	Young (FL)
Ros-Lehtinen	Stokes	
Rothman	Strickland	

ANSWERED ''PRESENT''—1

Paul

NOT VOTING—16

Becerra	Hutchinson	Parker
Berman	Inglis	Paxon
Farr	Johnson, Sam	Shays
Gillmor	Lewis (GA)	Smith, Adam
Gonzalez	Meeks (NY)	
Hilliard	Moakley	

So the bill was passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

¶56.19 CLERK TO CORRECT ENGROSSMENT

On motion of Mr. GEKAS, by unanimous consent,

Ordered, That in the engrossment of the foregoing bill the Clerk be authorized to correct section numbers, cross references, and punctuation, and to make such stylistic, clerical, technical, conforming, and other changes as may be necessary to reflect the actions of the House in amending the bill.

¶56.20 CONDEMNING THE BRUTAL KILLING OF JAMES M. BYRD, JR.

Mrs. WATERS, by unanimous consent, moved that the Committee on the Judiciary be discharged from further consideration of the following resolution (H. Res. 466):

Resolved,

SECTION 1. FINDINGS.

The House of Representatives finds as follows:

(1) Mr. James Byrd, Jr., a 49-year-old disabled African American male from Jasper County, East Texas, was last seen walking home from a niece's bridal shower on June 6, 1998, and allegedly was offered a ride by 3 young white men, who then proceeded to physically and mercilessly beat Mr. Byrd in Jasper, Texas, then chained him to the back of a pickup truck and dragged him until the torso of his body was torn to pieces.

(2) Mr. James Byrd, Jr.'s body was found Sunday, June 7, 1998, on a bumpy, winding country road about 10 miles from his Jasper home, at the end of a trail of blood along a 2-mile stretch of road with his head, neck, and right arm severed.

(3) Mr. Byrd was so brutally disfigured that his head and torso were completely severed, with his head, neck, and right arm found about a mile away, and only finger prints could be used to identify him.

(4) Mr. Lawrence Russell Brewer, 31, of Sulphur Springs, Texas and Mr. Shawn Allen Berry, 23, and Mr. John William King, 23, of Jasper, Texas, all of whom have past criminal records and have served time in prison or were on probation, have been charged with murder and are being held without bail.

(5) The police released an affidavit of probable cause in which Mr. Berry said they had been out drinking and picked up Mr. Byrd as he walked down Martin Luther King Drive in Jasper early Sunday.

(6) Mr. Berry said that he stopped at a convenience store, but Mr. King was angry that he was giving a ride to a black man, so he took over at the steering wheel and drove to a remote area 7 miles outside of town, where they killed Mr. Byrd.

(7) The 3 men were known to be members of various hate groups, including the Ku Klux Klan and the Aryan Brotherhood.

(8) This was not a random act of violence, but a senseless, hate-filled crime.

(9) The Federal Bureau of Investigation also is investigating to see if the 3 could be charged with violating Mr. Byrd's Federal civil rights.

(10) One of the suspects allegedly said that they wanted to ''start the Turner Diaries early,'' referring to a novel about race war that is popular reading among some hate groups and white supremacists.

(11) This incident is reminiscent of the brutal slayings that occurred at the turn of the century and in the 1920s and 1930s, with brutal hangings which brought the National Association for the Advancement of Colored People into existence and contributed to its growth in its early days.

(12) This and similar incidents threaten the peaceful coexistence, security, and foundation of all communities.

SEC. 2. CONDEMNING THE KILLING OF JAMES BYRD, JR.

The House of Representatives—

(1) condemns the actions which occurred in Jasper, Texas as unacceptable and outrageous, to be condemned by all people of all races, creeds, and religions;

(2) pledges to do everything in its power, including holding public hearings, to probe the underlying causes of this brutal killing and to make sure that the United States does not return to the days when such hatred, brutality, violence, hangings, and murder were deemed acceptable;

(3) calls on the Federal Bureau of Investigation, the Department of Justice, the White House, and all other Federal law enforcement agencies to conduct an immediate, full, and fair investigation into all of the facts of the case to aggressively respond to this tragedy with indictments, and urges the prosecution proceed aggressively with a fair but speedy trial;

(4) calls upon each Member of Congress and every citizen of the United States, in his or her own way, through his or her church, synagogue, mosque, workplace, or social organization, to join in denouncing and getting others to denounce this outrageous murder of another human being; and

(5) pledges to join in efforts to bring an end to racism and an end to the fear and hatred which underlie it, and to encourage all Americans to dedicate themselves to ending racism and violence in the United States.that the resolution be considered immediately in the House; that debate on the resolution continue not to exceed 20 minutes, equally divided and controlled by the gentlewoman from Kentucky, Mrs. NORTHUP and the gentlewoman from California, Ms. WATERS; and that the previous question be considered as ordered on the resolution to final adoption without intervening motion or demand for division of the question.

