

the offense, the victim had not attained the age of 14 years and the offender had attained the age of 18 years; and

(B) the number of convictions described in subparagraph (A) that constitute second or subsequent convictions of the defendant of an offense described in that subparagraph.

(2) REPORT.—Not later than March 1, 2000, and on March 1 of each year thereafter, the Attorney General shall submit to Congress a report, which shall include—

(A) the information collected under paragraph (1) with respect to each State during the preceding calendar year; and

(B) the percentage of cases in each State in which an individual convicted of an offense described in paragraph (1)(A) was previously convicted of another such offense in another State during the preceding calendar year.

It was decided in the { Yeas ..... 412 affirmative ..... } Nays ..... 15

¶65.10

[Roll No. 212]

AYES—412

- Abercrombie, Ackerman, Aderholt, Allen, Andrews, Archer, Armye, Bachus, Baird, Baker, Baldacci, Baldwin, Ballenger, Barcia, Barr, Barrett (NE), Barrett (WI), Bartlett, Barton, Bass, Bateman, Becerra, Bentsen, Bereuter, Berkley, Berman, Berry, Biggart, Bilbray, Bilirakis, Bishop, Blagojevich, Biley, Blumenauer, Blunt, Boehlert, Boehner, Bonilla, Bonior, Bono, Borski, Boswell, Boucher, Boyd, Brady (PA), Brady (TX), Brown (FL), Brown (OH), Bryant, Burr, Burton, Buyer, Callahan, Calvert, Camp, Campbell, Canady, Cannon, Capps, Capuano, Cardin, Carson, Castle, Chabot, Chambliss, Chenoweth, Clayton, Clement, Clyburn, Coble, Coburn, Collins, Combest, Condit, Cook, Cooksey, Costello, Cox, Coyne, Cramer, Crane, Crowley, Cubin, Cummings, Cunningham, Danner, Davis (FL), Davis (VA), Deal, DeFazio, DeGette, Delahunt, DeLauro, DeLay, DeMint, Deutsch, Diaz-Balart, Dickey, Dicks, Dingell, Dixon, Doggett, Dooley, Doolittle, Doyle, Dreier, Duncan, Duinn, Edwards, Ehrlich, Emerson, Engel, English, Eshoo, Etheridge, Evans, Everett, Ewing, Farr, Fattah, Filner, Fletcher, Foley, Forbes, Ford, Fossella, Fowler, Franks (NJ), Frelinghuysen, Frost, Gallegly, Ganske, Gejdenson, Gekas, Gephardt, Gibbons, Gilchrest, Gillmor, Gilman, Gonzalez, Goode, Goodlatte, Goodling, Gordon, Goss, Graham, Granger, Green (TX), Green (WI), Greenwood, Gutierrez, Gutknecht, Hall (OH), Hall (TX), Hansen, Hastings (FL), Hastings (WA), Hayes, Hayworth, Hefley, Herger, Hill (IN), Hill (MT), Hilleary, Hilliard, Hinchey, Hinojosa, Hobson, Hoeffel, Hoekstra, Holden, Holt, Hooley, Horn, Hostettler, Hoyer, Hulshof, Hunter, Hutchinson, Hyde, Insee, Isakson, Istook, Jackson-Lee (TX), Jefferson, Jenkins, John, Johnson (CT), Johnson, E. B., Johnson, Sam, Jones (NC), Kanjorski, Kaptur, Kelly, Kennedy, Kildee, Kind (WI), King (NY), Kingston, Kleczka, Klink, Knollenberg, Kolbe, Kucinich, Kuykendall, LaFalce, LaHood, Lampson, Lantos, Largent, Larson, Latham, LaTourette, Lazio, Leach, Levin, Lewis (CA), Lewis (GA), Lewis (KY), Linder, Lipinski, LoBiondo, Lofgren, Lowey, Lucas (KY), Lucas (OK), Luther, Maloney (CT), Maloney (NY), Manzullo, Markey, Mascara, Matsui, McCarthy (MO), McCarthy (NY), McCollum, McCrery, McDermott, McGovern, McHugh, McInnis, McIntosh, McIntyre, McKeon, McKinney, McNulty, Meehan, Menendez, Metcaif, Mica, Millender-McDonald, Miller (FL), Miller, Gary, Miller, George, Minge, Mink, Moakley, Mollohan, Moore, Moran (KS), Moran (VA), Morella, Murtha, Myrick, Nadler, Napolitano, Neal, Nethercutt, Ney, Northup, Norwood, Nussle, Oberstar, Obey, Oliver, Ortiz, Ose, Owens, Oxley, Packard, Pallone, Pascrell, Pastor, Paul, Pease, Pelosi, Peterson (MN), Peterson (PA), Petri, Phelps, Pickering, Pickett, Pitts, Pombo, Pomeroy, Porter, Portman, Price (NC), Pryce (OH), Quinn, Radanovich, Rahall, Ramstad, Rangel, Regula, Reyes, Reynolds, Riley, Rivers, Rodriguez, Roemer, Rogan, Rogers, Rohrabacher, Ros-Lehtinen, Rothman, Roukema, Royce, Rush, Ryan (WI), Ryun (KS), Sabo, Salmon, Sanchez, Sanders, Sandlin, Sanford, Sawyer, Saxton, Scarborough, Schaffer, Schakowsky, Sensenbrenner, Serrano, Sessions, Shadegg, Shaw, Shays, Sherman, Sherwood, Shimkus, Shows, Shuster, Simpson, Siskis, Skeen, Clay, Conyers, Frank (MA), Jackson (IL), Jones (OH), Kilpatrick, Lee, Martinez, Meek (FL), Meeks (NY), Payne, Roybal-Allard, Scott, Waters, Watt (NC), Brown (CA), Davis (IL), Ehlers, Houghton, Kasich, Thomas, Weiner