Ms. WATERS, by unanimous consent, was authorized to add by the end of the business day the following Members as original cosponsors to the resolution (H. Res. 466) condemning the brutal killing of James M. Byrd, Jr.:

Ms. WATERS, Mrs. NORTHUP, Messrs. CONYERS, CLAY, STOKES, RANGEL, DIXON, OWENS, TOWNES, LEWIS of Georgia, PAYNE, Mrs. NORTON, Mr. JEFFERSON, Mrs. CLAYTON, Mr. BISHOP, Ms. BROWN of Florida, Messrs. CLYBURN, HASTINGS of Florida, HILLIARD, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. MCKINNEY, Mrs. MEEK of Florida, Messrs. RUSH, SCOTT, WATT of North Carolina, WYNN, THOMPSON, FATTAH, Ms. JACKSON-LEE, Mr. JACKSON, Ms. MILLENDER-MCDONALD, Mr. CUMMINGS, Ms. CARSON, Ms, CHRISTIAN-GREEN, Messrs, DAVIS of Illinois, FORD, Ms. KILPATRICK, Mr. MEEKS of New York, Ms. LEE, Messrs. TURNER, LAMPSON, CONZALEZ, FROST, STENHOLM, HALL of Texas, ORTIZ, EDWARDS, GREEN, BENTSEN, DOGGETT, RODRIGUEZ, HINOJOSA, REYES, SANDLIN, Mrs. TAUSCHER, Messrs. BRADY of Pennsylvania, TRAFICANT, MCNULTY, WAMP, SHAYS, MENENDEZ, Mrs. CHENOWETH, Messrs. SISISKY, ENGEL, Ms. FURSE, Messrs. MILLER of California, OLVER, Ms. HARMON, Mrs. BONO, Messrs. KING of New York, BACHUS, and POSHARD.

Mrs. NORTHUP, by unanimous consent, was authorized to add the following Members as original cosponsors to the resolution (H. Res. 466) condemning the brutal killing of James M. Byrd, Jr.:

Messrs. GINGRICH, ARMEY, HASTERT, BOEHNER, LINDER, WATTS of Oklahoma, GEPHARDT, BONIOR and FAZIO of California, Ms. DUNN, Ms. PRYCE of Ohio and Mrs. KENNELLY.

When said resolution was considered.

During debate,

By unanimous consent, debate on the resolution was extended an additional ten minutes, equally divided and controlled by Messdmes. NORTHUP and WATERS.

After debate,

By unanimous consent and pursuant to the foregoing order of the House, the previous question was ordered on the resolution to its adoption or rejection.

The question being put, viva voce,

Will the House agree to said resolution?

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

Ms. WATERS objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 4, rule XV, and the call was taken by electronic device.

When there appeared { Yeas ..... 397 / Nays ..... 0 }

¶56.21 [Roll No. 231]

YEAS—397

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Archer
Armey
Bachus
Baesler
Baldacci
Ballenger
Barcia
Barrett (NE)
Barrett (WI)
Bartlett
Bass
Bateman
Bentsen
Bereuter
Berry
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (CA)
Brown (FL)
Brown (OH)
Bryant
Bunning
Burr
Burton
Buyer
Calvert
Camp
Campbell
Canady
Cannon
Capps
Cardin
Carson
Castle
Chabot
Chambliss
Chenoweth
Christensen
Clay
Clayton
Clement
Clyburn
Coble
Coburn
Collins
Combest
Condit
Conyers
Cook
Costello
Cox
Coyne
Cramer
Crane
Crapo
Cubin
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Ensign
Eshoo
Etheridge
Evans
Ewing
Fattah
Fawell
Fazio
Filner
Foley
Forbes
Ford
Fossella
Fowler
Fox
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Furse
Gallegly
Ganske
Gekas
Gephardt
Gibbons
Gilchrest
Gilman
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green
Greenwood
Gutknecht
Hall (TX)
Hamilton
Hansen
Harman
Hastert
Hastings (FL)
Hastings (WA)
Hayworth
Hefley
Herger
Hill
Hilleary
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Hooley
Horn
Hostettler
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (WI)
Johnson, E. B.
Jones
Kanjorski
Kaptur
Kelly
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
Kim
Kind (WI)
King (NY)
Kingston
Kleczka
Klink
Klug
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Lantos
Latham
LaTourette
Lazio
Leach
Lee
Levin
Lewis (CA)
Lewis (KY)
Linder
Lipinski
Livingston
LoBiondo
Lofgren
Lowey
Lucas
Luther
Maloney (CT)
Maloney (NY)
Manton
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDade
McDermott
McGovern
McHale
McHugh
McInnis
McIntosh
McIntyre
McKeon
McKinney
McNulty
Meek (FL)
Menendez
Metcalf
Mica
Millender-McDonald
Miller (CA)
Miller (FL)
Minge
Mink
Mollohan
Moran (KS)
Moran (VA)
Morella
Myrick
Nadler
Neal
Nethercutt
Neumann
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Owens
Oxley
Packard
Pallone
Pappas
Pascrell
Pastor
Paul
Payne
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Poshard
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Rangel
Redmond
Regula
Reyes
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roybal-Allard
Royce
Rush
Ryun
Sabo
Salmon
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Saxton
Scarborough
Schaefer, Dan
Schaffer, Bob
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Sherman
Shimkus
Shuster
Sisisky
Skaggs
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Linda
Snowbarger
Snyder
Solomon
Souder
Spence
Spratt
Stabenow
Stark
Stearns
Stenholm
Stokes
Strickland
Stump
Stupak
Sununu
Talent
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thompson
Thornberry
Thune
Thurman
Tiahrt
Tierney
Torres
Towns
Traficant
Turner
Upton
Velazquez
Vento
Visclosky
Walsh
Wamp
Waters
Watkins
Watt (NC)
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
White
Whitfield
Wicker
Wise
Wolf
Woolsey
Wynn
Yates
Young (AK)
Young (FL)

NOT VOTING—36

Baker
Barr
Barton
Becerra
Berman
Callahan
Cooksey
Everett
Farr
Gejdenson
Gillmor
Gonzalez
Gutierrez
Hall (OH)
Hefner
Hilliard
Houghton
Inglis
Johnson, Sam
Kasich
Kennedy (MA)
Largent
Lewis (GA)
Meehan
Meeks (NY)
Moakley
Murtha
Parker
Paxon
Riggs
Roukema
Schumer
Shaw
Shays
Smith, Adam
Waxman

So the resolution was agreed to.

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

¶56.22 ADJOURNMENT OVER

On motion of Mr. HASTERT, by unanimous consent,

Ordered, That when the House adjourns today, it adjourn to meet on Monday, June 15, 1998 at 12 o'clock noon.

¶56.23 HOUR OF MEETING

On motion of Mr. HASTERT, by unanimous consent,

Ordered, That when the House adjourns today, it adjourn to meet at 12:30 p.m. on Tuesday, June 16, 1998, for ''morning-hour debate.''

¶56.24 CALENDAR WEDNESDAY BUSINESS DISPENSED WITH

On motion of Mr. HASTERT, by unanimous consent,

Ordered, That business in order for consideration on Wednesday, June 17, 1998, under clause 7, rule XXIV, the Calendar Wednesday rule, be dispensed with.

¶56.25 SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 1364. An Act to eliminate unnecessary and wasteful Federal reports; to the Committee on Government Reform and Oversight.

¶56.26 SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 423. An Act to extend the legislative authority for the Board of Regents of Gunston Hall to establish a memorial to honor George Mason.

¶56.27 BILL PRESENTED TO THE PRESIDENT

Mr. THOMAS, from the Committee on House Oversight, reported that that committee did on this day present to the President, for his approval, a bill of the House of the following title:

H.R. 2709. An Act to impose certain sanctions on foreign persons who transfer items contributing to Iran's efforts to acquire, develop, or produce ballistic missiles, and to implement the obligations of the United States under the Chemical Weapons Convention.

¶56.28 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. SHAYS, for after 12:30 p.m. today.

And then,

¶56.29 ADJOURNMENT

On motion of Mr. PEASE, pursuant to the special order heretofore agreed to at 6 o'clock and 50 minutes p.m., the House adjourned until 12 o'clock noon on Monday, June 15, 1998.

¶56.30 PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of Rule X and clause 4 of Rule XXII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. SHAYS (for himself, Mr. TOWNS, Mr. SNOWBARGER, Mr. SANDERS, Mr. GILMAN, Ms. NORTON, Mr. BURTON of Indiana, Mr. METCALF, Mr. MCHUGH, Mr. ALLEN, Mr. LANTOS, Mr. BARRETT of Wisconsin, Mr. CONDIT, Mr. MCINTOSH, Ms. STABENOW, Mr. MCGOVERN, Mr. PAPPAS, Mr. SOUDER, Mr. KUCINICH, Mr. KENNEDY of Massachusetts, Mr. DAVIS of Virginia, Mrs. JOHNSON of Connecticut, and Mr. UPTON):

H.R. 4035. A bill to amend the Federal Food, Drug, and Cosmetic Act and title 10, United States Code, with respect to the administration to members of the Armed Forces of certain drugs without the informed consent of the members; to the Committee on Commerce, and in addition to the Committee on National Security, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SHAYS (for himself, Mr. TOWNS, Mr. SNOWBARGER, Mr. SANDERS, Mr. GILMAN, Ms. NORTON, Mr. BURTON of Indiana, Mr. METCALF, Mr.