- Levin, Lewis (CA), Lewis (GA), Lewis (KY), Linder, Lipinski, LoBiondo, Lofgren, Lowey, Lucas (KY), Lucas (OK), Luther, Maloney (CT), Maloney (NY), Manzullo, Markey, Mascara, Matsui, McCarthy (MO), McCarthy (NY), McCollum, McCrery, McDermott, McGovern, McHugh, McInnis, McIntosh, McIntyre, McKeon, McKinney, McNulty, Meehan, Menendez, Metcaif, Mica, Millender-McDonald, Miller (FL), Miller, Gary, Miller, George, Minge, Mink, Moakley, Mollohan, Moore, Moran (KS), Moran (VA), Morella, Murtha, Myrick, Nadler, Napolitano, Neal, Nethercutt, Ney, Northup, Norwood, Nussle, Oberstar, Obey, Oliver, Ortiz, Ose, Owens, Oxley, Packard, Pallone, Pascrell, Pastor, Paul, Pease, Pelosi, Peterson (MN), Peterson (PA), Petri, Phelps, Pickering, Pickett, Pitts, Pombo, Pomeroy, Porter, Portman, Price (NC), Pryce (OH), Quinn, Radanovich, Rahall, Ramstad, Rangel, Regula, Reyes, Reynolds, Riley, Rivers, Rodriguez, Roemer, Rogan, Rogers, Rohrabacher, Ros-Lehtinen, Rothman, Roukema, Royce, Rush, Ryan (WI), Ryun (KS), Sabo, Salmon, Sanchez, Sanders, Sandlin, Sanford, Sawyer, Saxton, Scarborough, Schaffer, Schakowsky, Sensenbrenner, Serrano, Sessions, Shadegg, Shaw, Shays, Sherman, Sherwood, Shimkus, Shows, Shuster, Simpson, Siskis, Skeen, Skelton, Slaughter, Smith (MI), Smith (NJ), Smith (TX), Smith (WA), Snyder, Souder, Spence, Spratt, Stabenow, Stark, Stearns, Stenholm, Strickland, Stump, Stupak, Sununu, Sweeney, Talent, Tancredo, Tanner, Tauscher, Tauzin, Taylor (MS), Taylor (NC), Terry, Thompson (CA), Thompson (MS), Thornberry, Thune, Thurman, Tiahrt, Tierney, Toomey, Towns, Trafficant, Turner, Udall (CO), Udall (NM), Upton, Velazquez, Vento, Visclosky, Vitter, Walden, Walsh, Wamp, Watkins, Watts (OK), Waxman, Weldon (FL), Weldon (PA), Weller, Wexler, Weygand, Whitfield, Wicker, Wilson, Wise, Wolf, Woolsey, Wu, Wynn, Young (AK), Young (FL)