McHugh, Mr. Allen, Mr. Lantos, Mr. Barrett of Wisconsin, Mr. McIntosh, Ms. Stabenow, Mr. McGovern, Mr. Pappas, Mr. Souder, Mr. Waxman, Mr. Kucinich, Mr. Kennedy of Massachusetts, Mr. Davis of Virginia, Mrs. Johnson of Connecticut, and Mr. Upton):

H.R. 4036. A bill to amend title 38, United States Code, to establish certain presumptions of service connection for veterans who served in the Persian Gulf War, and for other purposes; to the Committee on Veterans' Affairs.

By Ms. GRANGER (for herself and Mr. Roemer):

H.R. 4037. A bill to require the Occupational Safety and Health Administration to recognize that electronic forms of providing Material Safety Data Sheets provide the same level of access to information as paper copies and to improve the presentation of safety and emergency information on such Data Sheets; to the Committee on Education and the Workforce.

By Mr. BOSWELL:

H.R. 4038. A bill to establish the National Commission on Reforming and Simplifying the Federal Tax Code; to the Committee on Ways and Means.

By Mr. BURTON of Indiana (for himself, Mr. Sessions, and Mr. Hutchinson):

H.R. 4039. A bill to amend part S of title I of the Omnibus Crime Control and Safe Streets Act of 1968 to permit the use of certain amounts for assistance to jail-based substance treatment programs, and for other purposes; to the Committee on the Judiciary.

By Mr. CLYBURN:

H.R. 4040. A bill to designate the building in Eau Claire, South Carolina, which houses the operations of the United States Postal Service as the ''Mamie G. Floyd Post Office''; to the Committee on Government Reform and Oversight.

By Mr. CLYBURN:

H.R. 4041. A bill to designate the United States Post Office located at 557 East Bay Street in Charleston, South Carolina, as the ''Marybelle H. Howe Post Office''; to the Committee on Government Reform and Oversight.

By Mr. CLYBURN:

H.R. 4042. A bill to designate the United States Post Office located at 78 Sycamore Street in Charleston, South Carolina, as the ''Richard E. Fields Post Office''; to the Committee on Government Reform and Oversight.

By Mr. CLYBURN:

H.R. 4043. A bill to designate the building in Eastover, South Carolina, which houses the operations of the United States Postal Service as the ''Layford R. Johnson Post Office''; to the Committee on Government Reform and Oversight.

By Mr. CLYBURN:

H.R. 4044. A bill to designate the building in Orangeburg, South Carolina, which houses the operations of the United States Postal Service as the ''J.I. Washington, III, Post Office''; to the Committee on Government Reform and Oversight.

By Mr. COOK (for himself and Mr. Cannon):

H.R. 4045. A bill to suspend temporarily the duty on the personal effects of participants in, and certain other individuals associated with, the 1999 International Special Olympics, the 1999 Women's World Cup Soccer, the 2001 International Special Olympics, the 2002 Salt Lake City Winter Olympics, and the 2002 Winter Paralympic Games; to the Committee on Ways and Means.

By Mr. DAVIS of Florida (for himself, Mr. Bilirakis, Mr. Dingell, Mr. Shaw, Mr. Brown of Ohio, Mr. Canady of Florida, Mr. Waxman, Mr. Young of Florida, Mr. Deutsch, Mr. Foley, Mr. Wexler, Mrs. Fowler, Mr. Markey, Mr. Diaz-Balart, Mr. Hastings of Florida, Ms. Ros-Lehtinen, Ms. Brown of Florida, Mr. Boucher, Mrs. Thurman, Mrs. Meek of Florida, Mr. Boyd, Mr. Manton, Mr. Towns, Mr. Pallone, Ms. Furse, Mr. Rush, Ms. Eshoo, Mr. Stupak, Mr. Green, Mr. Kennedy of Massachusetts, and Mr. Bishop):

H.R. 4046. A bill to amend title XIX of the Social Security Act to prohibit transfers or discharges of residents of nursing facilities as a result of a voluntary withdrawal from participation in the medicaid program; to the Committee on Commerce.

By Mr. DEUTSCH:

H.R. 4047. A bill to authorize the Administrator of the Environmental Protection Agency to make grants to the Florida Keys Aqueduct Authority and other appropriate agencies for the purpose of improving water quality throughout the marine ecosystem of the Florida Keys; to the Committee on Transportation and Infrastructure.

By Mr. DOOLITTLE:

H.R. 4048. A bill to convey the Sly Park Dam and Reservoir to the El Dorado Irrigation District, and for other purposes; to the Committee on Resources.

By Mr. GEKAS (for himself, Mrs. Bono, Mr. Buyer, Mr. English of Pennsylvania, Mr. Graham, Mr. Hall of Texas, Mr. Hutchinson, Mr. Inglis of South Carolina, Mr. Pickett, Mr. Sensenbrenner, Mr. Sisisky, Mr. Smith of Texas, Mr. Stenholm, Mr. Strickland, and Mr. Talent):

H.R. 4049. A bill to amend titles 5 and 28, United States Code, to provide for a limitation on sanctions imposed by agencies and courts in certain circumstances; to the Committee on the Judiciary.

By Mr. LATOURETTE (for himself, Mr. Kasich, and Mr. Ney):

H.R. 4050. A bill to designate the Federal building and United States courthouse located at 85 Marconi Boulevard in Columbus, Ohio, as the ''Joseph P. Kinneary United States Courthouse''; to the Committee on Transportation and Infrastructure.

By Ms. MCKINNEY:

H.R. 4051. A bill to provide a mechanism for the final resolution of certain complaints of discrimination arising out of the administration of programs of the Department of Agriculture; to the Committee on the Judiciary, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. MEEK of Florida (for herself, Mr. Scarborough, Mr. Boyd, Ms. Brown of Florida, Mrs. Fowler, Mrs. Thurman, Mr. Stearns, Mr. Mica, Mr. McCollum, Mr. Bilirakis, Mr. Young of Florida, Mr. Davis of Florida, Mr. Canady of Florida, Mr. Miller of Florida, Mr. Goss, Mr. Weldon of Florida, Mr. Foley, Ms. Ros-Lehtinen, Mr. Wexler, Mr. Deutsch, Mr. Diaz-Balart, Mr. Shaw, and Mr. Hastings of Florida):

H.R. 4052. A bill to establish designations for United States Postal Service buildings located in Coconut Grove, Opa Locka, Carol City, and Miami, Florida; to the Committee on Government Reform and Oversight.

By Mr. NEAL of Massachusetts (for himself and Mr. Rangel):

H.R. 4053. A bill to amend the Internal Revenue Code of 1986 to simplify the individual income tax by repealing the adjusted gross income limitations on itemized deductions and the personal exemption deduction, and for other purposes; to the Committee on Ways and Means.

By Ms. NORTON:

H.R. 4054. A bill to amend the District of Columbia Home Rule Act to provide the District of Columbia with autonomy over its budgets; to the Committee on Government Reform and Oversight.

By Ms. NORTON:

H.R. 4055. A bill to amend the District of Columbia Home Rule Act to eliminate Congressional review of newly-passed District laws; to the Committee on Government Reform and Oversight, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SESSIONS (for himself, Mr. DeLay, Mr. Tauzin, Mr. Armey, Ms. Pryce of Ohio, Mr. Hyde, Mr. Archer, Mr. Kasich, Mr. Hastert, Mr. Solomon, Mr. Hall of Texas, Mr. Burton of Indiana, Mr. Cunningham, Mr. Bachus, Mr. Bonilla, Mr. Dickey, Mr. Canady of Florida, Mr. Foley, Mr. Fox of Pennsylvania, Mr. McCrery, Mr. Bilbray, Mr. Hayworth, Mr. Pombo, Mr. Smith of Michigan, Mr. Rohrabacher, Mr. Salmon, Mr. Scarborough, Mr. Ewing, Mr. Smith of Oregon, Mr. McIntosh, Mr. Bartlett of Maryland, Mr. Ensign, Mr. Souder, Mr. Combest, Mr. Snowbarger, Mr. Traficant, Mr. Manzullo, Mr. Cook, Mr. Horn, Mr. Walsh, Mr. Doolittle, Mr. Baker, Mr. Linder, Mr. Blunt, Mrs. Cubin, Mr. Barrett of Nebraska, Mr. Pickering, Mr. Hobson, Mr. Lazio of New York, Mr. Wamp, Mr. Kingston, Mr. Burr of North Carolina, Mr. Ehrlich, Mr. Gillmor, Mr. McInnis, Mr. Talent, Mr. Paul, Mr. Smith of Texas, Mr. Paxon, Mr. Goodling, Mr. Shays, Mr. McCollum, Mr. Greenwood, Mr. Istook, Mr. Ryun, Mr. Nussle, Mr. Barr of Georgia, Mr. Royce, Mr. Sensenbrenner, Mr. Herger, Mr. Redmond, Mrs. Emerson, Mr. Young of Alaska, Mr. Watts of Oklahoma, Mr. Graham, Mr. Chabot, Mr. Hill, Mr. Bunning of Kentucky, Mr. Jones, and Mr. Metcalf):

H.R. 4056. A bill to prohibit the use of funds appropriated or otherwise made available for the Department of Defense for fiscal year 1999 or any subsequent fiscal year for the deployment of any United States ground combat forces in the Republic of Bosnia and Herzegovina after June 30, 1999, and for other purposes; to the Committee on National Security, and in addition to the Committee on International Relations, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LAHOOD:

H. Con. Res. 290. Concurrent resolution expressing the sense of Congress with respect to the fair and equitable implementation of the amendments made by the Food Quality Protection Act of 1996; to the Committee on Agriculture, and in addition to the Committee on Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. WATERS (for herself, Mrs. Northup, Mr. Conyers, Mr. Clay, Mr. Stokes, Mr. Rangel, Mr. Dixon, Mr. Owens, Mr. Towns, Mr. Lewis of Georgia, Mr. Payne, Ms. Norton, Mr. Jefferson, Mrs. Clayton, Mr. Bishop, Ms. Brown of Florida, Mr.