NOES—15

- Clay, Conyers, Frank (MA), Jackson (IL), Jones (OH), Kilpatrick, Lee, Martinez, Meek (FL), Meeks (NY), Payne, Roybal-Allard, Scott, Waters, Watt (NC), Brown (CA), Davis (IL), Ehlers, Houghton, Kasich, Thomas, Weiner

NOT VOTING—7

So the amendment was agreed to.

¶65.11 RECORDED VOTE

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

Add at the end the following new title:

TITLE —PROTECTING CHILDREN FROM THE CULTURE OF VIOLENCE

SEC. —. PROTECTING CHILDREN FROM EXPLICIT SEXUAL OR VIOLENT MATERIAL.

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

“§ 1471. Protection of minors

“(a) PROHIBITION.—Whoever in interstate or foreign commerce knowingly and for monetary consideration, sells, sends, loans, or exhibits, directly to a minor, any picture, photograph, drawing, sculpture, video game, motion picture film, or similar visual representation or image, book, pamphlet, magazine, printed matter, or sound recording, or other matter of any kind containing explicit sexual material or explicit violent material which—

“(1) the average person, applying contemporary community standards, would find, taking the material as a whole and with respect to minors, is designed to appeal or pandering to the prurient, shameful, or morbid interest;

“(2) the average person, applying contemporary community standards, would find the material patently offensive with respect to what is suitable for minors; and

“(3) a reasonable person would find, taking the material as a whole, lacks serious literary, artistic, political, or scientific value for minors;

shall be punished as provided in subsection (c) of this section.

“(b) DEFINITIONS.—As used in subsection (a)—

“(1) the term ‘knowingly’ means having general knowledge of, or reason to know, or a belief or ground for belief which warrants further inspection or inquiry of—

“(A) the character and content of any material described in subsection (a) which is reasonably susceptible of examination by the defendant; and

“(B) the age of the minor;

but an honest mistake is a defense against a prosecution under this section if the defendant made a reasonable bona fide attempt to ascertain the true age of such minor;

“(2) the term ‘minor’ means any person under the age of 17 years; and

“(3) the term ‘sexual material’ means a visual depiction of an actual or simulated display of, or a detailed verbal description or narrative account of—

“(A) human male or female genitals, pubic area or buttocks with less than a full opaque covering;

“(B) a female breast with less than a fully opaque covering of any portion thereof below the top of the nipple;

“(C) covered male genitals in a discernibly turgid state;

“(D) acts of masturbation, sodomy, or sexual intercourse;

“(E) physical contact with a person’s clothed or unclothed genitals, pubic area, buttocks, or if such person be a female, breast;

“(4) the term ‘violent material’ means a visual depiction of an actual or simulated display of, or a detailed verbal description or narrative account of—

“(A) sadistic or masochistic flagellation by or upon a person;

“(B) torture by or upon a person;

“(C) acts of mutilation of the human body; or

“(D) rape.

“(c) PENALTIES.—The punishment for an offense under this section is—

“(1) a fine under this title or imprisonment for not more than 5 years, or both, in the case of an offense which does not occur after a conviction for another offense under this section; and

“(2) a fine under this title or imprisonment for not more than 10 years, or both, in the case of an offense which occurs after a conviction for another offense under this section.”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 71 of