CLYBURN, Mr. HASTINGS of Florida, Mr. HILLIARD, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. MCKINNEY, Mrs. MEEK of Florida, Mr. RUSH, Mr. SCOTT, Mr. WATT of North Carolina, Mr. WYNN, Mr. THOMPSON, Mr. FATTAH, Ms. JACKSON-LEE, Mr. JACKSON, Ms. MILLENDER-MCDONALD, Mr. CUMMINGS, Ms. CARSON, Ms. CHRISTIAN-GREEN, Mr. DAVIS of Illinois, Mr. FORD, Ms. KILPATRICK, Mr. MEEKS of New York, Ms. LEE, Mr. GEPHARDT, Mr. BONIOR, Mr. TURNER, Mr. LAMPSON, Mr. GONZALEZ, Mr. FROST, Mr. STENHOLM, Mr. HALL of Texas, Mr. ORTIZ, Mr. EDWARDS, Mr. GREEN, Mr. BENTSEN, Mr. DOGGETT, Mr. RODRIGUEZ, Mr. HINOJOSA, Mr. REYES, Mr. SANDLIN, Mr. GINGRICH, Mr. ARMEY, Mr. WATTS of Oklahoma, Mrs. TAUSCHER, Mr. BRADY of Pennsylvania, Mr. HASTERT, Mr. BOEHNER, Ms. DUNN of Washington, Ms. PRYCE of Ohio, Mr. LINDER, Mr. FAZIO of California, Mrs. KENNELLY of Connecticut, Mr. TRAFICANT, Mr. MCNULTY, Mr. WAMP, Mr. SHAYS, Mr. MENENDEZ, Mrs. CHENOWETH, Mr. SISISKY, Mr. ENGEL, Ms. FURSE, Mr. MILLER of California, Mr. OLVER, Ms. HARMAN, Mrs. BONO, Mr. KING of New York, Mr. BACHUS, and Mr. POSHARD):

H. Res. 466. A resolution condemning the brutal killing of Mr. James BYRD, Jr.; to the Committee on the Judiciary. discharged; considered and adopted.

By Mrs. MALONEY of New York:

H. Res. 467. A resolution providing for the consideration of the bill (H.R. 3526) to reform the financing of Federal elections; to the Committee on Rules.

By Mrs. MALONEY of New York:

H. Res. 468. A resolution providing for further consideration of the bill (H.R. 2183) to amend the Federal Election Campaign Act of 1971 to reform the financing of campaigns for elections for Federal office, and for other purposes; to the Committee on Rules.

By Mr. HALL of Texas (for himself, Mr. SESSIONS, Mr. HINOJOSA, Mr. BENTSEN, Mr. DELAY, Mr. FILNER, Mr. SMITH of Oregon, Mr. ARCHER, Mr. ROHRABACHER, Mr. BRADY of Texas, Mr. CUNNINGHAM, Mr. ORTIZ, Mr. MCGOVERN, Mr. PASTOR, Mr. KOLBE, Mr. BONILLA, Mr. BARTON of Texas, Mr. SANDLIN, Mr. FROST, Mr. SKEEN, Mr. MANTON, Mr. EDWARDS, Mr. REDMOND, Mr. ARMEY, Mr. STENHOLM, and Mr. TURNER):

H. Res. 469. A resolution expressing the sense of the House of Representatives regarding assistance to Mexico to combat wildfires, and for other purposes; to the Committee on International Relations.

¶56.31 ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 44: Mr. SCARBOROUGH and Mr. BEREUTER.

H.R. 65: Mr. MCDERMOTT.

H.R. 165: Mr. LOBIONDO.

H.R. 303: Mr. MCDERMOTT.

H.R. 464: Ms. DEGETTE.

H.R. 611: Ms. LEE and Ms. DANNER.

H.R. 872: Mr. PALLONE.

H.R. 1126: Mr. MCNULTY, Mr. SCARBOROUGH, and Mr. RANGEL.

H.R. 1173: Mr. DEFAZIO, Ms. MILLENDER-MCDONALD, and Mr. HOLDEN.

H.R. 1231: Mr. ROMERO-BARCELO.

H.R. 1382: Mr. BROWN of Ohio, Mr. DAVIS of Illinois, Mr. MCGOVERN, Ms. DELAURO, Mr. QUINN, Mr. BLAGOJEVICH, Mr. BISHOP, Mr. BARCIA of Michigan, and Mr. FORBES.

H.R. 1401: Mrs. BONO and Mrs. CAPPS.

H.R. 1404: Mrs. TAUSCHER, Mr. FROST, Mr. BORSKI, Mr. OBEY, and Mrs. MEEK of Florida.

H.R. 1450: Mr. DELAHUNT.

H.R. 1560: Mr. PORTMAN, Mr. LAZIO of New York, Mr. NEAL of Massachusetts, Mr. COSTELLO, Mr. ENGLISH of Pennsylvania, and Mr. SKAGGS.

H.R. 1671: Mr. SANDERS.

H.R. 1689: Mr. THOMAS and Mr. MORAN of Kansas.

H.R. 1737: Mr. LEWIS of California.

H.R. 1995: Mr. JOHN, Mr. BOUCHER, Mr. ROTHMAN, Mr. BARRETT of Wisconsin, and Mr. DEUTSCH.

H.R. 2023: Mr. BORSKI, Mr. CUMMINGS, Mr. BALDACCI, Mr. GEJDENSON, Ms. LEE, Mrs. MINK of Hawaii, Mr. SANDERS, Ms. SANCHEZ, Ms. VELAZQUEZ, and Mr. FORD.

H.R. 2321: Mr. BARCIA of Michigan.

H.R. 2372: Mr. BARTON of Texas.

H.R. 2455: Mr. MASCARA and Mr. BOSWELL.

H.R. 2499: Mr. KOLBE, Mr. RAHALL, Mr. MCGOVERN, Mr. THOMPSON, and Mr. JOHN.

H.R. 2525: Mr. WEXLER and Mr. TOWNS.

H.R. 2547: Mr. WAXMAN.

H.R. 2560: Mr. SPRATT, Mr. CRAMER, Mr. LEWIS of California, and Ms. LEE.

H.R. 2635: Mr. UNDERWOOD, Ms. STABENOW, Mr. CUMMINGS, Mr. MORAN of Virginia, Mr. WEXLER, Mr. SCHUMER, and Mr. NEAL of Massachusetts.

H.R. 2752: Mr. DAN SCHAEFER of Colorado.

H.R. 2754: Mr. TORRES and Mrs. CAPPS.

H.R. 2800: Mr. FROST.

H.R. 2884: Mr. ISTOOK, Mr. FOLEY, and Mr. FOX of Pennsylvania.

H.R. 2914: Mr. GILMAN.

H.R. 2936: Mr. GILCHREST.

H.R. 2995: Mr. WELLER and Mr. FROST.

H.R. 3008: Mr. FROST and Mr. BARCIA of Michigan.

H.R. 3099: Mr. DUNCAN.

H.R. 3125: Mr. KING of New York.

H.R. 3127: Mr. LEWIS of Kentucky and Mr. ISTOOK.

H.R. 3140: Mr. YOUNG of Alaska and Mr. ALLEN.

H.R. 3162: Mr. GILMAN.

H.R. 3207: Mr. HOYER, Mr. MANTON, Mr. TORRES, Ms. LOFGREN, Mr. BARRETT of Wisconsin, Mr. LANTOS, Mr. HINCHEY, and Mr. FALEOMAVAEGA.

H.R. 3229: Mr. JONES.

H.R. 3230: Mr. JONES.

H.R. 3240: Ms. MCCARTHY of Missouri and Ms. DANNER.

H.R. 3281: Mr. TOWNS, Mr. COSTELLO, Mr. OLVER, Mr. FILNER, Mr. CLYBURN, and Mr. KENNEDY of Massachusetts.

H.R. 3283: Mr. ACKERMAN and Ms. PELOSI.

H.R. 3288: Mr. ISTOOK.

H.R. 3396: Mr. MARTINEZ, Ms. NORTON, Mr. GILLMOR, Mr. EDWARDS, and Ms. DANNER.

H.R. 3398: Mr. BARR of Georgia, Mr. DREIER, and Mr. RADANOVICH.

H.R. 3484: Mr. PICKERING.

H.R. 3506: Mr. TIERNEY, Ms. CHRISTIAN-GREEN, Mr. YOUNG of Alaska, Mr. OBERSTAR, Mr. LIPINSKI, Mr. SAWYER, Mr. BRYANT, Mr. BORSKI, Mr. CRAMER, Mr. DOYLE, Mr. HASTINGS of Florida, Mr. JEFFERSON, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. KLINK, Mr. LAMPSON, Mr. MOLLOHAN, Mr. MURTHA, and Mr. SHERMAN.

H.R. 3561: Mrs. MALONEY of New York.

H.R. 3570: Mr. WEXLER.

H.R. 3572: Mr. SHAYS, Mr. KING of New York, and Mr. PETERSON of Minnesota.

H.R. 3584: Mr. CANADY of Florida, Mr. METCALF, Mr. SANDLIN, Mr. MATSUI, Mr. GANSKE, Mrs. MINK of Hawaii, Mr. WATKINS, and Mr. BALLENGER.

H.R. 3610: Mr. PASCRELL, Mr. SMITH of New Jersey, and Mr. PRICE of North Carolina.

H.R. 3632: Mr. METCALF.

H.R. 3636: Mr. LAMPSON, Mr. RAHALL, and Ms. FURSE.

H.R. 3639: Mr. OXLEY.

H.R. 3654: Mr. LEWIS of Kentucky.

H.R. 3672: Mr. STARK and Mr. UNDERWOOD.

H.R. 3743: Ms. DELAURO and Ms. CARSON.

H.R. 3745: Mrs. ROUKEMA.

H.R. 3747: Mr. SNOWBARGER.

H.R. 3795: Mrs. KELLY.

H.R. 3814: Mr. GREEN, Mr. ROMERO-BARCELO, Mr. MASCARA, Mr. MEEHAN, Mr. MANTON, Mr. POMEROY, and Mr. BONIOR.

H.R. 3821: Mr. CRANE, Mr. BLUNT, Mr. CALVERT, Mr. ROMERO-BARCELO, Mr. RAMSTAD, Mrs. FOWLER, and Mr. MCNULTY.

H.R. 3830: Mr. PAPPAS and Mr. FRELINGHUYSEN.

H.R. 3833: Mr. YATES and Ms. FURSE.

H.R. 3855: Mr. POSHARD, Mr. BILBRAY, Mr. KENNEDY of Massachusetts, Mr. WAXMAN, Mr. ABERCROMBIE, and Mr. MOAKLEY.

H.R. 3862: Mr. MENENDEZ and Mrs. THURMAN.

H.R. 3870: Mr. MANZULLO, Mr. POMEROY, Mr. ENGLISH of Pennsylvania, Mr. BALDACCI, Mr. MCCOLLUM, Mr. BAKER, Mr. PETERSON of Pennsylvania, Mr. MCHUGH, Mr. SUNUNU, Mrs. KELLY, and Mr. SMITH of Oregon.

H.R. 3875: Mrs. TAUSCHER, Mr. MATSUI, Mr. PALLONE, and Mr. BILBRAY.

H.R. 3879: Mr. WELDON of Florida, Mr. STUMP, Mr. BARCIA of Michigan, Mr. LEWIS of Kentucky, Mr. DEAL of Georgia, and Mr. HASTERT.

H.R. 3885: Mr. COSTELLO.

H.R. 3907: Mr. WAMP.

H.R. 3911: Mrs. CAPPS.

H.R. 3927: Mr. RAMSTAD.

H.R. 3930: Mr. CHABOT, Mr. INGLIS of South Carolina, and Mr. HOSTETTLER.

H.R. 3937: Mr. SANDLIN.

H.R. 3942: Mr. BILBRAY, Mr. ROMERO-BARCELO, Mr. DIXON, Mr. MARTINEZ, and Mr. BROWN of California.

H.R. 3949: Mr. BOB SCHAFFER, Mr. KASICH, and Mr. PICKERING.

H.R. 3975: Mr. ENGLISH of Pennsylvania, Mr. CALVERT, and Mr. GOSS.

H.R. 4018: Ms. STABENOW, Mr. RUSH, Mrs. MALONEY of New York, Mr. BARCIA of Michigan, and Ms. LOFGREN.

H. Con. Res. 114: Mr. LUTHER.

H. Con. Res. 122: Mr. BERMAN, Mr. DEUTSCH, Mr. MCGOVERN, Mr. MCNULTY, Mrs. MEEK of Florida, Mr. MENENDEZ, Mrs. MORELLA, Mr. PALLONE, Mr. SAXTON, Mr. SCHUMER, Mr. SHERMAN, Mr. WATTS of Oklahoma, and Mr. WEXLER.

H. Con. Res. 254: Mr. DICKEY, Mr. BRYANT, and Mr. HUTCHINSON.

H. Con. Res. 258: Mr. LAMPSON.

H. Con. Res. 288: Mr. SNOWBARGER, Mrs. ROUKEMA, Mr. RILEY, Mr. FOX of Pennsylvania, Mr. CRAMER, Mr. HASTERT, and Mr. CALVERT.

H. Res. 144: Mr. PORTMAN and Mr. LAZIO of New York.

H. Res. 312: Mr. GUTIERREZ, Mr. KENNEDY of Rhode Island, Mr. LIPINSKI, and Mr. CALVERT.

H. Res. 353: Mr. LEACH and Mr. PORTER.

H. Res. 456: Mr. LARGENT, Mr. SOUDER, Mr. PETERSON of Pennsylvania, and Mr. MICA.

¶56.32 DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII sponsors were deleted from public bills and resolutions as follows:

H.R. 2497: Mr. BARCIA of Michigan.

H.R. 3396: Mr. REYES.

H.R. 3629: Mr. TIAHRT.

MONDAY, JUNE 15, 1998 (57)

¶57.1 DESIGNATION OF SPEAKER PRO TEMPORE

The House was called to order by the SPEAKER pro tempore, Mr. BARRETT of Nebraska, who laid before the House the following communication: