H.R. 1111: Mr. GOODE, Mr. SISISKY, and Mr. ENGEL.
H.R. 1116: Mr. HOSTETTLER.
H.R. 1129: Ms. VELAZQUEZ, Mr. BOUCHER, and Mr. ENGEL.
H.R. 1130: Mr. PALLONE.
H.R. 1168: Mr. TURNER and Mr. GALLEGLY.
H.R. 1177: Mr. TANCREDO.
H.R. 1194: Mr. WAMP, Ms. VELAZQUEZ, and Mr. GARY MILLER of California.
H.R. 1196: Mr. HINCHEY.
H.R. 1216: Mr. WEINER, Mr. BROWN of Ohio, Mr. LUCAS of Kentucky, and Mr. DIXON.
H.R. 1248: Mr. CALVERT.
H.R. 1256: Mr. GRAHAM, Mr. HOSTETTLER, and Mr. BLUNT.
H.R. 1281: Mr. NORWOOD.
H.R. 1296: Mr. ISAKSON.
H.R. 1300: Mr. CUMMINGS, Mr. BATEMAN, and Mr. DUNCAN.
H.R. 1317: Mr. SHAW.
H.R. 1325: Mr. KOLBE, Mr. GREENWOOD, Mr. FATTAH, and Mr. LEWIS of Kentucky.
H.R. 1342: Mr. WU and Ms. NORTON.
H.R. 1357: Mr. TIAHRT and Ms. MCKINNEY.
H.R. 1358: Mr. SHOWS.
H.R. 1413: Mr. GREEN of Texas, Mr. RODRIGUEZ, and Mr. SMITH of Texas.
H.R. 1445: Mr. BLAGOJEVICH.
H.R. 1456: Mr. GREEN of Texas, Mr. BRADY of Pennsylvania, Mr. BALDACCI, and Ms. DELAURO.
H.R. 1462: Mr. EVANS.
H.R. 1475. Mr. RAMSTAD.
H.R. 1476: Mr. BUYER.
H.R. 1484: Mr. BALDACCI and Mr. REYES.
H.R. 1495: Mr. VENTO and Mr. LARSON.
H.R. 1496: Mr. HOEKSTRA, Mr. SCHAFFER, and Ms. MCCARTHY of Missouri.
H.R. 1504: Mr. PICKETT, Mr. SHOWS, Mr. MCHUGH, Mr. CASTLE, Mr. CALVERT, and Mr. CUNNINGHAM.
H.R. 1507: Mr. STUMP and Mrs. CUBIN.
H.R. 1525: Mr. HOEFFEL, Mrs. MINK of Hawaii, Mr. BRADY of Pennsylvania, Mr. PALLONE, Mr. ABERCROMBIE, and Mr. RUSH.
H.R. 1540: Mr. CAMPBELL.
H.R. 1603: Mr. BUYER, Mr. REYES, and Mrs. MINK of Hawaii.
H.R. 1606: Mr. GONZALEZ and Mr. NEAL of Massachusetts.
H.R. 1614: Ms. MILLENDER-MCDONALD.
H.R. 1620: Mr. BRADY of Texas, Mr. PITTS, and Mr. MCCOLLUM.
H.R. 1622: Mr. MEEHAN, Mr. WEINER, and Mr. LARSON.
H.R. 1649: Mr. STEARNS.
H.R. 1661: Mr. ACKERMAN.
H.R. 1671: Ms. MCKINNEY.
H.R. 1675: Mr. NADLER.
H.R. 1687: Mr. BAKER.
H.R. 1689: Mr. MCCOLLUM.
H.R. 1702: Ms. NORTON.
H.R. 1750: Mr. TIERNEY.
H.R. 1778: Mr. GOSS, Mrs. FOWLER, Mr. LINDER, Mr. SCHAFFER, Mr. CHAMBLISS, and Mr. MCINNIS.
H.R. 1795: Mr. BALDACCI, Mr. LANTOS, Mr. DAVIS of Florida, and Mr. THOMPSON of California.
H.R. 1812: Ms. WOOLSEY.
H.R. 1841: Mr. LAFALCE and Mr. BERMAN.
H.R. 1842: Mr. CHAMBLISS and Mr. CUNNINGHAM.
H.R. 1849: Ms. EDDIE BERNICE JOHNSON of Texas and Ms. KAPTUR.
H.R. 1863: Mr. BLUMENAUER.
H.R. 1871: Ms. KAPTUR, Mr. CUMMINGS, Mr. ENGLISH, and Ms. NORTON.
H.R. 1886: Mr. SHOWS, Mr. MCHUGH, Mrs. THURMAN, and Mr. FOLEY.
H.R. 1895: Mr. BENTSEN.
H.R. 1929: Ms. WOOLSEY.
H.R. 1932: Mr. TAUZIN, Mr. CLYBURN, Ms. ROS-LEHTINEN, Mr. HINOJOSA, Mr. JOHN, Mr. REYES, Ms. SANCHEZ, Mr. SMITH of Washington, Mr. OWENS, Mr. BOYD, Mr. BERMAN, Mr. JACKSON of Illinois, Mr. GEORGE MILLER of California, Mr. MOAKLEY, Mr. MOLLOHAN, Mr. RAHALL, and Mr. HYDE.
H.R. 1977: Mr. GUTIERREZ and Mr. FOLEY.
H.R. 1979: Mr. CHAMBLISS.
H.R. 1993: Mr. PHELPS.
H.R. 1995: Mr. DREIER, Mr. GARY MILLER of California, Mr. TALENT, Mr. DEAL of Georgia, Mr. DEMINT, Mr. BAKER, Mr. HORN, Mr. DICKEY, Mr. GREEN of Wisconsin, Mr. FOSSELLA, Mr. BOEHNER, Mr. CALVERT, Mr. HOSTETTLER, and Mr. SHIMKUS.
H.R. 2030: Mr. CRANE.
H.R. 2031: Mr. BLAGOJEVICH, Mr. GREEN of Texas, Mr. BARRETT of Wisconsin, Ms. KILPATRICK, Mr. BACHUS, Mr. SHOWS, Mr. KLECZKA, Mr. DUNCAN, Mr. GOODE, Mr. LUCAS of Kentucky, Mr. PICKETT, and Mr. STUMP.
H.R. 2067: Mr. GILMAN and Mr. BARRETT of Wisconsin.
H.R. 2081: Mr. KUCINICH, Mr. EVANS, Mr. BONIOR, Mr. MCGOVERN, Mr. HILL of Indiana, Mr. WEINER, and Ms. NORTON.
H.R. 2088: Mr. CANADY of Florida.
H.R. 2120: Mr. BENTSEN, Mr. ABERCROMBIE, Mr. BAIRD, Mr. BALDACCI, Ms. BALDWIN, Ms. BERKLEY, Mr. BERMAN, Mr. BLAGOJEVICH, Mr. CAPUANO, Mrs. CAPPS, Mr. CONYERS, Mr. DEFAZIO, Mr. FARR of California, Mr. FATTAH, Mr. FILNER, Mr. HILLIARD, Mr. HOLT, Mr. INSLEE, Ms. KILPATRICK, Mrs. MALONEY of New York, Mr. MATSUI, Mr. MCDERMOTT, Mrs. MEEK OF FLORIDA, Mrs. MINK of Hawaii, Mr. NADLER, Mr. OLVER, Mr. RUSH, Mr. SANDERS, Ms. SCHAKOWSKY, Mr. SHERMAN, Mr. SMITH of Washington, Mr. STARK, Mrs. TAUSCHER, and Mrs. THURMAN.
H.R. 2125: Mr. GREEN of Texas.
H.R. 2128: Mr. LAMPSON, Mr. FOLEY, Mr. REYES, Mr. FROST, Mr. ORTIZ, Mr. HINOJOSA, and Mr. SANDLIN.
H.R. 2162: Mr. EHLERS.
H.J. Res. 46: Mr. TOWNS, Mr. BOEHLERT, Mr. FOLEY, Ms. BERKLEY, Mr. LIPINSKI, Mr. SHAYS, Mr. HOBSON, and Mr. ENGEL.
H.J. Res. 47: Mr. ENGEL.
H.J. Res. 55: Mr. HAYWORTH and Mr. STUMP.
H.J. Res. 57: Mr. BONIOR, Mr. STARK, and Mr. SCARBOROUGH.
H.J. Res. 58: Ms. SANCHEZ and Mr. SMITH of New Jersey.
H. Con. Res. 30: Mr. CHABOT and Mr. WALDEN of Oregon.
H. Con. Res. 34: Mr. WAXMAN.
H. Con. Res. 75: Mr. SMITH of New Jersey, Mr. FARR of California, Mr. MEEKS of New York, Mr. OWENS, Mr. MCNULTY, Mrs. CLAYTON, Mr. HILLIARD, Mr. GEPHARDT, and Ms. KINNEY.
H. Con. Res. 77: Ms. ROS-LEHTINEN and Mr. WEINER.
H. Con. Res. 94: Mr. TIAHRT.
H. Con. Res. 117: Mr. SAXTON, Mr. SHOWS, Mrs. MALONEY of New York, Mr. CROWLEY, Mrs. MORELLA, Ms. ROS-LEHTINEN, Mr. BERMAN, Mr. LATOURETTE, Mr. PALLONE, Mr. FORBES, Mr. SHAYS, Mr. DELAY, Mr. SHERMAN, Mr. ACKERMAN, Mr. DEAL of Georgia, Mr. ENGEL, Mr. LANTOS, Ms. SCHAKOWSKY, and Mr. SALMON.
H. Con. Res. 120: Mr. TRAFICANT, Mr. TURNER, Mr. BISHOP, Mr. SHERMAN, Mr. STUPAK, Mr. GALLEGLY, Mr. OXLEY, Mr. THOMPSON of California, and Mr. ENGEL.
H. Con. Res. 124: Mr. HERGER, Ms. LOFGREN, Mr. OSE, and Mr. DAVIS of Illinois.
H. Con. Res. 130: Mr. ACKERMAN.
H. Res. 62: Ms. NORTON.
H. Res. 187: Mr. MCGOVERN, Mr. BALLENGER, Ms. NORTON, Ms. MCKINNEY, Mrs. KELLY, Mr. GUTIERREZ, and Mrs. MORELLA.

WEDNESDAY, JUNE 16, 1999 (65)

The House was called to order by the SPEAKER.

¶65.1 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Tuesday, June 15, 1999.

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

¶65.2 COMMUNICATIONS

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

2618. A letter from the Director, Office of Legislative and Intergovernmental Affairs, Commodity Futures Trading Commission, transmitting the Commission's final rule—Fees for Applications for Contract Market Designation, Audits of Leverage Transaction Merchants, and Reviews of the Rule Enforcement Programs of Contract Markets and Registered Futures Associations—received May 24, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2619. A communication from the President of the United States, transmitting a request for funds to support critical national security activities; (H. Doc. No. 106–83); to the Committee on Appropriations and ordered to be printed.

2620. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting the annual report of the exercise of U.S. rights and responsibilities under the Panama Canal Treaty of 1977, pursuant to 22 U.S.C. 3871; to the Committee on Armed Services.

2621. A letter from the Acting Assistant Secretary of Defense (Force Management Policy), transmitting the annual report on the number of waivers granted to aviators who fail to meet operational flying duty requirements; to the Committee on Armed Services.

2622. A letter from the Chairman, National Credit Union Administration, transmitting the proposed rule on Prompt Corrective Action; to the Committee on Banking and Financial Services.

2623. A letter from the Secretary, Department of Education, transmitting Final Regulations—William D. Ford Federal Direct Loan Program (RIN: 1840–AC57), pursuant to 20 U.S.C. 1232(f); to the Committee on Education and the Workforce.

2624. A letter from the Secretary, Department of Education, transmitting Notice of Funding Priority for Fiscal Years 1999–2000 for a Disability and Rehabilitation Research Project, pursuant to 20 U.S.C. 1232(f); to the Committee on Education and the Workforce.

2625. A letter from the Assistant General Counsel for Regulations, Special Education and Rehabilitative Services, Department of Education, transmitting Notice of Final Funding Priority for Fiscal Year 1999 for a Disability and Rehabilitation Research Project, pursuant to 20 U.S.C. 1232(f); to the Committee on Education and the Workforce.

2626. A letter from the Office of Special Education and Rehabilitative Services, Department of Education, transmitting Notice of Final Funding Priority for Fiscal Year 1999 for a Disability and Rehabilitation Research Project; to the Committee on Education and the Workforce.

2627. A letter from the Acting Assistant, General Counsel for Regulatory Law, Office of Safeguards and Security, Department of Energy, transmitting the Classified Matter Protection and Control Manual; to the Committee on Commerce.

2628. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans State of Kansas [KS 078–1078; FRL–6361–8] received June 14, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

2629. A letter from the Chairman, Federal Energy Regulatory Commission, transmitting the Commission's final rule—Complaint Procedures [Docket No. RM98–13–000; Order No.] received May 14, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

2630. A letter from the Chairman, Nuclear Regulatory Commission, transmitting a draft of proposed legislation to authorize appropriations for the Nuclear Regulatory Commission for fiscal year 2000; to the Committee on Commerce.

2631. A letter from the Director, Defense Security Cooperation Agency, transmitting notification concerning the Department of the Army's Proposed Letter(s) of Offer and Acceptance (LOA) to Greece for defense articles and services (Transmittal No. 99–16), pursuant to 22 U.S.C. 2776(b); to the Committee on International Relations.

2632. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a proposed Manufacturing License Agreement with Norway, pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

2633. A communication from the President of the United States, transmitting the report on progress toward a negotiated settlement of the Cyprus question, covering the period February 1, 1999, to March 31, 1999, pursuant to 22 U.S.C. 2373(c); to the Committee on International Relations.

2634. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a report to Congress on Government of Cuba compliance with the U.S.-Cuba migration agreements of September 1994 and May 2, 1995; to the Committee on International Relations.

2635. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 13–78, ''General Obligation BONDS and BOND Anticipation Notes for Fiscal Years 1999–2004 Authorization Act of 1999,'' pursuant to D.C. Code section 1–233(c)(1); to the Committee on Government Reform.

2636. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 13–76, ''Apostolic Church of Washington, D.C., Equitable Real Property Tax Relief Act of 1999,'' pursuant to D.C. Code section 1–233(c)(1); to the Committee on Government Reform.

2637. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 13–77, ''Children's Defense Fund Equitable Real Property Tax Relief Act of 1999,'' pursuant to D.C. Code section 1–233(c)(1); to the Committee on Government Reform.

2638. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 13–75, ''Bethea-Welch Post 7284, Veterans of Foreign Wars, Equitable Real Property Tax Relief Act of 1999,'' pursuant to D.C. Code section 1–233(c)(1); to the Committee on Government Reform.

2639. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 13–70, ''Ben Ali Way Act of 1999,'' pursuant to D.C. Code section 1–233(c)(1); to the Committee on Government Reform.

2640. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 13–69, ''Criminal Code and Clarifying Technical Amendments Act of 1999,'' pursuant to D.C. Code section 1–233(c)(1); to the Committee on Government Reform.

2641. A letter from the Executive Director, Committee For Purchase From People Who Are Blind Or Severely Disabled, transmitting the Committee's final rule—Additions to and Deletions from the Procurement List—received May 25, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

2642. A letter from the Assistant Secretary for Management and Chief Financial Officer, Department of the Treasury, transmitting a vacancy notice within the Department; to the Committee on Government Reform.

2643. A letter from the Administrator, National Oceanic and Atmospheric Administration, transmitting the Annual Report of the Coastal Zone Management Fund; to the Committee on Resources.

2644. A letter from the Secretary of Defense, transmitting the annual reports that set out the current amount of outstanding contingent liabilities of the United States for vessels insured under the authority of Title XII of the Merchant Marine Act of 1936, and for aircraft insured under the authority of chapter 433 of title 49, United States Code, pursuant to Public Law 104–201, section 1079(a) (110 Stat. 2670); jointly to the Committees on Armed Services and Transportation and Infrastructure.

2645. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a report on U.S. Contributions to the Korean Peninsula Energy Development Organization; jointly to the Committees on International Relations and Appropriations.

2646. A letter from the Secretary of Transportation, transmitting the Department's fourth report in the series entitled ''Effectiveness of Occupant Protection Systems and Their Use.,'' pursuant to Public Law 102–240, section 2508(e) (105 Stat. 2086); jointly to the Committees on Transportation and Infrastructure and Commerce.

2647. A letter from the Board Members, Railroad Retirement Board, transmitting a draft of proposed legislation to amend the Railroad Retirement Act to make permanent the exemption of the Railroad Retirement Board trust funds from the payment of full commercial rent for real property occupied by the agency; jointly to the Committees on Transportation and Infrastructure and Government Reform.

2648. A letter from the Board Members, Railroad Retirement Board, transmitting a draft of proposed legislation to amend the Social Security Act to provide for the provision of new hire information to the Railroad Retirement Board; jointly to the Committees on Ways and Means and Transportation and Infrastructure.

2649. A letter from the Board Members, Railroad Retirement Board, transmitting the Board's Congressional Justification of Budget Estimates for Fiscal Year 2000, pursuant to 45 U.S.C. 231f; jointly to the Committees on Appropriations, Transportation and Infrastructure, and Ways and Means.

¶65.3 PROVIDING FOR THE CONSIDERATION OF H.R. 1501 AND H.R. 2122

Mr. DREIER, by direction of the Committee on Rules, called up the following resolution (H. Res. 209):

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 1501) to provide grants to ensure increased accountability for juvenile offenders. The first reading of the bill shall be dispersed with. General debate shall be confined to the bill and the amendments made in order by this resolution 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. The bill shall be considered as read. No amendment to the bill shall be in order except those printed in part A of the report of the Committee on Rules accompanying this resolution. Except as otherwise specified in this resolution, each amendment may be offered only in the order printed in part A of the report. Each amendment 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 except as specified in the report, 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 recognize for consideration of any amendment printed in part A of the report out of the order printed, but not sooner than one hour after the chairman of the Committee on the Judiciary or a designee announces from the floor a request to that effect. 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 for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. 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.

SEC. 2. At any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 2122) to require background checks at gun shows, and for other purposes. The first reading of the bill shall be dispensed with. General debate shall be confined to the bill and the amendments made in order by this resolution 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. The bill shall be considered as read. No amendment to the bill shall be in order except those printed in part B of the report of the Committee on Rules accompanying this resolution. Each amendment may be offered only in the order printed in part B of 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 for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. 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.

SEC. 3. (a) In the engrossment of H.R. 1501, the Clerk shall—

(1) await the disposition of H.R. 2122;

(2) add the text of H.R. 2122, as passed by the House, as new matter at the end of H.R. 1501;

(3) conform the title of H.R. 1501 to reflect the addition of the text of H.R. 2122 to the engrossment;

(4) assign appropriate designations to provisions within the engrossment; and

(5) conform provisions for short titles within the engrossment.

(b) Upon the addition of the text of H.R. 2122 to the engrossment of H.R. 1501, H.R. 2122 shall be laid on the table.

When said resolution was considered.

After debate,

¶65.4 ORDER OF BUSINESS—CONSIDERATION OF AMENDMENT TO H.R. 2122

On motion of Mr. DREIER, by unanimous consent,

Ordered, That it may be in order that, notwithstanding any other provision of the pending resolution, during consideration of H.R. 2122, pursuant to House Resolution 209, the Conyers amendment at the desk shall be deemed to have been included as the last amendment printed in part B of House Report 106-186, may be offered only by Representative Conyers or his designee, and shall be debatable for 30 minutes.

After further debate,

On motion of Mr. DREIER, 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. KOLBE, announced that the yeas had it.

Mr. MOAKLEY 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 6, rule XX, and the call was taken by electronic device.

When there appeared { Yeas ..... 240 / Nays ..... 189 }

¶65.5 [Roll No. 210]

YEAS—240

Aderholt, Archer, Armey, Bachus, Baker, Ballenger, Barcia, Barr, Barrett (NE), Bartlett, Barton, Bass, Bateman, Bereuter, Biggert, Bilbray, Bilirakis, Bishop, Bliley, Blunt, Boehlert, Boehner, Bonilla, Bono, Boucher, Brady (TX), Bryant, Burr, Burton, Buyer, Callahan, Calvert, Camp, Campbell, Canady, Cannon, Castle, Chabot, Chambliss, Chenoweth, Coble, Coburn, Collins, Combest, Cook, Cooksey, Cox, Crane, Cubin, Cunningham, Danner, Davis (VA), Deal, DeLay, DeMint, Diaz-Balart, Dickey, Dingell, Doolittle, Dreier, Duncan, Dunn, Ehlers, Ehrlich, Emerson, English, Everett, Ewing, Fletcher, Foley, Forbes, Fossella, Fowler, Franks (NJ), Frelinghuysen, Gallegly, Ganske, Gekas, Gibbons, Gilchrest, Gillmor, Gilman, Goode, Goodlatte, Goodling, Goss, Graham, Granger, Green (WI), Greenwood, Gutknecht, Hall (TX), Hansen, Hastert, Hastings (WA), Hayes, Hayworth, Hefley, Herger, Hill (MT), Hilleary, Hilliard, Hobson, Hoekstra, Horn, Hostettler, Hulshof, Hunter, Hutchinson, Hyde, Isakson, Istook, Jenkins, John, Johnson (CT), Johnson, Sam, Jones (NC), Kasich, Kelly, King (NY), Kingston, Knollenberg, Kolbe, Kucinich, Kuykendall, LaHood, Largent, Latham, LaTourette, Lazio, Leach, Lewis (CA), Lewis (KY), Linder, LoBiondo, Lucas (KY), Lucas (OK), Manzullo, McCollum, McCrery, McHugh, McInnis, McIntosh, McKeon, Metcalf, Mica, Miller (FL), Miller, Gary, Moran (KS), Morella, Murtha, Myrick, Nethercutt, Ney, Northup, Norwood, Nussle, Ose, Oxley, Packard, Paul, Pease, Peterson (PA), Petri, Pickering, Pitts, Pombo, Porter, Portman, Pryce (OH), Quinn, Radanovich, Rahall, Ramstad, Regula, Reynolds, Riley, Rogan, Rogers, Rohrabacher, Ros-Lehtinen, Roukema, Royce, Ryan (WI), Ryun (KS), Salmon, Sanford, Saxton, Scarborough, Schaffer, Sensenbrenner, Sessions, Shadegg, Shaw, Shays, Sherwood, Shimkus, Shows, Shuster, Simpson, Skeen, Smith (MI), Smith (NJ), Smith (TX), Souder, Spence, Stearns, Stump, Stupak, Sununu, Sweeney, Talent, Tancredo, Tauzin, Taylor (MS), Taylor (NC), Terry, Thomas, Thornberry, Thune, Tiahrt, Toomey, Traficant, Upton, Vitter, Walden, Walsh, Wamp, Watkins, Watts (OK), Weldon (FL), Weldon (PA), Weller, Whitfield, Wicker, Wilson, Wise, Wolf, Young (AK), Young (FL)

NAYS—189

Abercrombie, Ackerman, Allen, Andrews, Baird, Baldacci, Baldwin, Barrett (WI), Becerra, Bentsen, Berkley, Berman, Berry, Blagojevich, Blumenauer, Bonior, Borski, Boswell, Boyd, Brady (PA), Brown (FL), Brown (OH), Capps, Capuano, Cardin, Carson, Clay, Clayton, Clement, Clyburn, Condit, Conyers, Costello, Coyne, Cramer, Crowley, Cummings, Davis (FL), DeFazio, DeGette, Delahunt, DeLauro, Deutsch, Dicks, Dixon, Doggett, Dooley, Doyle, Edwards, Engel, Eshoo, Etheridge, Evans, Farr, Fattah, Filner, Ford, Frank (MA), Frost, Gejdenson, Gephardt, Gonzalez, Green (TX), Gutierrez, Hall (OH), Hastings (FL), Hill (IN), Hinchey, Hinojosa, Hoeffel, Holden, Holt, Hooley, Hoyer, Inslee, Jackson (IL), Jackson-Lee (TX), Jefferson, Johnson, E. B., Jones (OH), Kanjorski, Kaptur, Kennedy, Kildee, Kilpatrick, Kind (WI), Kleczka, Klink, LaFalce, Lampson, Larson, Lee, Levin, Lewis (GA), Lipinski, Lofgren, Lowey, Luther, Maloney (CT), Maloney (NY), Markey, Martinez, Mascara, Matsui, McCarthy (MO), McCarthy (NY), McDermott, McGovern, McIntyre, McKinney, McNulty, Meehan, Meek (FL), Meeks (NY), Menendez, Millender-McDonald, Miller, George, Minge, Mink, Moakley, Mollohan, Moore, Moran (VA), Nadler, Napolitano, Neal, Oberstar, Obey, Olver, Ortiz, Pallone, Pascrell, Pastor, Payne, Pelosi, Peterson (MN), Phelps, Pickett, Pomeroy, Price (NC), Rangel, Reyes, Rivers, Rodriguez, Roemer, Rothman, Roybal-Allard, Rush, Sabo, Sanchez, Sanders, Sandlin, Sawyer, Schakowsky, Scott, Serrano, Sherman, Sisisky, Skelton, Slaughter, Smith (WA), Snyder, Spratt, Stabenow, Stark, Stenholm, Strickland, Tanner, Tauscher, Thompson (CA), Thompson (MS), Thurman, Tierney, Towns, Turner, Udall (CO), Udall (NM), Velazquez, Vento, Visclosky, Waters, Watt (NC), Waxman, Weiner, Wexler, Weygand, Woolsey, Wu, Wynn

NOT VOTING—6

Brown (CA), Davis (IL), Gordon, Houghton, Lantos, Owens

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.

¶65.6 CHILD SAFETY AND PROTECTION

The SPEAKER pro tempore, Mr. KOLBE, pursuant to House Resolution 209 and rule XVIII, 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. 1501) to provide grants to ensure increased accountability for juvenile offenders.

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

¶65.7 RECORDED VOTE

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

Page 1, beginning on line 4, strike ''Consequences for Juvenile Offenders'' and insert ''Child Safety and Youth Violence Prevention''.

Page 1, after line 5, insert the following:

SEC. 2. TABLE OF CONTENTS.

The table of contents of this Act is as follows:

Sec. 1. Short title.
Sec. 2. Table of contents.
TITLE I—CONSEQUENCES FOR JUVENILE OFFENDERS ACT OF 1999
Sec. 101. Short title.
Sec. 102. Grant program.
TITLE II—JUVENILE JUSTICE REFORM
Sec. 201. Delinquency proceedings or criminal prosecutions in district courts.
Sec. 202. Custody prior to appearance before judicial officer.
Sec. 203. Technical and conforming amendments to section 5034.
Sec. 204. Detention prior to disposition or sentencing.
Sec. 205. Speedy trial.
Sec. 206. Disposition; availability of increased detention, fines and supervised release for juvenile offenders.
Sec. 207. Juvenile records and fingerprinting.

Sec. 208. Technical amendments of sections 5031 and 5034.
Sec. 209. Clerical amendments to table of sections for chapter 403.
TITLE III—EFFECTIVE ENFORCEMENT OF FEDERAL FIREARMS LAWS
Sec. 301. Armed criminal apprehension program.
Sec. 302. Annual reports.
Sec. 303. Authorization of appropriations.
Sec. 304. Cross-designation of Federal prosecutors.
TITLE IV—LIMITING JUVENILE ACCESS TO FIREARMS AND EXPLOSIVES
Sec. 401. Increased penalties for unlawful juvenile possession of firearms.
Sec. 402. Increased penalties and mandatory minimum sentence for unlawful transfer of firearm to juvenile.
Sec. 403. Prohibiting possession of explosives by juveniles and young adults.
TITLE V—PREVENTING CRIMINAL ACCESS TO FIREARMS AND EXPLOSIVES
Sec. 501. Criminal prohibition on distribution of certain information relating to explosives, destructive devices, and weapons of mass destruction.
Sec. 502. Requiring thefts from common carriers to be reported.
Sec. 503. Voluntary submission of dealer's records.
Sec. 504. Grant program for juvenile records.
TITLE VI—PUNISHING AND DETERRING CRIMINAL USE OF FIREARMS AND EXPLOSIVES
Sec. 601. Mandatory minimum sentence for discharging a firearm in a school zone.
Sec. 602. Apprehension and procedural treatment of armed violent criminals.
Sec. 603. Increased penalties for possessing or transferring stolen firearms.
Sec. 604. Increased mandatory minimum penalties for using a firearm to commit a crime of violence or drug trafficking crime.
Sec. 605. Increased penalties for misrepresented firearms purchase in aid of a serious violent felony.
Sec. 606. Increasing penalties on gun kingpins.
Sec. 607. Serious recordkeeping offenses that aid gun trafficking.
Sec. 608. Termination of firearms dealer's license upon felony conviction.
Sec. 609. Increased penalty for transactions involving firearms with obliterated serial numbers.
Sec. 610. Forfeiture for gun trafficking.
Sec. 611. Increased penalty for firearms conspiracy.
Sec. 612. Gun convictions as predicate crimes for Armed Career Criminal Act.
Sec. 613. Serious juvenile drug trafficking offenses as Armed Career Criminal Act predicates.
Sec. 614. Forfeiture of firearms used in crimes of violence and felonies.
Sec. 615. Separate licenses for gunsmiths.
Sec. 616. Permits and background checks for purchases of explosives.
Sec. 617. Persons prohibited from receiving or possessing explosives.
TITLE VII—PUNISHING GANG VIOLENCE AND DRUG TRAFFICKING TO MINORS
Sec. 701. Increased mandatory minimum penalties for using minors to distribute drugs.
Sec. 702. Increased mandatory minimum penalties for distributing drugs to minors.
Sec. 703. Increased mandatory minimum penalties for drug trafficking in or near a school or other protected location.
Sec. 704. Criminal street gangs.
Sec. 705. Increase in offense level for participation in crime as a gang member.
Sec. 706. Interstate and foreign travel or transportation in aid of criminal gangs.
Sec. 707. Gang-related witness intimidation and retaliation.

TITLE I—CONSEQUENCES FOR JUVENILE OFFENDERS ACT OF 1999

SEC. 101. SHORT TITLE.

This title may be cited as the ''Consequences for Juvenile Offenders Act of 1999''.

Page 2, line 1, strike ''**2**'' and insert ''**102**''.

Page 4, line 11, strike the period and insert a semicolon.

Page 6, line 10, strike ''juvenile'' and all that follows through ''every'' on line 11 and insert the following: ''a juvenile offender for each delinquent''.

Page 6, line 13, strike ''or criminal''.

Page 16, line 16, strike ''utilized'' and insert the following: ''used by a State or unit of local government that receives a grant under this part''.

Page 16, line 18, strike ''(a)(2)'' and insert ''(b)''.

Page 20, strike line 4, and insert the following:

(b) CLERICAL AMENDMENTS.—

(1) AUTHORIZATION OF APPROPRIATIONS.—Section 1001(a)(16) of the Omnibus Crime Control and Safe Streets Act of 1965 is amended by striking subparagraph (E).

(2) TABLE OF CONTENTS.—The table of contents

At the end of the bill, insert the following:

TITLE II—JUVENILE JUSTICE REFORM

SEC. 201. DELINQUENCY PROCEEDINGS OR CRIMINAL PROSECUTIONS IN DISTRICT COURTS.

Section 5032 of title 18, United States Code, is amended to read as follows:

"§ 5032. Delinquency proceedings or criminal prosecutions in district courts

''(a)(1) A juvenile alleged to have committed an offense against the United States or an act of juvenile delinquency may be surrendered to State or Indian tribal authorities, but if not so surrendered, shall be proceeded against as a juvenile under this subsection or tried as an adult in the circumstances described in subsections (b) and (c).

''(2) A juvenile may be proceeded against as a juvenile in a court of the United States under this subsection if—

''(A) the alleged offense or act of juvenile delinquency is committed within the special maritime and territorial jurisdiction of the United States and is one for which the maximum authorized term of imprisonment does not exceed 6 months; or

''(B) the Attorney General, after investigation, certifies to the appropriate United States district court that—

''(i) the juvenile court or other appropriate court of a State or Indian tribe does not have jurisdiction or declines to assume jurisdiction over the juvenile with respect to the alleged act of juvenile delinquency, or

''(ii) there is a substantial Federal interest in the case or the offense to warrant the exercise of Federal jurisdiction.

''(3) If the Attorney General does not so certify or does not have authority to try such juvenile as an adult, such juvenile shall be surrendered to the appropriate legal authorities of such State or tribe.

''(4) If a juvenile alleged to have committed an act of juvenile delinquency is proceeded against as a juvenile under this section, any proceedings against the juvenile shall be in an appropriate district court of the United States. For such purposes, the court may be convened at any time and place within the district, and shall be open to the public, except that the court may exclude all or some members of the public, other than a victim unless the victim is a witness in the determination of guilt or innocence, if required by the interests of justice or if other good cause is shown. The Attorney General shall proceed by information or as authorized by section 3401(g) of this title, and no criminal prosecution shall be instituted except as provided in this chapter.

''(b)(1) Except as provided in paragraph (2), a juvenile shall be prosecuted as an adult—

''(A) if the juvenile has requested in writing upon advice of counsel to be prosecuted as an adult; or

''(B) if the juvenile is alleged to have committed an act after the juvenile attains the age of 14 years which if committed by an adult would be a serious violent felony or a serious drug offense described in section 3559(c) of this title, or a conspiracy or attempt to commit that felony or offense, which is punishable under section 406 of the Controlled Substances Act (21 U.S.C. 846), or section 1013 of the Controlled Substances Import and Export Act (21 U.S.C. 963).

''(2) The requirements of paragraph (1) do not apply if the Attorney General certifies to the appropriate United States district court that the interests of public safety are best served by proceeding against the juvenile as a juvenile.

''(c)(1) A juvenile may also be prosecuted as an adult if the juvenile is alleged to have committed an act after the juvenile has attained the age of 13 years which if committed by a juvenile after the juvenile attained the age of 14 years would require that the juvenile be prosecuted as an adult under subsection (b), upon approval of the Attorney General.

''(2) The Attorney General shall not delegate the authority to give the approval required under paragraph (1) to an officer or employee of the Department of Justice at a level lower than a Deputy Assistant Attorney General.

''(3) Such approval shall not be granted, with respect to a juvenile who has not attained the age of 14 and who is subject to the criminal jurisdiction of an Indian tribal government and who is alleged to have committed an act over which, if committed by an adult, there would be Federal jurisdiction based solely on its commission in Indian country (as defined in section 1151), unless the governing body of the tribe having jurisdiction over the place in which the alleged act was committed has before such act notified the Attorney General in writing of its election that prosecution may take place under this subsection.

''(4) A juvenile may also be prosecuted as an adult if the juvenile is alleged to have committed an act which is not described in subsection (b)(1)(B) after the juvenile has attained the age of 14 years and which if committed by an adult would be—

''(A) a crime of violence (as defined in section 3156(a)(4)) that is a felony;

''(B) an offense described in section 844(d), (k), or (l), or subsection (a)(4) or (6), (b), (g), (h), (j), (k), or (l) of section 924;

''(C) a violation of section 922(o) that is an offense under section 924(a)(2);

''(D) a violation of section 5861 of the Internal Revenue Code of 1986 that is an offense under section 5871 of such Code (26 U.S.C. 5871);

''(E) a conspiracy to commit an offense described in any of subparagraphs (A) through (D); or

''(F) an offense described in section 401 or 408 of the Controlled Substances Act (21 U.S.C. 841, 848) or a conspiracy or attempt to commit that offense which is punishable under section 406 of the Controlled Sub-

stances Act (21 U.S.C. 846), or an offense punishable under section 409 or 419 of the Controlled Substances Act (21 U.S.C. 849, 860), or an offense described in section 1002, 1003, 1005, or 1009 of the Controlled Substances Import and Export Act (21 U.S.C. 952, 953, 955, or 959), or a conspiracy or attempt to commit that offense which is punishable under section 1013 of the Controlled Substances Import and Export Act (21 U.S.C. 963).

''(d) A determination to approve or not to approve, or to institute or not to institute, a prosecution under subsection (b) or (c), and a determination to file or not to file, and the contents of, a certification under subsection (a) or (b) shall not be reviewable in any court.

''(e) In a prosecution under subsection (b) or (c), the juvenile may be prosecuted and convicted as an adult for any other offense which is properly joined under the Federal Rules of Criminal Procedure, and may also be convicted of a lesser included offense.

''(f) The Attorney General shall annually report to Congress—

''(1) the number of juveniles adjudicated delinquent or tried as adults in Federal court;

''(2) the race, ethnicity, and gender of those juveniles;

''(3) the number of those juveniles who were abused or neglected by their families, to the extent such information is available; and

''(4) the number and types of assault crimes, such as rapes and beatings, committed against juveniles while incarcerated in connection with the adjudication or conviction.

''(g) As used in this section—

''(1) the term 'State' includes a State of the United States, the District of Columbia, any commonwealth, territory, or possession of the United States and, with regard to an act of juvenile delinquency that would have been a misdemeanor if committed by an adult, a federally recognized tribe; and

''(2) the term 'serious violent felony' has the same meaning given that term in section 3559(c)(2)(F)(i).''.

SEC. 202. CUSTODY PRIOR TO APPEARANCE BEFORE JUDICIAL OFFICER.

Section 5033 of title 18, United States Code, is amended to read as follows:

''§ 5033. Custody prior to appearance before judicial officer

''(a) Whenever a juvenile is taken into custody, the arresting officer shall immediately advise such juvenile of the juvenile's rights, in language comprehensible to a juvenile. The arresting officer shall promptly take reasonable steps to notify the juvenile's parents, guardian, or custodian of such custody, of the rights of the juvenile, and of the nature of the alleged offense.

''(b) The juvenile shall be taken before a judicial officer without unreasonable delay.''.

SEC. 203. TECHNICAL AND CONFORMING AMENDMENTS TO SECTION 5034.

Section 5034 of title 18, United States Code, is amended—

(1) by striking ''The'' each place it appears at the beginning of a paragraph and inserting ''the'';

(2) by striking ''If'' at the beginning of the 3rd paragraph and inserting ''if'';

(3)(A) by designating the 3 paragraphs as paragraphs (1), (2), and (3), respectively; and

(B) by moving such designated paragraphs 2 ems to the right; and

(4) by inserting at the beginning of such section before those paragraphs the following:

''In a proceeding under section 5032(a)—''.

SEC. 204. DETENTION PRIOR TO DISPOSITION OR SENTENCING.

Section 5035 of title 18, United States Code, is amended to read as follows:

''§ 5035. Detention prior to disposition or sentencing

''(a) A juvenile alleged to be delinquent or a juvenile being prosecuted as an adult, if detained at any time prior to sentencing, shall be detained in such suitable place as the Attorney General may designate. Whenever appropriate, detention shall be in a foster home or community based facility. Preference shall be given to a place located within, or within a reasonable distance of, the district in which the juvenile is being prosecuted.

''(b) To the maximum extent feasible, a juvenile prosecuted pursuant to subsection (b) or (c) of section 5032 shall not be detained prior to sentencing in any facility in which the juvenile has regular contact with adult persons convicted of a crime or awaiting trial on criminal charges.

''(c) A juvenile who is proceeded against under section 5032(a) shall not be detained prior to disposition in any facility in which the juvenile has regular contact with adult persons convicted of a crime or awaiting trial on criminal charges.

''(d) Every juvenile who is detained prior to disposition or sentencing shall be provided with reasonable safety and security and with adequate food, heat, light, sanitary facilities, bedding, clothing, recreation, education, and medical care, including necessary psychiatric, psychological, or other care and treatment.''.

SEC. 205. SPEEDY TRIAL.

Section 5036 of title 18, United States Code, is amended by—

(1) striking ''If an alleged delinquent'' and inserting ''If a juvenile proceeded against under section 5032(a)'';

(2) striking ''thirty'' and inserting ''45''; and

(3) striking ''the court,'' and all that follows through the end of the section and inserting ''the court. The periods of exclusion under section 3161(h) of this title shall apply to this section.''.

SEC. 206. DISPOSITION; AVAILABILITY OF INCREASED DETENTION, FINES AND SUPERVISED RELEASE FOR JUVENILE OFFENDERS.

(a) DISPOSITION.—Section 5037 of title 18, United States Code, is amended to read as follows:

''§ 5037. Disposition

''(a) In a proceeding under section 5032(a), if the court finds a juvenile to be a juvenile delinquent, the court shall hold a hearing concerning the appropriate disposition of the juvenile no later than 40 court days after the finding of juvenile delinquency, unless the court has ordered further study pursuant to subsection (e). A predisposition report shall be prepared by the probation officer who shall promptly provide a copy to the juvenile, the juvenile's counsel, and the attorney for the Government. Victim impact information shall be included in the report, and victims, or in appropriate cases their official representatives, shall be provided the opportunity to make a statement to the court in person or present any information in relation to the disposition. After the dispositional hearing, and after considering the sanctions recommended pursuant to subsection (f), the court shall impose an appropriate sanction, including the ordering of restitution pursuant to section 3556 of this title. The court may order the juvenile's parent, guardian, or custodian to be present at the dispositional hearing and the imposition of sanctions and may issue orders directed to such parent, guardian, custodian regarding conduct with respect to the juvenile. With respect to release or detention pending an appeal or a petition for a writ of certiorari after disposition, the court shall proceed pursuant to chapter 207.

''(b) The term for which probation may be ordered for a juvenile found to be a juvenile delinquent may not extend beyond the maximum term that would be authorized by section 3561(c) if the juvenile had been tried and convicted as an adult. Sections 3563, 3564, and 3565 are applicable to an order placing a juvenile on probation.

''(c) The term for which official detention may be ordered for a juvenile found to be a juvenile delinquent may not extend beyond the lesser of—

''(1) the maximum term of imprisonment that would be authorized if the juvenile had been tried and convicted as an adult;

''(2) ten years; or

''(3) the date when the juvenile becomes twenty-six years old.

Section 3624 is applicable to an order placing a juvenile in detention.

''(d) The term for which supervised release may be ordered for a juvenile found to be a juvenile delinquent may not extend beyond 5 years. Subsections (c) through (i) of section 3583 apply to an order placing a juvenile on supervised release.

''(e) If the court desires more detailed information concerning a juvenile alleged to have committed an act of juvenile delinquency or a juvenile adjudicated delinquent, it may commit the juvenile, after notice and hearing at which the juvenile is represented by counsel, to the custody of the Attorney General for observation and study by an appropriate agency or entity. Such observation and study shall be conducted on an outpatient basis, unless the court determines that inpatient observation and study are necessary to obtain the desired information. In the case of an alleged juvenile delinquent, inpatient study may be ordered only with the consent of the juvenile and the juvenile's attorney. The agency or entity shall make a study of all matters relevant to the alleged or adjudicated delinquent behavior and the court's inquiry. The Attorney General shall submit to the court and the attorneys for the juvenile and the Government the results of the study within 30 days after the commitment of the juvenile, unless the court grants additional time. Time spent in custody under this subsection shall be excluded for purposes of section 5036.

''(f)(1) The United States Sentencing Commission, in consultation with the Attorney General, shall develop a list of possible sanctions for juveniles adjudicated delinquent.

''(2) Such list shall—

''(A) be comprehensive in nature and encompass punishments of varying levels of severity;

''(B) include terms of confinement; and

''(C) provide punishments that escalate in severity with each additional or subsequent more serious delinquent conduct.''.

(b) EFFECTIVE DATE.—The Sentencing Commission shall develop the list required pursuant to section 5037(f), as amended by subsection (a), not later than 180 days after the date of the enactment of this Act.

(c) CONFORMING AMENDMENT TO ADULT SENTENCING SECTION.—Section 3553 of title 18, United States Code, is amended by adding at the end the following:

''(g) LIMITATION ON APPLICABILITY OF STATUTORY MINIMUMS IN CERTAIN PROSECUTIONS OF PERSONS UNDER THE AGE OF 16.—Notwithstanding any other provision of law, in the case of a defendant convicted for conduct that occurred before the juvenile attained the age of 16 years, the court shall impose a sentence without regard to any statutory minimum sentence, if the court finds at sentencing, after affording the Government an opportunity to make a recommendation, that the juvenile has not been previously adjudicated delinquent for or convicted of an offense described in section 5032(b)(1)(B).''.

SEC. 207. JUVENILE RECORDS AND FINGERPRINTING.

Section 5038 of title 18, United States Code, is amended to read as follows:

"§ 5038. Juvenile records and fingerprinting

''(a)(1) Throughout and upon the completion of the juvenile delinquency proceeding under section 5032(a), the court shall keep a record relating to the arrest and adjudication that is—

''(A) equivalent to the record that would be kept of an adult arrest and conviction for such an offense; and

''(B) retained for a period of time that is equal to the period of time records are kept for adult convictions.

''(2) Such records shall be made available for official purposes, including communications with any victim or, in the case of a deceased victim, such victim's representative, or school officials, and to the public to the same extent as court records regarding the criminal prosecutions of adults are available.

''(b) The Attorney General shall establish guidelines for fingerprinting and photographing a juvenile who is the subject of any proceeding authorized under this chapter. Such guidelines shall address the availability of pictures of any juvenile taken into custody but not prosecuted as an adult. Fingerprints and photographs of a juvenile who is prosecuted as an adult shall be made available in the manner applicable to adult offenders.

''(c) Whenever a juvenile has been adjudicated delinquent for an act that, if committed by an adult, would be a felony or for a violation of section 924(a)(6), the court shall transmit to the Federal Bureau of Investigation the information concerning the adjudication, including name, date of adjudication, court, offenses, and sentence, along with the notation that the matter was a juvenile adjudication.

''(d) In addition to any other authorization under this section for the reporting, retention, disclosure, or availability of records or information, if the law of the State in which a Federal juvenile delinquency proceeding takes place permits or requires the reporting, retention, disclosure, or availability of records or information relating to a juvenile or to a juvenile delinquency proceeding or adjudication in certain circumstances, then such reporting, retention, disclosure, or availability is permitted under this section whenever the same circumstances exist.''.

SEC. 208. TECHNICAL AMENDMENTS OF SECTIONS 5031 AND 5034.

(a) ELIMINATION OF PRONOUNS.—Sections 5031 and 5034 of title 18, United States Code, are each amended by striking ''his'' each place it appears and inserting ''the juvenile's''.

(b) UPDATING OF REFERENCE.—Section 5034 of title 18, United States Code, is amended—

(1) in the heading of such section, by striking ''**magistrate**'' and inserting ''**judicial officer**''; and

(2) by striking ''magistrate'' each place it appears and inserting ''judicial officer''.

SEC. 209. CLERICAL AMENDMENTS TO TABLE OF SECTIONS FOR CHAPTER 403.

The heading and the table of sections at the beginning of chapter 403 of title 18, United States Code, is amended to read as follows:

"CHAPTER 403—JUVENILE DELINQUENCY

''Sec.
''5031. Definitions.
''5032. Delinquency proceedings or criminal prosecutions in district courts.
''5033. Custody prior to appearance before judicial officer.
''5034. Duties of judicial officer.
''5035. Detention prior to disposition or sentencing.
''5036. Speedy trial.
''5037. Disposition.
''5038. Juvenile records and fingerprinting.
''5039. Commitment.
''5040. Support.
''5041. Repealed.
''5042. Revocation of probation.''.

TITLE III—EFFECTIVE ENFORCEMENT OF FEDERAL FIREARMS LAWS

SEC. 301. ARMED CRIMINAL APPREHENSION PROGRAM.

(a) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, the Attorney General shall establish in the office of each United States Attorney a program that meets the requirements of subsections (b) and (c). The program shall be known as the ''Armed Criminal Apprehension Program''.

(b) PROGRAM REQUIREMENTS.—In the office of each United States Attorney, the program established under subsection (a) shall—

(1) provide for coordination with State and local law enforcement officials in the identification of violations of Federal firearms laws;

(2) provide for the establishment of agreements with State and local law enforcement officials for the referral to the Bureau of Alcohol, Tobacco, and Firearms and the United States Attorney for prosecution of persons arrested for violations of chapter 44 of title 18, United States Code, or section 5861(d) or 5861(h) of the Internal Revenue Code of 1986, relating to firearms;

(3) require that the United States Attorney designate not less than 1 Assistant United States Attorney to prosecute violations of Federal firearms laws;

(4) provide for the hiring of agents for the Bureau of Alcohol, Tobacco, and Firearms to investigate violations of the provisions referred to in paragraph (2); and

(5) ensure that each person referred to the United States Attorney under paragraph (2) be charged with a violation of the most serious Federal firearm offense consistent with the act committed.

(c) PUBLIC EDUCATION CAMPAIGN.—As part of the program, each United States Attorney shall carry out, in cooperation with local civic, community, law enforcement, and religious organizations, an extensive media and public outreach campaign focused in high-crime areas to—

(1) educate the public about the severity of penalties for violations of Federal firearms laws; and

(2) encourage law-abiding citizens to report the possession of illegal firearms to authorities.

(d) WAIVER AUTHORITY.—

(1) REQUEST FOR WAIVER.—A United States attorney may request the Attorney General to waive the requirements of subsection (b) with respect to the United States attorney.

(2) PROVISION OF WAIVER.—The Attorney General may waive the requirements of subsection (b) pursuant to a request made under paragraph (1), in accordance with guidelines which shall be established by the Attorney General. In establishing the guidelines, the Attorney General shall take into consideration the number of assistant United States attorneys in the office of the United States attorney making the request and the level of violent youth crime committed in the district for which the United States attorney is appointed.

SEC. 302. ANNUAL REPORTS.

Not later than 1 year after the date of enactment of this Act, and annually thereafter, the Attorney General shall submit to the Committees on the Judiciary of Senate and House of Representatives a report containing the following information:

(1) The number of Assistant United States Attorneys deisgnated under the program under section 301 and cross-deisgnated under section 304 during the year preceding the year in which the report is submitted in order to prosecute violations of Federal firearms laws in Federal court.

(2) The number of individuals indicted for such violations during that year by reason of the program.

(3) The increase or decrease in the number of individuals indicted for such violations during that year by reason of the program when compared with the year preceding that year.

(4) The number of individuals held without bond in anticipation of prosecution by reason of the program.

(5) The average length of prison sentence of the individuals convicted of violations of Federal firearms laws by reason of the program.

SEC. 303. AUTHORIZATION OF APPROPRIATIONS.

(a) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out the program under section 301 $50,000,000 for fiscal year 2000, of which—

(1) $40,000,000 shall be used for salaries and expenses of Assistant United States Attorneys and Bureau of Alcohol, Tobacco, and Firearms agents; and

(2) $10,000,000 shall be available for the public relations campaign required by subsection (c) of that section.

(b) USE OF FUNDS.—

(1) The Assistant United States Attorneys hired using amounts appropriated pursuant to the authorization of appropriations in subsection (a) shall prosecute violations of Federal firearms laws in accordance with section 301(b)(3).

(2) The Bureau of Alcohol, Tobacco, and Firearms agents hired using amounts appropriated pursuant to the authorization of appropriations in subsection (a) shall, to the maximum extent practicable, concentrate their investigations on violations of Federal firearms laws in accordance with section 301(b)(4).

(3) It is the sense of Congress that amounts made available under this section for the public education campaign required by section 301(c) should, to the maximum extent practicable, be matched with State or local funds or private donations.

(c) AUTHORIZATION OF ADDITIONAL APPROPRIATIONS.—In addition to amounts made available under subsection (a), there is authorized to be appropriated to the Administrative Office of the United States Courts such sums as may be necessary to carry out this title.

SEC. 304. CROSS-DESIGNATION OF FEDERAL PROSECUTORS.

To better assist state and local law enforcement agencies in the investigation and prosecution of firearms offenses, each United States Attorney may cross-designate one or more Assistant United States Attorneys to prosecute firearms offenses under State law that are similar to those listed in section 301(b)(2) in State and local courts.

TITLE IV—LIMITING JUVENILE ACCESS TO FIREARMS AND EXPLOSIVES

SEC. 401. INCREASED PENALTIES FOR UNLAWFUL JUVENILE POSSESSION OF FIREARMS.

Section 924(a) of title 18, United States Code, is amended—

(1) in paragraph (4) by striking ''Whoever'' and inserting ''Except as provided in paragraph (6) of this subsection, whoever''; and

(2) by striking paragraph (6) and inserting the following:

''(6)(A) A juvenile who violates section 922(x) shall be fined under this title, imprisoned not more than 1 year, or both, except—

''(i) the juvenile shall be fined under this title, imprisoned not more than 5 years, or both, if—

''(I) the offense of which the juvenile is charged is a violation of section 922(x); and

''(II) the violation was also with the intent to possess the handgun, ammunition, large capacity ammunition feeding device, or semiautomatic assault weapon giving rise to the violation in a school zone, or knowing that another juvenile intends to possess the handgun, ammunition, large capacity feeding device, or semiautomatic assault weapon giving rise to the violation in a school zone;

''(ii) the juvenile shall be fined under this title, imprisoned not more than 20 years, or both, if—

''(I) the offense of which the juvenile is charged is a violation of section 922(x); and

''(II) the violation was also with the intent also to use the handgun, ammunition, large capacity ammunition feeding device, or semiautomatic assault weapon giving rise to the violation in the commission of a violent felony, or knowing that another juvenile intends to use the handgun, ammunition, large capacity ammunition feeding device, or semiautomatic assault weapon giving rise to the violation in the commission of a serious violent felony.

''(B) For purposes of this paragraph, the term 'serious violent felony' has the meaning given the term in section 3559(c)(2)(F).

''(C) Except as otherwise provided in this chapter, in any case in which a juvenile is prosecuted in a district court of the United States, and the juvenile is subject to penalties under subparagraph (A)(ii), the juvenile shall be subject to the same laws, rules, and proceedings regarding sentencing (including the availability of probation, restitution, fines, forfeiture, imprisonment, and supervised release) that would be applicable in the case of an adult. No juvenile sentenced to a term of imprisonment shall be released from custody simply because the juvenile attains 18 years of age.''.

SEC. 402. INCREASED PENALTIES AND MANDATORY MINIMUM SENTENCE FOR UNLAWFUL TRANSFER OF FIREARM TO JUVENILE.

Section 924(a)(6) of title 18, United States Code, is further amended by redesignating subparagraphs (B) and (C) as subparagraphs (C) and (D), respectively, and by inserting after subparagraph (A) the following:

''(B) A person other than a juvenile who knowingly violates section 922(x)—

''(i) shall be fined under this title, imprisoned not more than 5 years, or both;

''(ii) if the person violated section 922(x)(1) knowing that a juvenile intended to possess the handgun, ammunition, large capacity ammunition feeding device, or semiautomatic assault weapon giving rise to the violation of section 922(x)(1) in a school zone, shall be fined under this title and imprisoned not less than 3 years and not more than 20 years; and

''(iii) if the person violated section 922(x)(1) knowing that a juvenile intended to use the handgun, ammunition, large capacity ammunition feeding device, or semiautomatic assault weapon giving rise to the violation of section 922(x)(1) in the commission of a serious violent felony, shall be imprisoned not less than 10 years and not more than 20 years and fined under this title.''.

SEC. 403. PROHIBITING POSSESSION OF EXPLOSIVES BY JUVENILES AND YOUNG ADULTS.

Section 842 of title 18, United States Code, is amended by adding at the end the following:

''(r)(1) It shall be unlawful for any person who has not attained 21 years of age to ship or transport any explosive materials in interstate or foreign commerce or to receive or possess any explosive materials which has been shipped or transported in interstate or foreign commerce.

''(2) This subsection shall not apply to commercially manufactured black powder in bulk quantities not to exceed five pounds, and if the person is less than 18 years of age, the person has the prior written consent of the person's parents or guardian who is not prohibited by Federal, State, or local law from possessing explosive materials, and the person has the prior written consent in the person's possession at all times when the black powder is in the possession of the person.''.

TITLE V—PREVENTING CRIMINAL ACCESS TO FIREARMS AND EXPLOSIVES

SEC. 501. CRIMINAL PROHIBITION ON DISTRIBUTION OF CERTAIN INFORMATION RELATING TO EXPLOSIVES, DESTRUCTIVE DEVICES, AND WEAPONS OF MASS DESTRUCTION.

(a) UNLAWFUL CONDUCT.—Section 842 of title 18, United States Code, is amended by adding at the end the following:

''(p)(1) For purposes of this subsection:

''(A) The term 'destructive device' has the same meaning as in section 921(a)(4).

''(B) The term 'explosive' has the same meaning as in section 844(j).

''(C) The term 'weapon of mass destruction' has the same meaning as in section 2332a(c)(2).

''(2) It shall be unlawful for any person—

''(A) to teach or demonstrate the making or use of an explosive, a destructive device, or a weapon of mass destruction, or to distribute by any means information pertaining to, in whole or in part, the manufacture or use of an explosive, destructive device, or weapon of mass destruction, with the intent that the teaching, demonstration, or information be used for, or in furtherance of, an activity that constitutes a Federal crime of violence; or

''(B) to teach or demonstrate to any person the making or use of an explosive, a destructive device, or a weapon of mass destruction, or to distribute to any person, by any means, information pertaining to, in whole or in part, the manufacture or use of an explosive, destructive device, or weapon of mass destruction, knowing that such person intends to use the teaching, demonstration, or information for, or in furtherance of, an activity that constitutes a Federal crime of violence.''.

(b) PENALTIES.—Section 844 of title 18, United States Code, is amended—

(1) in subsection (a), by striking ''person who violates any of subsections'' and inserting the following: ''person who—

''(1) violates any of subsections'';

(2) by striking the period and inserting ''; and'';

(3) by adding at the end the following:

''(2) violates section 842(p)(2), shall be fined under this title, imprisoned not more than 20 years, or both.''; and

(4) in subsection (j), by inserting ''and section 842(p),'' after ''this section,''.

SEC. 502. REQUIRING THEFTS FROM COMMON CARRIERS TO BE REPORTED.

(a) Section 922(f) of title 18, United States Code, is amended by adding at the end the following:

''(3)(A) It shall be unlawful for any common or contract carrier to fail to report the theft or loss of a firearm within 48 hours after the theft or loss is discovered. The theft or loss shall be reported to the Secretary and to the appropriate local authorities.

''(B) The Secretary may impose a civil fine of not more than $10,000 on any person who knowingly violates subparagraph (A).''.

(b) Section 924(a)(1)(B) of title 18, United States Code, is amended by striking ''(f),'' and inserting ''(f)(1), (f)(2),''.

SEC. 503. VOLUNTARY SUBMISSION OF DEALER'S RECORDS.

Section 923(g)(4) of title 18, United States Code, is amended to read as follows:

''(4) Where a firearms or ammunition business is discontinued and succeeded by a new licensee, the records required to be kept by this chapter shall appropriately reflect such facts and shall be delivered to the successor. Upon receipt of such records the successor licensee may retain the records of the discontinued business or submit the discontinued business records to the Secretary. Additionally, a licensee while maintaining a firearms business may voluntarily submit the records required to be kept by this chapter to the Secretary if such records are at least 20 years old. Where discontinuance of the business is absolute, such records shall be delivered within thirty days after the business is discontinued to the Secretary. Where State law or local ordinance requires the delivery of records to another responsible authority, the Secretary may arrange for the delivery of such records to such other responsible authority.''.

SEC. 504. GRANT PROGRAM FOR JUVENILE RECORDS.

(a) PROGRAM AUTHORIZATION.—The Attorney General is authorized to provide grants to States to improve the quality and accessibility of juvenile records and to ensure juvenile records are routinely available for background checks performed in connection with the transfer of a firearm.

(b) ELIGIBILITY.—

(1) IN GENERAL.—A State that wishes to receive a grant under this section shall submit an application to the Attorney General that meets the requirements of paragraph (2).

(2) ASSURANCE.—The application referred to in paragraph (1) shall include an assurance that the State has in place a system of records that ensures that juvenile records are available for background checks performed in connection with the transfer of a firearm, in which such system provides that—

(A) an adjudication of an act of violent juvenile delinquency as defined in section 921(a)(20)(B) is not expunged or set aside after a juvenile reaches the age of majority; and

(B) such a juvenile record is available and retained as if it were an adult record.

(c) ALLOCATION.—Of the total funds appropriated under subsection (e), each State that meets the requirements of subsection (b), shall be allocated an amount which bears the same ratio to the amount of funds so appropriated as the population of individuals under the age of 18 living in such State for the most recent calendar year in which such data is available bears to the population of such individuals of all the States that meet the requirements of subsection (b) for such fiscal year.

(d) USES OF FUNDS.—A State that receives a grant award under this section may use such funds to support the administrative record system referred to in subsection (b)(2).

(e) AUTHORIZATION OF APPROPRIATION.—There are authorized to be appropriated to carry out this section, $25,000,000 for fiscal year 2000 and such sums as may be necessary for each of the 4 succeeding fiscal years.

TITLE VI—PUNISHING AND DETERRING CRIMINAL USE OF FIREARMS AND EXPLOSIVES

SEC. 601. MANDATORY MINIMUM SENTENCE FOR DISCHARGING A FIREARM IN A SCHOOL ZONE.

Section 924(a)(4) of title 18, United States Code, is amended—

(1) by striking ''922(q) shall be fined'' and inserting ''922(q)(2) shall be fined''; and

(2) by inserting after the first sentence the following: ''Whoever violates section 922(q)(3) with reckless disregard for the safety of another shall be fined under this title, imprisoned not more than 20 years, or both, except

that if serious bodily injury results, shall be fined under this title, imprisoned not more than 25 years, or both, or if death results and the person has attained 16 years of age but has not attained 18 years of age, shall be fined under this title, sentenced to imprisonment for life or for any term of years, or both, or if death results and the person has attained 18 years of age, shall be fined under this title, sentenced to death or to imprisonment for any term of years or for life, or both. Whoever knowingly violates section 922(q)(3) shall be fined under this title, imprisoned not less than 10 years and not more than 20 years, or both, except that if serious bodily injury results, shall be fined under this title, imprisoned not less than 15 years and not more than 25 years, or both, or if death results and the person has attained 16 years of age but has not attained 18 years of age, shall be fined under this title, sentenced to imprisonment for life, or both, or if death results and the person has attained 18 years of age, shall be fined under this title, sentenced to death or to imprisonment for life, or both.''.

SEC. 602. APPREHENSION AND PROCEDURAL TREATMENT OF ARMED VIOLENT CRIMINALS.

(a) PRETRIAL DETENTION FOR POSSESSION OF FIREARMS OR EXPLOSIVES BY CONVICTED FELONS.—Section 3156(a)(4) of title 18, United States Code, is amended—

(1) by striking ''or'' at the end of subparagraph (B);

(2) by striking ''and'' at the end of subparagraph (C) and inserting ''or''; and

(3) by adding at the end the following:

''(D) an offense that is a violation of section 842(i) or 922(g) (relating to possession of explosives or firearms by convicted felons); and''.

(b) FIREARMS POSSESSION BY VIOLENT FELONS AND SERIOUS DRUG OFFENDERS.—Section 924(a)(2) of title 18, United States Code, is amended—

(1) by striking ''Whoever'' and inserting ''(A) Except as provided in subparagraph (B), any person who''; and

(2) by adding at the end the following:

''(B) Notwithstanding any other provision of law, the court shall not grant a probationary sentence for such a violation to a person who has more than 1 previous conviction for a violent felony (as defined in subsection (e)(2)(B)) or a serious drug offense (as defined in subsection (e)(2)(A)), committed under different circumstances.''.

SEC. 603. INCREASED PENALTIES FOR POSSESSING OR TRANSFERRING STOLEN FIREARMS.

(a) IN GENERAL.—Section 924 of title 18, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (2), by striking ''(i), (j),''; and

(B) by adding at the end the following:

''(8) Whoever knowingly violates subsection (i) or (j) of section 922 shall be fined under this title, imprisoned not more than 15 years, or both.'';

(2) in subsection (i)(1), by striking ''10'' and inserting ''15''; and

(3) in subsection (l), by striking ''10'' and inserting ''15''.

(b) SENTENCING COMMISSION.—The United States Sentencing Commission shall amend the Federal sentencing guidelines to reflect the amendments made by subsection (a).

SEC. 604. INCREASED MANDATORY MINIMUM PENALTIES FOR USING A FIREARM TO COMMIT A CRIME OF VIOLENCE OR DRUG TRAFFICKING CRIME.

Section 924 of title 18, United States Code, is amended—

(1) in subsection (c)(1)(A)—

(A) in clause (ii), by striking ''and'' at the end;

(B) in clause (iii), by striking ''10 years.'' and inserting ''12 years; and''; and

(C) by adding at the end the following:

''(iv) if the firearm is used to injure another person, be sentenced to a term of imprisonment of not less than 15 years.''; and

(2) in subsection (h), by striking ''imprisoned not more than 10 years'' and inserting ''imprisoned not less than 5 years and not more than 10 years''.

SEC. 605. INCREASED PENALTIES FOR MISREPRESENTED FIREARMS PURCHASE IN AID OF A SERIOUS VIOLENT FELONY.

(a) IN GENERAL.—Section 924(a) of title 18, United States Code, is amended by adding at the end the following:

''(7)(A) Notwithstanding paragraph (2), whoever knowingly violates section 922(a)(6) for the purpose of selling, delivering, or otherwise transferring a firearm, knowing or having reasonable cause to know that another person will carry or otherwise possess or discharge or otherwise use the firearm in the commission of a serious violent felony, shall be—

''(i) fined under this title, imprisoned not more than 15 years, or both; or

''(ii) imprisoned not less than 10 and not more than 20 years and fined under this title, if the procurement is for a juvenile.

''(B) For purposes of this paragraph—

''(i) the term 'juvenile' has the meaning given the term in section 922(x); and

''(ii) the term 'serious violent felony' has the meaning given the term in section 3559(c)(2)(F).''.

(b) EFFECTIVE DATE.—The amendment made by this section shall take effect 180 days after the date of enactment of this Act.

SEC. 606. INCREASING PENALTIES ON GUN KINGPINS.

(a) INCREASING THE PENALTY FOR ENGAGING IN AN ILLEGAL FIREARMS BUSINESS.—Section 924(a)(2) of title 18, United States Code, is amended by inserting '', or willfully violates section 922(a)(1),'' after ''section 922''.

(b) SENTENCING GUIDELINES INCREASE FOR CERTAIN VIOLATIONS AND OFFENSES.—Pursuant to its authority under section 994(p) of title 28, United States Code, the United States Sentencing Commission shall—

(1) review and amend the Federal sentencing guidelines to provide an appropriate enhancement for a violation of section 922(a)(1) of title 18, United States Code; and

(2) review and amend the Federal sentencing guidelines to provide additional sentencing increases, as appropriate, for offenses involving more than 50 firearms.

The Commission shall promulgate the amendments provided for under this subsection as soon as is practicable in accordance with the procedure set forth in section 21(a) of the Sentencing Act of 1987, as though the authority under that Act had not expired.

SEC. 607. SERIOUS RECORDKEEPING OFFENSES THAT AID GUN TRAFFICKING.

Section 924(a)(3) of title 18, United States Code, is amended by striking the period and inserting ''; but if the violation is in relation to an offense under subsection (a)(6) or (d) of section 922, shall be fined under this title, imprisoned not more than 10 years, or both.''.

SEC. 608. TERMINATION OF FIREARMS DEALER'S LICENSE UPON FELONY CONVICTION.

Section 925(b) of title 18, United States Code, is amended by striking ''until any conviction pursuant to the indictment becomes final'' and inserting ''until the date of any conviction pursuant to the indictment''.

SEC. 609. INCREASED PENALTY FOR TRANSACTIONS INVOLVING FIREARMS WITH OBLITERATED SERIAL NUMBERS.

Section 924(a) of title 18, United States Code, is amended—

(1) in paragraph (1)(B), by striking ''(k),''; and

(2) in paragraph (2), by inserting ''(k),'' after ''(j),''.

SEC. 610. FORFEITURE FOR GUN TRAFFICKING.

Section 982(a) of title 18, United States Code, is amended by adding at the end the following:

''(9) The court, in imposing a sentence on a person convicted of a gun trafficking offense, as defined in section 981(a)(1)(G), or a conspiracy to commit such offense, shall order the person to forfeit to the United States any conveyance used or intended to be used to commit such offense, and any property traceable to such conveyance.''.

SEC. 611. INCREASED PENALTY FOR FIREARMS CONSPIRACY.

Section 924 of title 18, United States Code, is further amended by adding at the end the following:

''(q) Except as otherwise provided in this section, a person who conspires to commit an offense defined in this chapter shall be subject to the same penalties (other than the penalty of death) as those prescribed for the offense the commission of which is the object of the conspiracy.''.

SEC. 612. GUN CONVICTIONS AS PREDICATE CRIMES FOR ARMED CAREER CRIMINAL ACT.

(a) Section 924(e)(1) of title 18, United States Code, is amended—

(1) by striking ''violent felony or a serious drug offense, or both,'' and inserting ''violent felony, a serious drug offense or a violation of section 922(g)(1), or a combination of such offenses,''; and

(2) by adding at the end the following: ''No more than two convictions for violations of section 922(g)(1) shall be considered in determining whether a person has three previous convictions for purposes of this subsection.''.

SEC. 613. SERIOUS JUVENILE DRUG TRAFFICKING OFFENSES AS ARMED CAREER CRIMINAL ACT PREDICATES.

Section 924(e)(2)(C) of title 18, United States Code, is amended by inserting ''or serious drug offense'' after ''violent felony''.

SEC. 614. FORFEITURE OF FIREARMS USED IN CRIMES OF VIOLENCE AND FELONIES.

(a) CRIMINAL FORFEITURE.—Section 982(a) of title 18, United States Code, is further amended by adding at the end the following:

''(10) The court, in imposing a sentence on a person convicted of any crime of violence (as defined in section 16 of this title) or any felony under Federal law, shall order that the person forfeit to the United States any firearm (as defined in section 921(a)(3) of this title) used or intended to be used to commit or to facilitate the commission of the offense.''.

(b) DISPOSAL OF PROPERTY.—Section 981(c) of title 18, United States Code, is amended by adding at the end the following flush sentence:

''Any firearm forfeited pursuant to subsection (a)(1)(H) of this section or section 982(a)(10) of this title shall be disposed of by the seizing agency in accordance with law.''.

(c) AUTHORITY TO FORFEIT PROPERTY UNDER SECTION 924(d).—Section 924(d) of title 18, United States Code, is amended by adding at the end the following:

''(4) Whenever any firearm is subject to forfeiture under this section, the Secretary of the Treasury shall have the authority to seize and forfeit, in accordance with the procedures of the applicable forfeiture statute, any property otherwise forfeitable under the laws of the United States that was involved in or derived from the crime of violence or drug trafficking crime described in subsection (c) in which the forfeited firearm was used or carried.''.

(d) 120-DAY RULE FOR ADMINISTRATIVE FORFEITURE.—Section 924(d)(1) of title 18, United States Code, is amended by adding ''administrative'' after ''Any'' in the last sentence.

(e) SECTION 3665.—Section 3665 of title 18, United States Code, is amended—

(1) by redesignating the first undesignated paragraph as subsection (a)(1) and the second undesignated paragraph as subsection (a)(2); and

(2) by adding at the end the following:

''(b) The forfeiture of property under this section, including any seizure and disposition of the property and any related administrative or judicial proceeding, shall be governed by the provisions of section 413 of the Comprehensive Drug Abuse Prevention and Control Act of 1970 (21 U.S.C. 853), except for subsection 413(d) which shall not apply to forfeitures under this section.''.

SEC. 615. SEPARATE LICENSES FOR GUNSMITHS.

(a) Section 921(a)(11) of title 18, United States Code, is amended to read as follows:

''(11) The term 'dealer' means (A) any person engaged in the business as a firearms dealer, (B) any person engaged in the business as a gunsmith, or (C) any person who is a pawnbroker. The term 'licensed dealer' means any dealer who is licensed under the provisions of this chapter.''.

(b) Section 921(a) of title 18, United States Code, is amended by redesignating paragraphs (12) through (33) as paragraphs (14) through (35), and by inserting after paragraph (11) the following:

''(12) The term 'firearms dealer' means any person who is engaged in the business of selling firearms at wholesale or retail.

''(13) The term 'gunsmith' means any person, other than a licensed manufacturer, licensed importer, or licensed dealer, who is engaged in the business of repairing firearms or of making or fitting special barrels, stocks or trigger mechanisms to firearms.''.

(c) Section 923(a)(3) of title 18, United States Code is amended to read as follows:

''(3) If the applicant is a dealer who is—

''(A) a dealer in destructive devices or ammunition for destructive devices, a fee of $1,000 per year;

''(B) a dealer in firearms who is not a dealer in destructive devices, a fee of $200 for 3 years, except that the fee for renewal of a valid license shall be $90 for 3 years; or

''(C) a gunsmith, a fee of $100 for 3 years, except that the fee for renewal of a valid license shall be $50 for 3 years.''.

SEC. 616. PERMITS AND BACKGROUND CHECKS FOR PURCHASES OF EXPLOSIVES.

(a) PERMITS FOR PURCHASE OF EXPLOSIVES IN GENERAL.—Section 842 of title 18, United States Code, is amended—

(1) by amending subparagraphs (A) and (B) of subsection (a)(3) to read as follows:

''(A) to transport, ship, cause to be transported, or receive any explosive materials; or

''(B) to distribute explosive materials to any person other than a licensee or permittee.''; and

(2) in subsection (b)—

(A) by adding ''or'' at the end of paragraph (1);

(B) by striking ''; or'' at the end of paragraph (2) and inserting a period; and

(C) by striking paragraph (3).

(b) BACKGROUND CHECKS.—Section 842 of title 18, United States Code, is further amended by adding at the end the following:

''(q)(1) A licensed importer, licensed manufacturer, or licensed dealer shall not transfer explosive materials to any other person who is not a licensee under section 843 of this title unless—

''(A) before the completion of the transfer, the licensee contacts the national instant criminal background check system established under section 103(d) of the Brady Handgun Violence Prevention Act;

''(B)(i) the system provides the licensee with a unique identification number; or

''(ii) 5 business days (meaning a day on which State offices are open) have elapsed since the licensee contacted the system, and the system has not notified the licensee that the receipt of explosive materials by such other person would violate subsection (i) of this section;

''(C) the transferor has verified the identity of the transferee by examining a valid identification document (as defined in section 1038(d)(1) of this title) of the transferee containing a photograph of the transferee; and

''(D) the transferor has examined the permit issued to the transferee pursuant to section 843 of this title and recorded the permit number on the record of the transfer.

''(2) If receipt of explosive materials would not violate section 842(i) of this title or State law, the system shall—

''(A) assign a unique identification number to the transfer; and

''(B) provide the licensee with the number.

''(3) Paragraph (1) shall not apply to the transfer of explosive materials between a licensee and another person if on application of the transferor, the Secretary has certified that compliance with paragraph (1)(A) is impracticable because—

''(A) the ratio of the number of law enforcement officers of the State in which the transfer is to occur to the number of square miles of land area of the State does not exceed 0.0025;

''(B) the business premises of the licensee at which the transfer is to occur are extremely remote in relation to the chief law enforcement officer (as defined in section 922(s)(8)); and

''(C) there is an absence of telecommunications facilities in the geographical area in which the business premises are located.

''(4) If the national instant criminal background check system notifies the licensee that the information available to the system does not demonstrate that the receipt of explosive materials by such other person would violate subsection (i) or State law, and the licensee transfers explosive materials to such other person, the licensee shall include in the record of the transfer the unique identification number provided by the system with respect to the transfer.

''(5) If the licensee knowingly transfers explosive materials to such other person and knowingly fails to comply with paragraph (1) of this subsection with respect to the transfer, the Secretary may, after notice and opportunity for a hearing, suspend for not more than 6 months or revoke any license issued to the licensee under section 843 and may impose on the licensee a civil fine of not more than $5,000.

''(6) Neither a local government nor an employee of the Federal Government or of any State or local government, responsible for providing information to the national instant criminal background check system shall be liable in an action at law for damages—

''(A) for failure to prevent the sale or transfer of explosive materials to a person whose receipt or possession of the explosive materials is unlawful under this section; or

''(B) for preventing such a sale or transfer to a person who may lawfully receive or possess explosive materials.''.

(c) ADMINISTRATIVE PROVISIONS.—Section 103 of the Brady Handgun Violence Prevention Act (18 U.S.C. 922 note) is amended—

(1) in subsection (f), by inserting ''or explosive materials'' after ''firearm''; and

(2) in subsection (g), by inserting ''or that receipt of explosive materials by a prospective transferee would violate section 842(i) of such title, or State law,'' after ''State law,''.

(d) REMEDY FOR ERRONEOUS DENIAL OF EXPLOSIVE MATERIALS.—

(1) IN GENERAL.—Chapter 40 of title 18, United States Code, is amended by inserting after section 843 the following:

''§ 843A. Remedy for erroneous denial of explosive materials

''Any person denied explosive materials pursuant to section 842(q)—

''(1) due to the provision of erroneous information relating to the person by any State or political subdivision thereof, or by the national instant criminal background check system established under section 103 of the Brady Handgun Violence Prevention Act; or

''(2) who was not prohibited from receipt of explosive materials pursuant to section 842(i),

may bring an action against the State or political subdivision responsible for providing the erroneous information, or responsible for denying the transfer, or against the United States, as the case may be, for an order directing that the erroneous information be corrected or that the transfer be approved, as the case may be. In any action under this section, the court, in its discretion, may allow the prevailing party a reasonable attorney's fee as part of the costs.''.

(2) TECHNICAL AMENDMENT.—The section analysis for chapter 40 of title 18, United States Code, is amended by inserting after the item relating to section 843 the following:

''843A. Remedy for erroneous denial of explosive materials.''.

(e) REGULATIONS.—

(1) IN GENERAL.—Not later than 6 months after the date of the enactment of this Act, the Secretary of the Treasury shall issue final regulations with respect to the amendments made by subsection (a).

(2) NOTICE TO STATES.—On the issuance of regulations pursuant to paragraph (1), the Secretary of the Treasury shall notify the States of the regulations so that the States may consider revising their explosives laws.

(f) LICENSES AND USER PERMITS.—Section 843(a) of title 18, United States Code, is amended—

(1) by inserting '', including fingerprints and a photograph of the applicant'' before the period at the end of the first sentence; and

(2) by striking the second sentence and inserting, ''Each applicant for a license shall pay for each license a fee established by the Secretary that shall not exceed $300. Each applicant for a permit shall pay for each permit a fee established by the Secretary that shall not exceed $100.''.

(g) PENALTIES.—Section 844 of title 18, United States Code, is amended—

(1) by redesignating subsection (a) as subsection (a)(1); and

(2) by inserting after subsection (a)(1) the following new paragraph:

''(2) Any person who violates section 842(q) shall be fined under this title, imprisoned for not more than 5 years, or both.''.

(h) EFFECTIVE DATE.—The amendments made by subsections (a), (b), (c), (d), and (g) shall take effect 18 months after the date of enactment of the Act.

SEC. 617. PERSONS PROHIBITED FROM RECEIVING OR POSSESSING EXPLOSIVES.

(a) DISTRIBUTION OF EXPLOSIVES.—Section 842(d) of title 18, United States Code, is amended—

(1) in paragraph (5), by striking ''or'' at the end;

(2) in paragraph (6), by striking the period and inserting ''or who has been committed to a mental institution;''; and

(3) by adding at the end the following:

''(7) being an alien—

''(A) is illegally or unlawfully in the United States; or

''(B) except as provided in subsection (q)(2), has been admitted to the United States under a nonimmigrant visa (as that term is

defined in section 101(a)(26) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(26)));

''(8) has been discharged from the Armed Forces under dishonorable conditions;

''(9) having been a citizen of the United States, has renounced his citizenship;

''(10) is subject to a court order that—

''(A) was issued after a hearing of which such person received actual notice, and at which such person had an opportunity to participate;

''(B) restrains such person from harassing, stalking, or threatening an intimate partner of such person or child of such intimate partner or person, or engaging in other conduct that would place an intimate partner in reasonable fear of bodily injury to the partner or child; and

''(C)(i) includes a finding that such person represents a credible threat to the physical safety of such intimate partner or child; or

''(ii) by its terms explicitly prohibits the use, attempted use, or threatened use of physical force against such intimate partner or child that would reasonably be expected to cause bodily injury;

''(11) has been convicted in any court of a misdemeanor crime of domestic violence; or

''(12) has been adjudicated delinquent.''.

(b) POSSESSION OF EXPLOSIVES.—Section 842(i) of title 18, United States Code, is amended—

(1) in paragraph (3), by striking ''or'' at the end; and

(2) by adding at the end the following:

''(5) who, being an alien—

''(A) is illegally or unlawfully in the United States; or

''(B) except as provided in subsection (q)(2), has been admitted to the United States under a non-immigrant visa (as that term is defined in section 101(a)(26) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(26)));

''(6) who has been discharged from the Armed Forces under dishonorable conditions;

''(7) who, having been a citizen of the United States, has renounced his citizenship;

''(8) who is subject to a court order that—

''(A) was issued after a hearing of which such person received actual notice, and at which such person had an opportunity to participate;

''(B) restrains such person from harassing, stalking, or threatening an intimate partner of such person or child of such intimate partner or person, or engaging in other conduct that would place an intimate partner in reasonable fear of bodily injury to the partner or child; and

''(C)(i) includes a finding that such person represents a credible threat to the physical safety of such intimate partner or child; or

''(ii) by its terms explicitly prohibits the use, attempted use, or threatened use of physical force against such intimate partner or child that would reasonably be expected to cause bodily injury;

''(9) who has been convicted in any court of a misdemeanor crime of domestic violence; or

''(10) who has been adjudicated delinquent.''.

(c) DEFINITION.—Section 841 of title 18, United States Code, is amended by adding at the end the following:

''(r)(1) Except as provided in paragraph (2), 'misdemeanor crime of domestic violence' means an offense that—

''(A) is a misdemeanor under Federal or State law; and

''(B) has, as an element, the use or attempted use of physical force, or the threatened use of a deadly weapon, committed by a current or former spouse, parent, or guardian of the victim, by a person with whom the victim shares a child in common, by a person who is cohabiting with or has cohabited with the victim as a spouse, parent, or guardian, or by a person similarly situated to a spouse, parent, or guardian of the victim.

''(2)(A) A person shall not be considered to have been convicted of such an offense for purposes of this chapter, unless—

''(i) the person was represented by counsel in the case, or knowingly and intelligently waived the right to counsel in the case; and

''(ii) in the case of a prosecution for an offense described in this paragraph for which a person was entitled to a jury trial in the jurisdiction in which the case was tried—

''(I) the case was tried by a jury; or

''(II) the person knowingly and intelligently waived the right to have the case tried by jury, by guilty plea or otherwise.

''(B) A person shall not be considered to have been convicted of such an offense for purposes of this chapter if the conviction has been expunged or set aside, or is an offense for which the person has been pardoned or has had civil rights restored (if the law of the applicable jurisdiction provides for the loss of civil rights under such an offense) unless the pardon, expungement, or restoration of civil rights expressly provides that the person may not ship, transport, possess, or receive firearms.

''(s) 'Adjudicated delinquent' means an adjudication of delinquency based upon a finding of the commission of an act by a person prior to his or her eighteenth birthday that, if committed by an adult, would be a serious drug offense or violent felony (as defined in section 3559(c)(2) of this title), on or after the date of enactment of this paragraph.''.

(d) ALIENS ADMITTED UNDER NONIMMIGRANT VISAS.—Section 842 is amended by adding at the end the following:

''(r)(1) For purposes of this subsection—

''(A) the term 'alien' has the same meaning as in section 101(a)(3) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(3)); and

''(B) the term 'nonimmigrant visa' has the same meaning as in section 101(a)(26) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(26)).

''(2) Sections (d)(7)(B) and (i)(5)(B) do not apply to any alien who has been lawfully admitted to the United States under a nonimmigrant visa, if that alien is a foreign law enforcement officer of a friendly foreign government entering the United States on official law enforcement business.

''(3)(A) Any individual who has been admitted to the United States under a nonimmigrant visa may receive a waiver from the requirements of subsection (i)(5)(B), if—

''(i) the individual submits to the Attorney General a petition that meets the requirements of subparagraph (C); and

''(ii) the Attorney General approves the petition.

''(B) Each petition under subparagraph (B) shall—

''(i) demonstrate that the petitioner has resided in the United States for a continuous period of not less than 180 days before the date on which the petition is submitted under this paragraph; and

''(ii) include a written statement from the embassy or consulate of the petitioner, authorizing the petitioner to acquire explosives and certifying that the alien would not, absent the application of subsection (i)(5)(B), otherwise be prohibited from such an acquisition under subsection (i).

''(C) The Attorney General shall approve a petition submitted in accordance with this paragraph, if the Attorney General determines that waiving the requirements of subsection (i)(5)(B) with respect to the petitioner—

''(i) would be in the interests of justice; and

''(ii) would not jeopardize the public safety.''.

(e) CONFORMING AMENDMENT.—Section 845 of title 18, United States Code, is amended by adding at the end the following:

''(d) Notwithstanding any other provision of this section, no person convicted of a misdemeanor crime of domestic violence may ship or transport any explosive materials in interstate or foreign commerce or to receive or possess any explosive materials which have been shipped or transported in interstate or foreign commerce.''.

TITLE VII—PUNISHING GANG VIOLENCE AND DRUG TRAFFICKING TO MINORS

SEC. 701. INCREASED MANDATORY MINIMUM PENALTIES FOR USING MINORS TO DISTRIBUTE DRUGS.

Section 420 of the Controlled Substances Act (21 U.S.C. 861) is amended—

(1) in subsection (b), by striking ''one year'' and inserting ''3 years''; and

(2) in subsection (c), by striking ''one year'' and inserting ''5 years''.

SEC. 702. INCREASED MANDATORY MINIMUM PENALTIES FOR DISTRIBUTING DRUGS TO MINORS.

Section 418 of the Controlled Substances Act (21 U.S.C. 859) is amended—

(1) in subsection (a), by striking ''one year'' and inserting ''3 years''; and

(2) in subsection (b), by striking ''one year'' and inserting ''5 years''.

SEC. 703. INCREASED MANDATORY MINIMUM PENALTIES FOR DRUG TRAFFICKING IN OR NEAR A SCHOOL OR OTHER PROTECTED LOCATION.

Section 419 of the Controlled Substances Act (21 U.S.C. 860) is amended—

(1) in subsection (a), by striking ''one year'' and inserting ''3 years''; and

(2) in subsection (b), by striking ''three years'' each place that term appears and inserting ''5 years''.

SEC. 704. CRIMINAL STREET GANGS.

(a) IN GENERAL.—Section 521 of title 18, United States Code, is amended—

(1) in subsection (a), in the second undesignated paragraph—

(A) by striking ''5'' and inserting ''3'';

(B) by inserting '', whether formal or informal'' after ''or more persons''; and

(C) in subparagraph (A), by inserting ''or activities'' after ''purposes'';

(2) in subsection (b), by inserting after ''10 years'' the following: ''and such person shall be subject to the forfeiture prescribed in section 412 of the Controlled Substances Act (21 U.S.C. 853)'';

(3) in subsection (c)—

(A) in paragraph (2), by striking ''and'' at the end;

(B) in paragraph (3), by striking the period at the end and inserting a semicolon;

(C) by adding at the end the following:

''(3) that is a violation of section 522 (relating to the recruitment of persons to participate in criminal gang activity);

''(4) that is a violation of section 844, 875, or 876 (relating to extortion and threats), section 1084 (relating to gambling), section 1955 (relating to gambling), or chapter 73 (relating to obstruction of justice);

''(5) that is a violation of section 1956 (relating to money laundering), to the extent that the violation of such section is related to a Federal or State offense involving a controlled substance (as that term is defined in section 102 of the Controlled Substances Act (21 U.S.C. 802)); or

''(6) that is a violation of section 274(a)(1)(A), 277, or 278 of the Immigration and Nationality Act (8 U.S.C. 1324(a)(1)(A), 1327, or 1328) (relating to alien smuggling); and

''(7) a conspiracy, attempt, or solicitation to commit an offense described in paragraphs (1) through (6).''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—Section 3663(c)(4) of title 18, United

States Code, is amended by striking ''chapter 46'' and inserting ''section 521, chapter 46,''.

SEC. 705. INCREASE IN OFFENSE LEVEL FOR PARTICIPATION IN CRIME AS A GANG MEMBER.

(a) DEFINITION OF CRIMINAL STREET GANG.—In this section, the term ''criminal street gang'' has the meaning given that term in section 521(a) of title 18, United States Code.

(b) AMENDMENT OF SENTENCING GUIDELINES.—

(1) IN GENERAL.—Pursuant to its authority under section 994(p) of title 28, United States Code, the United States Sentencing Commission shall amend the Federal Sentencing Guidelines to provide an appropriate enhancement for any Federal offense described in section 521(c) of title 18, United States Code, if the offense was both committed in connection with, or in furtherance of, the activities of a criminal street gang and the defendant was a member of the criminal street gang at the time of the offense.

(2) FACTORS TO BE CONSIDERED.—In determining an appropriate enhancement under this section, the United States Sentencing Commission shall give great weight to the seriousness of the offense, the offender's relative position in the criminal gang, and the risk of death or serious bodily injury to any person posed by the offense.

(c) CONSTRUCTION WITH OTHER GUIDELINES.—The amendment made by subsection (b) shall provide that the increase in the offense level shall be in addition to any other adjustment under chapter 3 of the Federal Sentencing Guidelines.

SEC. 706. INTERSTATE AND FOREIGN TRAVEL OR TRANSPORTATION IN AID OF CRIMINAL GANGS.

(a) TRAVEL ACT AMENDMENT.—Section 1952 of title 18, United States Code, is amended to read as follows:

''§ 1952. Interstate and foreign travel or transportation in aid of racketeering enterprises

''(a) PROHIBITED CONDUCT AND PENALTIES.—

''(1) IN GENERAL.—Whoever—

''(A) travels in interstate or foreign commerce or uses the mail or any facility in interstate or foreign commerce, with intent to—

''(i) distribute the proceeds of any unlawful activity; or

''(ii) otherwise promote, manage, establish, carry on, or facilitate the promotion, management, establishment, or carrying on, of any unlawful activity; and

''(B) after travel or use of the mail or any facility in interstate or foreign commerce described in subparagraph (A), performs, attempts to perform, or conspires to perform an act described in clause (i) or (ii) of subparagraph (A);

shall be fined under this title, imprisoned not more than 10 years, or both.

''(2) CRIMES OF VIOLENCE.—Whoever—

''(A) travels in interstate or foreign commerce or uses the mail or any facility in interstate or foreign commerce, with intent to commit any crime of violence to further any unlawful activity; and

''(B) after travel or use of the mail or any facility in interstate or foreign commerce described in subparagraph (A), commits, attempts to commit, or conspires to commit any crime of violence to further any unlawful activity;

shall be fined under this title, imprisoned for not more than 20 years, or both, and if death results shall be sentenced to death or be imprisoned for any term of years or for life.

''(b) DEFINITIONS.—In this section:

''(1) CONTROLLED SUBSTANCE.—The term 'controlled substance' has the meaning given that term in section 102(6) of the Controlled Substances Act (21 U.S.C. 802(6)).

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

''(3) UNLAWFUL ACTIVITY.—The term 'unlawful activity' means—

''(A) any business enterprise involving gambling, liquor on which the Federal excise tax has not been paid, narcotics or controlled substances, or prostitution offenses in violation of the laws of the State in which the offense is committed or of the United States;

''(B) extortion, bribery, arson, burglary if the offense involves property valued at not less than $10,000, assault with a deadly weapon, assault resulting in bodily injury, shooting at an occupied dwelling or motor vehicle, or retaliation against or intimidation of witnesses, victims, jurors, or informants, in violation of the laws of the State in which the offense is committed or of the United States; or

''(C) any act that is indictable under section 1956 or 1957 of this title or under subchapter II of chapter 53 of title 31.''.

(b) AMENDMENT OF SENTENCING GUIDELINES.—

(1) IN GENERAL.—Pursuant to its authority under section 994(p) of title 28, United States Code, the United States Sentencing Commission shall amend chapter 2 of the Federal Sentencing Guidelines to provide an appropriate increase in the offense levels for traveling in interstate or foreign commerce in aid of unlawful activity.

(2) UNLAWFUL ACTIVITY DEFINED.—In this subsection, the term ''unlawful activity'' has the meaning given that term in section 1952(b) of title 18, United States Code, as amended by this section.

(3) SENTENCING ENHANCEMENT FOR RECRUITMENT ACROSS STATE LINES.—Pursuant to its authority under section 994(p) of title 28, United States Code, the United States Sentencing Commission shall amend the Federal Sentencing Guidelines to provide an appropriate enhancement for a person who, in violating section 522 of title 18, United States Code, recruits, solicits, induces, commands, or causes another person residing in another State to be or to remain a member of a criminal street gang, or crosses a State line with the intent to recruit, solicit, induce, command, or cause another person to be or to remain a member of a criminal street gang.

SEC. 707. GANG-RELATED WITNESS INTIMIDATION AND RETALIATION.

(a) INTERSTATE TRAVEL TO ENGAGE IN WITNESS INTIMIDATION OR OBSTRUCTION OF JUSTICE.—Section 1952 of title 18, United States Code, is amended—

(1) by redesignating subsections (b) and (c) as subsections (c) and (d), respectively; and

(2) by inserting after subsection (a) the following:

''(b) Whoever travels in interstate or foreign commerce with intent by bribery, force, intimidation, or threat, directed against any person, to delay or influence the testimony of or prevent from testifying a witness in a State criminal proceeding or by any such means to cause any person to destroy, alter, or conceal a record, document, or other object, with intent to impair the object's integrity or availability for use in such a proceeding, and thereafter engages or endeavors to engage in such conduct, shall be fined under this title or imprisoned not more than 10 years, or both; and if serious bodily injury (as defined in section 1365 of this title) results, shall be so fined or imprisoned for not more than 20 years, or both; and if death results, shall be so fined and imprisoned for any term of years or for life, or both, and may be sentenced to death.''.

(b) CONSPIRACY PENALTY FOR OBSTRUCTION OF JUSTICE OFFENSES INVOLVING VICTIMS, WITNESSES, AND INFORMANTS.—Section 1512 of title 18, United States Code, is amended by adding at the end the following:

''(j) Whoever conspires to commit any offense defined in this section or section 1513 of this title shall be subject to the same penalties as those prescribed for the offense the commission of which was the object of the conspiracy.''.

(c) WITNESS RELOCATION SURVEY AND TRAINING PROGRAM.—

(1) SURVEY.—The Attorney General shall survey all State and selected local witness protection and relocation programs to determine the extent and nature of such programs and the training needs of those programs. Not later than 270 days after the date of the enactment of this section, the Attorney General shall report the results of this survey to Congress.

(2) TRAINING.—Based on the results of such survey, the Attorney General shall make available to State and local law enforcement agencies training to assist those law enforcement agencies in developing and managing witness protection and relocation programs.

(3) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out paragraphs (1) and (2) for fiscal year 2000 not to exceed $500,000.

(d) FEDERAL-STATE COORDINATION AND COOPERATION REGARDING NOTIFICATION OF INTERSTATE WITNESS RELOCATION.—

(1) ATTORNEY GENERAL TO PROMOTE INTERSTATE COORDINATION.—The Attorney General shall engage in activities, including the establishment of a model Memorandum of Understanding under paragraph (2), which promote coordination among State and local witness interstate relocation programs.

(2) MODEL MEMORANDUM OF UNDERSTANDING.—The Attorney General shall establish a model Memorandum of Understanding for States and localities that engage in interstate witness relocation. Such a model Memorandum of Understanding shall include a requirement that notice be provided to the jurisdiction to which the relocation has been made by the State or local law enforcement agency that relocates a witness to another State who has been arrested for or convicted of a crime of violence as described in section 16 of title 18, United States Code.

(3) BYRNE GRANT ASSISTANCE.—The Attorney General is authorized to expend up to 10 percent of the total amount appropriated under section 511 of subpart 2 of part E of the Omnibus Crime Control and Safe Streets Act of 1968 for purposes of making grants pursuant to section 510 of that Act to those jurisdictions that have interstate witness relocation programs and that have substantially followed the model Memorandum of Understanding.

(4) GUIDELINES AND DETERMINATION OF ELIGIBILITY.—The Attorney General shall establish guidelines relating to the implementation of paragraph (4) and shall determine, consistent with such guidelines, which jurisdictions are eligible for grants under paragraph (4).

(d) BYRNE GRANTS.—Section 501(b) of the Omnibus Crime Control and Safe Streets Act of 1968 is amended—

(1) by striking ''and'' at the end of paragraph (25);

(2) by striking the period at the end paragraph (26) and inserting ''; and''; and

(3) by adding at the end the following:

''(27) developing and maintaining witness security and relocation programs, including providing training of personnel in the effective management of such programs.''.

(e) DEFINITION.—As used in this section, the term ''State'' includes the District of Columbia, Puerto Rico, and any other commonwealth, territory, or possession of the United States.

It was decided in the affirmative ..... { Yeas ..... 249 / Nays 181

¶65.8 [Roll No. 211]

AYES—249

Aderholt
Andrews
Archer
Armey
Bachus
Baird
Baker
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bereuter
Berkley
Berry
Biggert
Bilbray
Bilirakis
Bishop
Bliley
Blunt
Boehlert
Boehner
Bono
Borski
Boswell
Boucher
Boyd
Brady (TX)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Capps
Castle
Chabot
Chambliss
Clement
Collins
Combest
Condit
Cook
Costello
Cox
Cramer
Crane
Cubin
Cunningham
Davis (FL)
Davis (VA)
Deal
DeLay
DeMint
Deutsch
Diaz-Balart
Dickey
Doyle
Dreier
Duncan
Dunn
Edwards
Ehrlich
Emerson
English
Etheridge
Evans
Everett
Ewing
Fletcher
Forbes
Fowler
Franks (NJ)
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green (TX)
Green (WI)
Greenwood
Gutknecht
Hall (OH)
Hansen
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (IN)
Hilleary
Hobson
Holden
Holt
Hooley
Horn
Hulshof
Hunter
Hutchinson
Isakson
Istook
Jenkins
John
Johnson (CT)
Johnson, Sam
Jones (NC)
Kelly
King (NY)
Kingston
Knollenberg
Kolbe
Kuykendall
LaHood
Lampson
Largent
Latham
Lazio
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Mascara
McCarthy (NY)
McCollum
McCrery
McHugh
McInnis
McIntosh
McIntyre
McKeon
Mica
Miller (FL)
Miller, Gary
Minge
Moore
Moran (KS)
Myrick
Nethercutt
Northup
Norwood
Nussle
Ortiz
Ose
Oxley
Packard
Pallone
Pascrell
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Pomeroy
Porter
Portman
Quinn
Radanovich
Ramstad
Regula
Reyes
Reynolds
Riley
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Royce
Ryan (WI)
Ryun (KS)
Salmon
Sanchez
Saxton
Schaffer
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shows
Shuster
Simpson
Skelton
Smith (MI)
Smith (TX)
Smith (WA)
Spence
Stabenow
Stearns
Stump
Sununu
Talent
Tancredo
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thune
Toomey
Traficant
Turner
Udall (NM)
Upton
Vitter
Walden
Walsh
Watkins
Watts (OK)
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wolf
Wu
Young (AK)
Young (FL)

NOES—181

Abercrombie
Ackerman
Allen
Baldacci
Baldwin
Barrett (WI)
Becerra
Bentsen
Berman
Blagojevich
Blumenauer
Bonilla
Bonior
Brady (PA)
Brown (FL)
Brown (OH)
Campbell
Cannon
Capuano
Cardin
Carson
Chenoweth
Clay
Clayton
Clyburn
Coble
Coburn
Conyers
Cooksey
Coyne
Crowley
Cummings
Danner
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Ehlers
Engel
Eshoo
Farr
Fattah
Filner
Foley
Ford
Fossella
Frank (MA)
Gejdenson
Gephardt
Gonzalez
Goode
Gutierrez
Hall (TX)
Hastings (FL)
Hill (MT)
Hilliard
Hinchey
Hinojosa
Hoeffel
Hoekstra
Hostettler
Hoyer
Hyde
Inslee
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind (WI)
Kleczka
Klink
Kucinich
LaFalce
Lantos
Larson
LaTourette
Lee
Levin
Lewis (GA)
Lipinski
Lofgren
Maloney (NY)
Manzullo
Markey
Martinez
Matsui
McCarthy (MO)
McDermott
McGovern
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Metcalf
Millender-McDonald
Miller, George
Mink
Moakley
Mollohan
Moran (VA)
Morella
Murtha
Nadler
Napolitano
Neal
Ney
Oberstar
Obey
Olver
Owens
Pastor
Paul
Payne
Pease
Pelosi
Pickett
Pombo
Price (NC)
Pryce (OH)
Rahall
Rangel
Rivers
Rodriguez
Roybal-Allard
Rush
Sabo
Sanders
Sandlin
Sanford
Sawyer
Scarborough
Schakowsky
Scott
Serrano
Sherman
Sisisky
Skeen
Slaughter
Smith (NJ)
Snyder
Souder
Spratt
Stark
Stenholm
Strickland
Stupak
Sweeney
Tanner
Thompson (MS)
Thornberry
Thurman
Tiahrt
Tierney
Towns
Udall (CO)
Velazquez
Vento
Visclosky
Wamp
Waters
Watt (NC)
Waxman
Weygand
Wilson
Wise
Woolsey
Wynn

NOT VOTING—4

Brown (CA)
Davis (IL)
Houghton
Kasich

So the amendment was agreed to.

After some further time,

¶65.9 RECORDED VOTE

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

Add at the end the following:

SEC. ___. AIMEE'S LAW.

(a) SHORT TITLE.—This section may be cited as ''Aimee's Law''.

(b) DEFINITIONS.—In this section:

(1) DANGEROUS SEXUAL OFFENSE.—The term ''dangerous sexual offense'' means sexual abuse or sexually explicit conduct committed by an individual who has attained the age of 18 years against an individual who has not attained the age of 14 years.

(2) MURDER.—The term ''murder'' has the meaning given the term under applicable State law.

(3) RAPE.—The term ''rape'' has the meaning given the term under applicable State law.

(4) SEXUAL ABUSE.—The term ''sexual abuse'' has the meaning given the term under applicable State law.

(5) SEXUALLY EXPLICIT CONDUCT.—The term ''sexually explicit conduct'' has the meaning given the term under applicable State law.

(c) REIMBURSEMENT TO STATES FOR CRIMES COMMITTED BY CERTAIN RELEASED FELONS.—

(1) PENALTY.—

(A) SINGLE STATE.—In any case in which a State convicts an individual of murder, rape, or a dangerous sexual offense, who has a prior conviction for any 1 of those offenses in a State described in subparagraph (C), the Attorney General shall transfer an amount equal to the costs of incarceration, prosecution, and apprehension of that individual, from Federal law enforcement assistance funds that have been allocated to but not distributed to the State that convicted the individual of the prior offense, to the State account that collects Federal law enforcement assistance funds of the State that convicted that individual of the subsequent offense.

(B) MULTIPLE STATES.—In any case in which a State convicts an individual of murder, rape, or a dangerous sexual offense, who has a prior conviction for any 1 or more of those offenses in more than 1 other State described in subparagraph (C), the Attorney General shall transfer an amount equal to the costs of incarceration, prosecution, and apprehension of that individual, from Federal law enforcement assistance funds that have been allocated to but not distributed to each State that convicted such individual of the prior offense, to the State account that collects Federal law enforcement assistance funds of the State that convicted that individual of the subsequent offense.

(C) STATE DESCRIBED.—A State is described in this subparagraph if—

(i) the State has not adopted Federal truth-in-sentencing guidelines under section 20104 of the Violent Crime Control and Law Enforcement Act of 1994 (42 U.S.C. 13704);

(ii) the average term of imprisonment imposed by the State on individuals convicted of the offense for which the individual described in subparagraph (A) or (B), as applicable, was convicted by the State is less than 10 percent above the average term of imprisonment imposed for that offense in all States; or

(iii) with respect to the individual described in subparagraph (A) or (B), as applicable, the individual had served less than 85 percent of the term of imprisonment to which that individual was sentenced for the prior offense.

(2) STATE APPLICATIONS.—In order to receive an amount transferred under paragraph (1), the chief executive of a State shall submit to the Attorney General an application, in such form and containing such information as the Attorney General may reasonably require, which shall include a certification that the State has convicted an individual of murder, rape, or a dangerous sexual offense, who has a prior conviction for 1 of those offenses in another State.

(3) SOURCE OF FUNDS.—Any amount transferred under paragraph (1) shall be derived by reducing the amount of Federal law enforcement assistance funds received by the State that convicted such individual of the prior offense before the distribution of the funds to the State. The Attorney General, in consultation with the chief executive of the State that convicted such individual of the prior offense, shall establish a payment schedule.

(4) CONSTRUCTION.—Nothing in this subsection may be construed to diminish or otherwise affect any court ordered restitution.

(5) EXCEPTION.—This subsection does not apply if the individual convicted of murder, rape, or a dangerous sexual offense has been released from prison upon the reversal of a conviction for an offense described in paragraph (1) and subsequently been convicted for an offense described in paragraph (1).

(d) COLLECTION OF RECIDIVISM DATA.—

(1) IN GENERAL.—Beginning with calendar year 1999, and each calendar year thereafter, the Attorney General shall collect and maintain information relating to, with respect to each State—

(A) the number of convictions during that calendar year for murder, rape, and any sex offense in the State in which, at the time of

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 affirmative ..... { Yeas ..... 412 / Nays 15

¶65.10 [Roll No. 212]

AYES—412

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Archer
Armey
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bateman
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
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
Dunn
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
Inslee
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
Metcalf
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
Olver
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
Sisisky
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
Traficant
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)

NOT VOTING—7

Brown (CA)
Davis (IL)
Ehlers
Houghton
Kasich
Thomas
Weiner

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 pander 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

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

''1471. Protection of minors.''.

SEC. ___. PRE-PURCHASE DISCLOSURE OF LYRICS PACKAGED WITH SOUND RECORDINGS.

(a) IN GENERAL.—It is the sense of Congress that retail establishments engaged in the sale of sound recordings—

(1) should make available for on-site review, upon the request of a person over the age of 18 years, the lyrics packaged with any sound recording they offer for sale; and

(2) should post a conspicuous notice of the right to review described in paragraph (1).

''(b) DEFINITION.—The term 'retail establishment' means any physical place of business which sells directly to a consumer, but does not include mail order, catalog, or online sales of sound recordings.

SEC. ___. STUDY OF EFFECTS OF ENTERTAINMENT ON CHILDREN.

(a) REQUIREMENT.—The National Institutes of Health shall conduct a study of the effects of video games and music on child development and youth violence.

(b) ELEMENTS.—The study under subsection (a) shall address—

(1) whether, and to what extent, video games and music affect the emotional and psychological development of juveniles; and

(2) whether violence in video games and music contributes to juvenile delinquency and youth violence.

SEC. ___. TEMPORARY ANTITRUST IMMUNITY TO PERMIT THE ENTERTAINMENT INDUSTRY TO SET GUIDELINES TO HELP PROTECT CHILDREN FROM HARMFUL MATERIAL.

(a) FINDINGS.—Congress makes the following findings:

(1) Television is seen and heard in nearly every United States home and is a uniquely pervasive presence in the daily lives of Americans. The average American home has 2.5 televisions, and a television is turned on in the average American home 7 hours every day.

(2) Television plays a particularly significant role in the lives of children. Figures provided by Nielsen Research show that children between the ages of 2 years and 11 years spend an average of 21 hours in front of a television each week.

(3) Television has an enormous capability to influence perceptions, especially those of children, of the values and behaviors that are common and acceptable in society.

(4) The influence of television is so great that its images and messages often can be harmful to the development of children. Social science research amply documents a strong correlation between the exposure of children to televised violence and a number of behavioral and psychological problems.

(5) Hundreds of studies have proven conclusively that children who are consistently exposed to violence on television have a higher tendency to exhibit violent and aggressive behavior, both as children and later in life.

(6) Such studies also show that repeated exposure to violent programming causes children to become desensitized to and more accepting of real-life violence and to grow more fearful and less trusting of their surroundings.

(7) A growing body of social science research indicates that sexual content on television can also have a significant influence on the attitudes and behaviors of young viewers. This research suggests that heavy exposure to programming with strong sexual content contributes to the early commencement of sexual activity among teenagers.

(8) Members of the National Association of Broadcasters (NAB) adhered for many years to a comprehensive code of conduct that was based on an understanding of the influence exerted by television and on a widely held sense of responsibility for using that influence carefully.

(9) This code of conduct, the Television Code of the National Association of Broadcasters, articulated this sense of responsibility as follows:

(A) ''In selecting program subjects and themes, great care must be exercised to be sure that the treatment and presentation are made in good faith and not for the purpose of sensationalism or to shock or exploit the audience or appeal to prurient interests or morbid curiosity.''.

(B) ''Broadcasters have a special responsibility toward children. Programs designed primarily for children should take into account the range of interests and needs of children, from instructional and cultural material to a wide variety of entertainment material. In their totality, programs should contribute to the sound, balanced development of children to help them achieve a sense of the world at large and informed adjustments to their society.''.

(C) ''Violence, physical, or psychological, may only be projected in responsibly handled contexts, not used exploitatively. Programs involving violence present the consequences of it to its victims and perpetrators. Presentation of the details of violence should avoid the excessive, the gratuitous and the instructional.''.

(D) ''The presentation of marriage, family, and similarly important human relationships, and material with sexual connotations, shall not be treated exploitatively or irresponsibly, but with sensitivity.''.

(E) ''Above and beyond the requirements of the law, broadcasters must consider the family atmosphere in which many of their programs are viewed. There shall be no graphic portrayal of sexual acts by sight or sound. The portrayal of implied sexual acts must be essential to the plot and presented in a responsible and tasteful manner.''.

(10) The National Association of Broadcasters abandoned the code of conduct in 1983 after three provisions of the code restricting the sale of advertising were challenged by the Department of Justice on antitrust grounds and a Federal district court issued a summary judgment against the National Association of Broadcasters regarding one of the provisions on those grounds. However, none of the programming standards of the code were challenged.

(11) While the code of conduct was in effect, its programming standards were never found to have violated any antitrust law.

(12) Since the National Association of Broadcasters abandoned the code of conduct, programming standards on broadcast and cable television have deteriorated dramatically.

(13) In the absence of effective programming standards, public concern about the impact of television on children, and on society as a whole, has risen substantially. Polls routinely show that more than 80 percent of Americans are worried by the increasingly graphic nature of sex, violence, and vulgarity on television and by the amount of programming that openly sanctions or glorifies criminal, antisocial, and degrading behavior.

(14) At the urging of Congress, the television industry has taken some steps to respond to public concerns about programming standards and content. The broadcast television industry agreed in 1992 to adopt a set of voluntary guidelines designed to ''proscribe gratuitous or excessive portrayals of violence''. Shortly thereafter, both the broadcast and cable television industries agreed to conduct independent studies of the violent content in their programming and make those reports public.

(15) In 1996, the television industry as a whole made a commitment to develop a comprehensive rating system to label programming that may be harmful or inappropriate for children. That system was implemented at the beginning of 1999.

(16) Despite these efforts to respond to public concern about the impact of television on children, millions of Americans, especially parents with young children, remain angry and frustrated at the sinking standards of television programming, the reluctance of the industry to police itself, and the harmful influence of television on the well-being of the children and the values of the United States.

(17) The Department of Justice issued a ruling in 1993 indicating that additional efforts by the television industry to develop and implement voluntary programming guidelines would not violate the antitrust laws. The ruling states that ''such activities may be likened to traditional standard setting efforts that do not necessarily restrain competition and may have significant procompetitive benefits . . . Such guidelines could serve to disseminate valuable information on program content to both advertisers and television viewers. Accurate information can enhance the demand for, and increase the output of, an industry's products or services.''.

(18) The Children's Television Act of 1990 (Public Law 101–437) states that television broadcasters in the United States have a clear obligation to meet the educational and informational needs of children.

(19) Several independent analyses have demonstrated that the television broadcasters in the United States have not fulfilled their obligations under the Children's Television Act of 1990 and have not noticeably expanded the amount of educational and informational programming directed at young viewers since the enactment of that Act.

(20) The popularity of video and personal computer (PC) games is growing steadily among children. Although most popular video and personal computer games are educational or harmless in nature, some are extremely violent. One recent study by Strategic Record Research found that 64 percent of teenagers played video or personal computer games on a regular basis.

(21) Game players of violent games may be cast in the role of shooter, with points scored for each ''kill''. Similarly, advertising for such games often touts violent content as a selling point—the more graphic and extreme, the better.

(22) Due to their increasing popularity and graphic quality, video games may increasingly influence impressionable children.

(23) Music is another extremely pervasive and popular form of entertainment. American children and teenagers listen to music more than any other demographic group. The Journal of American Medicine reported that between the 7th and 12th grades the average teenager listens to 10,500 hours of rock or rap music, just slightly less than the entire number of hours spent in the classroom from kindergarten through high school.

(24) Teens are among the heaviest purchasers of music, and are most likely to favor music genres that depict, and often appear to glamorize violence.

(25) Music has a powerful ability to influence perceptions, attitudes, and emotional state. The use of music as therapy indicates its potential to increase emotional, psychological, and physical health. That influence can be used for ill as well.

(b) PURPOSES; CONSTRUCTION.—

(1) PURPOSES.—The purposes of this section are to permit the entertainment industry—

(A) to work collaboratively to respond to growing public concern about television pro-

gramming, movies, video games, Internet content, and music lyrics, and the harmful influence of such programming, movies, games, content, and lyrics on children;

(B) to develop a set of voluntary programming guidelines similar to those contained in the Television Code of the National Association of Broadcasters; and

(C) to implement the guidelines in a manner that alleviates the negative impact of television programming, movies, video games, Internet content, and music lyrics on the development of children in the United States and stimulates the development and broadcast of educational and informational programming for such children.

(2) CONSTRUCTION.—This section may not be construed as—

(A) providing the Federal Government with any authority to restrict television programming, movies, video games, Internet content, or music lyrics that is in addition to the authority to restrict such programming, movies, games, content, or lyrics under law as of the date of the enactment of this Act; or

(B) approving any action of the Federal Government to restrict such programming, movies, games, content, or lyrics that is in addition to any actions undertaken for that purpose by the Federal Government under law as of such date.

(c) EXEMPTION OF VOLUNTARY AGREEMENTS ON GUIDELINES FOR CERTAIN ENTERTAINMENT MATERIAL FROM APPLICABILITY OF ANTITRUST LAWS.—

(1) EXEMPTION.—Subject to paragraph (2), the antitrust laws shall not apply to any joint discussion, consideration, review, action, or agreement by or among persons in the entertainment industry for the purpose of developing and disseminating voluntary guidelines designed—

(A) to alleviate the negative impact of telecast material, movies, video games, Internet content, and music lyrics containing—

(i) violence, sexual content, criminal behavior; or

(ii) other subjects that are not appropriate for children; or

(B) to promote telecast material, movies, video games, Internet content, or music lyrics that are educational, informational, or otherwise beneficial to the development of children.

(2) LIMITATION.—The exemption provided in paragraph (1) shall not apply to any joint discussion, consideration, review, action, or agreement that—

(A) results in a boycott of any person; or

(B) concerns the purchase or sale of advertising, including restrictions on the number of products that may be advertised in a commercial, the number of times a program may be interrupted for commercials, and the number of consecutive commercials permitted within each interruption.

(3) DEFINITIONS.—In this subsection:

(A) ANTITRUST LAWS.—The term ''antitrust laws''—

(i) has the meaning given it in subsection (a) of the first section of the Clayton Act (15 U.S.C. 12(a)), except that such term includes section 5 of the Federal Trade Commission Act (15 U.S.C. 45) to the extent such section 5 applies to unfair methods of competition; and

(ii) includes any State law similar to the laws referred to in subparagraph (A).

(B) INTERNET.—The term ''Internet'' means the combination of computer facilities and electromagnetic transmission media, and related equipment and software, comprising the interconnected worldwide network of computer networks that employ the Transmission Control Protocol/Internet Protocol or any successor protocol to transmit information.

(C) MOVIES.—The term ''movies'' means theatrical motion pictures.

(D) PERSON IN THE ENTERTAINMENT INDUSTRY.—The term ''person in the entertainment industry'' means a television network, any person that produces or distributes television programming (including theatrical motion pictures), the National Cable Television Association, the Association of Independent Television Stations, Incorporated, the National Association of Broadcasters, the Motion Picture Association of America, each of the affiliate organizations of the television networks, the Interactive Digital Software Association, any person that produces or distributes video games, the Recording Industry Association of America, and any person that produces or distributes music, and includes any individual acting on behalf of any of the above.

(E) TELECAST.—The term ''telecast material'' means any program broadcast by a television broadcast station or transmitted by a cable television system.

(d) SUNSET.—Subsection (d) shall apply only with respect to conduct that occurs in the period beginning on the date of the enactment of this Act and ending 3 years after such date.

(e) REPORT.—The Attorney General shall report to the Congress, not later than 90 days after the period described in subsection (d), on the effect of the exemption made by this section.

SEC. ___. PROMOTING GRASSROOTS SOLUTIONS TO YOUTH VIOLENCE.

(a) ESTABLISHMENT OF NATIONAL YOUTH CRIME PREVENTION DEMONSTRATION PROJECT.—The Attorney General shall, subject to appropriations, award a grant to the National Center for Neighborhood Enterprise (referred to in this section as the ''National Center'') to enable the National Center to award subgrants to grassroots entities in the following 8 cities:

(1) Washington, District of Columbia.

(2) Detroit, Michigan.

(3) Hartford, Connecticut.

(4) Indianapolis, Indiana.

(5) Chicago (and surrounding metropolitan area), Illinois.

(6) Dallas, Texas.

(7) Los Angeles, California.

(8) Norfolk, Virginia.

(9) Houston, Texas.

(b) ELIGIBILITY.—

(1) IN GENERAL.—To be eligible to receive a subgrant under this section, a grassroots entity referred to in subsection (a) shall submit an application to the National Center to fund intervention models that establish violence-free zones.

(2) SELECTION CRITERIA.—In awarding subgrants under this section, the National Center shall consider—

(A) the track record of a grassroots entity and key participating individuals in youth group mediation and crime prevention;

(B) the engagement and participation of a grassroots entity with other local organizations; and

(C) the ability of a grassroots entity to enter into partnerships with local housing authorities, law enforcement agencies, and other public entities.

(c) USES OF FUNDS.—

(1) IN GENERAL.—Funds received under this section shall be used for youth mediation, youth mentoring, life skills training, job creation and entrepreneurship, organizational development and training, development of long-term intervention plans, collaboration with law enforcement, comprehensive support services and local agency partnerships, or other activities to further community objectives in reducing youth crime and violence.

(2) TECHNICAL ASSISTANCE.—The National Center, in cooperation with the Attorney General, shall also provide technical assistance for startup projects in other cities.

(3) FISCAL CONTROLS.—The Attorney General is authorized to establish and maintain all appropriate fiscal controls of sub-grantees under subsection (a).

(d) REPORTS.—The National Center shall submit a report to the Attorney General evaluating the effectiveness of grassroots agencies and other public entities involved in the demonstration project.

(e) DEFINITIONS.—

For purposes of this section—

(1) the term ''grassroots entity'' means a not-for-profit community organization with demonstrated effectiveness in mediating and addressing youth violence by empowering at-risk youth to become agents of peace and community restoration; and

(2) the term ''National Center for Neighborhood Enterprise'' is a not-for-profit organization incorporated in the District of Columbia.

(f) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There are authorized to be appropriated to carry out this section—

(A) $5,000,000 for fiscal year 2000;

(B) $5,000,000 for fiscal year 2001;

(C) $5,000,000 for fiscal year 2002;

(D) $5,000,000 for fiscal year 2003; and

(E) $5,000,000 for fiscal year 2004.

(2) RESERVATION.—The National Center for Neighborhood Enterprise may use not more than 20 percent of the amounts appropriated pursuant to paragraph (1) in any fiscal year for administrative costs, technical assistance and training, comprehensive support services, and evaluation of participating grassroots entities.

It was decided in the negative ..... { Yeas ..... 146 / Nays 282

¶65.12 [Roll No. 213]

AYES—146

Aderholt	Gutknecht	Portman
Archer	Hall (OH)	Radanovich
Armey	Hall (TX)	Ramstad
Bachus	Hansen	Regula
Baker	Hayes	Reynolds
Bartlett	Hefley	Riley
Barton	Herger	Rogers
Bereuter	Hill (MT)	Roukema
Bilbray	Hilleary	Ryun (KS)
Bilirakis	Hobson	Saxton
Bliley	Holden	Sessions
Blunt	Horn	Shadegg
Boehlert	Hostettler	Shays
Brady (TX)	Hunter	Sherwood
Bryant	Hyde	Shimkus
Buyer	Isakson	Shows
Callahan	Istook	Shuster
Calvert	Jenkins	Simpson
Canady	Johnson (CT)	Skelton
Chabot	Johnson, Sam	Smith (MI)
Chambliss	Jones (NC)	Smith (NJ)
Chenoweth	Kelly	Smith (TX)
Clement	King (NY)	Souder
Coburn	Kingston	Spence
Collins	LaHood	Stearns
Combest	Largent	Stenholm
Cook	Lazio	Stump
Cubin	Lewis (KY)	Sweeney
Cunningham	Lipinski	Talent
Danner	LoBiondo	Tancredo
Deal	Lucas (KY)	Taylor (MS)
DeLay	Lucas (OK)	Taylor (NC)
DeMint	Maloney (CT)	Tiahrt
Duncan	McCrery	Traficant
Ehlers	McHugh	Turner
Emerson	McIntosh	Upton
English	McIntyre	Vitter
Everett	McKeon	Walden
Ewing	Metcalf	Watkins
Franks (NJ)	Mica	Watts (OK)
Frelinghuysen	Miller, Gary	Weldon (FL)
Gallegly	Mollohan	Weldon (PA)
Gilchrest	Norwood	Whitfield
Gillmor	Oxley	Wicker
Goode	Packard	Wilson
Goodlatte	Peterson (MN)	Wise
Goodling	Peterson (PA)	Wolf
Granger	Pickering	Young (FL)
Greenwood	Pitts	

NOES—282

Abercrombie
Ackerman
Allen
Andrews
Baird
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bass
Bateman
Becerra
Bentsen
Berkley
Berman
Berry
Biggert
Bishop
Blagojevich
Blumenauer
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Burr
Burton
Camp
Campbell
Cannon
Capps
Capuano
Cardin
Carson
Castle
Clay
Clayton
Clyburn
Coble
Condit
Conyers
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crowley
Cummings
Davis (FL)
Davis (VA)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier
Dunn
Edwards
Ehrlich
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Fletcher
Foley
Forbes
Ford
Fossella
Fowler
Frank (MA)
Frost
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gilman
Gonzalez
Gordon
Goss
Graham
Green (TX)
Green (WI)
Gutierrez
Hastings (FL)
Hastings (WA)
Hayworth
Hill (IN)
Hilliard
Hinchey
Hinojosa
Hoeffel
Hoekstra
Holt
Hooley
Hoyer
Hulshof
Hutchinson
Inslee
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson, E.B.
Jones (OH)
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind (WI)
Kleczka
Klink
Knollenberg
Kolbe
Kucinich
Kuykendall
LaFalce
Lampson
Lantos
Larson
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Linder
Lofgren
Lowey
Luther
Maloney (NY)
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McInnis
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller (FL)
Miller, George
Minge
Mink
Moakley
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Nussle
Oberstar
Obey
Olver
Ortiz
Ose
Owens
Pallone
Pascrell
Pastor
Paul
Payne
Pease
Pelosi
Petri
Phelps
Pickett
Pombo
Pomeroy
Porter
Price (NC)
Pryce (OH)
Quinn
Rahall
Rangel
Reyes
Rivers
Rodriguez
Roemer
Rogan
Rohrabacher
Ros-Lehtinen
Rothman
Roybal-Allard
Royce
Rush
Ryan (WI)
Sabo
Salmon
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Scarborough
Schaffer
Schakowsky
Scott
Sensenbrenner
Serrano
Shaw
Sherman
Sisisky
Skeen
Slaughter
Smith (WA)
Snyder
Spratt
Stabenow
Stark
Strickland
Stupak
Sununu
Tanner
Tauscher
Tauzin
Terry
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tierney
Toomey
Towns
Udall (CO)
Udall (NM)
Velazquez
Vento
Visclosky
Walsh
Wamp
Waters
Watt (NC)
Waxman
Weller
Wexler
Weygand
Woolsey
Wu
Wynn
Young (AK)

NOT VOTING—6

Brown (CA)
Davis (IL)
Houghton
Kasich
Thomas
Weiner

So the amendment was not agreed to.

After some further time,

¶65.13 RECORDED VOTE

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

At the end of the bill, insert the following:

TITLE ____—MATTHEW'S LAW

SEC. ___. SHORT TITLE.

This title may be cited as ''Matthew's Law''.

SEC. ___2. ENHANCED PENALTIES FOR CRIMES OF VIOLENCE AGAINST CHILDREN UNDER AGE 13.

(a) IN GENERAL.—Title XVII of the Violent Crime Control and Law Enforcement Act of 1994 is amended by adding at the end the following:

"Subtitle C—Enhanced Penalties for Crimes of Violence Against Children Under Age 13

"SEC. 170301. ENHANCED PENALTIES FOR CRIMES OF VIOLENCE AGAINST CHILDREN UNDER AGE 13.

''(a) IN GENERAL.—The United States Sentencing Commission shall amend the Federal sentencing guidelines to provide a sentencing enhancement of not less than 5 levels above the offense level otherwise provided for a crime of violence, if the crime of violence is against a child.

''(b) DEFINITIONS.—In this section—

''(1) the term 'crime of violence' means any crime punishable by imprisonment for a term exceeding one year that has as an element the use, attempted use, or threatened use of physical force against the person of another; and

''(2) the term 'child' means a person who has not attained 13 years of age at the time of the offense.''.

(b) CONFORMING REPEAL.—Section 240002 of such Act (28 U.S.C. 994 note) is repealed.

(c) CLERICAL AMENDMENT.—The table of contents of such Act is amended by striking the item relating to subtitle C of title XVII and the items relating to sections 170301 through 170303 and inserting the following:

''Subtitle C—Enhanced Penalties for Crimes of Violence Against Children Under Age 13

''Sec. 170301. Enhanced penalties for crimes of violence against children under age 13.''.

SEC. ___3. FEDERAL BUREAU OF INVESTIGATION ASSISTANCE AVAILABLE TO STATE OR LOCAL LAW AUTHORITIES IN INVESTIGATING POSSIBLE HOMICIDES OF CHILDREN UNDER THE AGE OF 13.

To the maximum extent practicable, the Federal Bureau of Investigation may provide to State and local law enforcement authorities such assistance as such authorities may require in investigating the death of an individual who has not attained 13 years of age under circumstances indicating that the death may have been a homicide.

It was decided in the affirmative ..... { Yeas ..... 401 / Nays 27

¶65.14 [Roll No. 214]

AYES—401

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Archer
Armey
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bateman
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
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
Canady
Cannon
Capps
Capuano
Cardin
Carson
Castle
Chabot
Chambliss
Chenoweth
Clement
Clyburn
Coble
Coburn
Collins
Combest
Condit
Cook
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crowley
Cubin
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
English
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Filner
Fletcher
Foley
Forbes
Ford
Fossella
Fowler
Frank (MA)
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 (WA)
Hayes
Hayworth
Hefley
Herger
Hill (IN)
Hill (MT)
Hilleary
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Hooley
Horn
Hostettler
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Istook
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
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
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McGovern
McHugh
McInnis
McIntosh
McIntyre
McKeon
McKinney
McNulty
Meehan
Menendez
Metcalf
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Miller, George
Minge
Moakley
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Ose
Oxley
Packard
Pallone
Pascrell
Pastor
Pease
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
Roybal-Allard
Royce
Ryan (WI)
Ryun (KS)
Sabo
Salmon
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Scarborough
Schaffer
Schakowsky
Sensenbrenner
Serrano
Sessions
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky

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
Traficant
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—27

Campbell
Clay
Clayton
Conyers
Cummings
Engel
Hastings (FL)
Hilliard
Jackson (IL)
Johnson, E. B.
Jones (OH)
Kilpatrick
Lee
McDermott
Meek (FL)
Meeks (NY)
Mink
Owens
Paul
Payne
Pelosi
Rush
Sanford
Scott
Shadegg
Waters
Watt (NC)

NOT VOTING—6

Brown (CA)
Ewing
Houghton
Kasich
Thomas
Weiner

So the amendment was agreed to.

¶65.15 RECORDED VOTE

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

At the end of the bill, insert the following:

SEC. ____. LIMITATION ON PRISONER RELEASE ORDERS.

(a) IN GENERAL.—Chapter 99 of title 28, United States Code, is amended by adding at the end the following new section:

"§ 1632. Limitation on prisoner release orders

"(a) LIMITATION.—Notwithstanding section 3626(a)(3) of title 18 or any other provision of law, in a civil action with respect to prison conditions, no court of the United States or other court listed in section 610 shall have jurisdiction to enter or carry out any prisoner release order that would result in the release from or nonadmission to a prison, on the basis of prison conditions, of any person subject to incarceration, detention, or admission to a facility because of a conviction of a felony under the laws of the relevant jurisdiction, or a violation of the terms or conditions of parole, probation, pretrial release, or a diversionary program, relating to the commission of a felony under the laws of the relevant jurisdiction.

"(b) DEFINITIONS.—As used in this section—

"(1) the terms 'civil action with respect to prison conditions', 'prisoner', 'prisoner release order', and 'prison' have the meanings given those terms in section 3626(g) of title 18; and

"(2) the term 'prison conditions' means conditions of confinement or the effects of actions by government officials on the lives of persons confined in prison.

(b) CONFORMING AMENDMENT.—The table of sections for chapter 99 of title 28, United States Code, is amended by adding at the end the following new item:

"1632. Limitation on prisoner release orders.".

(c) CONSENT DECREES.—

(1) TERMINATION OF EXISTING CONSENT DECREES.—Any consent decree that was entered into before the date of the enactment of the Prison Litigation Reform Act of 1995, that is in effect on the day before the date of the enactment of this Act, and that provides for remedies relating to prison conditions shall cease to be effective on the date of the enactment of this Act.

(2) DEFINITIONS.—As used in this subsection—

(A) the term "consent decree" has the meaning given that term in section 3626(g) of title 18, United States Code; and

(B) the term "prison conditions" has the meaning given that term in section 1632(c) of title 28, United States Code, as added by subsection (a) of this section.

It was decided in the affirmative { Yeas ..... 296 / Nays ..... 133 }

¶65.16 [Roll No. 215]

AYES—296

Aderholt
Andrews
Archer
Armey
Bachus
Baird
Baker
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bentsen
Bereuter
Berry
Biggert
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boyd
Brady (TX)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Capps
Castle
Chabot
Chambliss
Chenoweth
Clement
Coble
Coburn
Collins
Combest
Condit
Cook
Cooksey
Costello
Cox
Cramer
Crane
Cubin
Cunningham
Danner
Davis (FL)
Davis (VA)
Deal
DeLay
DeMint
Deutsch
Diaz-Balart
Dickey
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Eshoo
Etheridge
Everett
Ewing
Fletcher
Foley
Forbes
Fossella
Fowler
Franks (NJ)
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green (TX)
Green (WI)
Gutknecht
Hall (TX)
Hansen
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (IN)
Hill (MT)
Hilleary
Hinojosa
Hobson
Hoekstra
Holden
Holt
Hooley
Horn
Hostettler
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Istook
Jenkins
John
Johnson (CT)
Johnson, Sam
Jones (NC)
Kanjorski
Kelly
Kildee
King (NY)
Kingston
Kleczka
Knollenberg
Kolbe
Kuykendall
LaHood
Lampson
Largent
Latham
LaTourette
Lazio
Leach
Levin
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Mascara
McCollum
McCrery
McHugh
McInnis
McIntosh
McIntyre
McKeon
Menendez
Metcalf
Mica
Miller (FL)
Miller, Gary
Mollohan
Moran (KS)
Murtha
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Ortiz
Ose
Oxley
Packard
Pallone
Pascrell
Paul
Pease
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pickett
Pitts
Pombo
Porter
Portman
Price (NC)
Pryce (OH)
Quinn
Radanovich
Ramstad
Regula
Reyes
Reynolds
Riley
Rivers
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Royce
Ryan (WI)
Ryun (KS)
Salmon
Sandlin
Sanford
Saxton
Scarborough
Schaffer
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Souder
Spence
Spratt
Stabenow
Stearns
Stenholm
Stump
Sununu
Sweeney
Talent
Tancredo
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thornberry
Thune
Thurman
Tiahrt
Toomey
Traficant
Turner
Upton
Visclosky
Vitter
Walden
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
Whitfield
Wicker
Wilson
Wise
Wolf
Wu
Young (AK)
Young (FL)

NOES—133

Abercrombie
Ackerman
Allen
Baldacci
Baldwin
Barrett (WI)
Becerra
Berkley
Berman
Blumenauer
Boucher
Brady (PA)
Brown (FL)
Brown (OH)
Campbell
Capuano
Cardin
Carson
Clay
Clayton
Clyburn
Conyers
Coyne
Crowley
Cummings
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Dixon
Doggett
Dooley
Engel
English
Evans
Farr
Fattah
Filner
Ford
Frank (MA)
Frost
Gejdenson
Gephardt
Gonzalez
Greenwood
Gutierrez
Hall (OH)
Hastings (FL)
Hilliard
Hinchey
Hoeffel
Hoyer
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson, E. B.
Jones (OH)
Kaptur
Kennedy
Kilpatrick
Kind (WI)
Klink
Kucinich
LaFalce
Lantos
Larson
Lee
Lewis (GA)
Markey
Martinez
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Millender-McDonald
Miller, George
Minge
Mink
Moakley
Moore
Moran (VA)
Morella
Nadler
Napolitano
Neal
Oberstar
Obey
Olver
Owens
Pastor
Payne
Pelosi
Pomeroy
Rahall
Rangel
Rodriguez
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sawyer
Schakowsky
Scott
Serrano
Slaughter
Snyder
Stark
Strickland
Stupak
Tauscher
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Velazquez
Vento
Waters
Watt (NC)
Waxman
Woolsey
Wynn

NOT VOTING—5

Brown (CA)
Houghton
Kasich
Thomas
Weiner

So the amendment was agreed to.

After some further time,

¶65.17 RECORDED VOTE

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

At the end of the bill insert the following:

SEC. ____. FINDINGS.

The Congress finds that—

(1) more than 40,000 laws regulating the sale, possession, and use of firearms currently exist at the Federal, State, and local level;

(2) there have been an extremely low number of prosecutions for Federal firearms violations;

(3) programs such a Project Exile have succeeded in dramatically decreasing homicide and gun-related crimes; and

(4) enhanced punishment and aggressive prosecution for crimes committed with fire-

arms, or possessing a firearm during commission of a crime, are common sense solutions to deter gun violence.

It was decided in the affirmative { Yeas ..... 293 / Nays 134

¶65.18 [Roll No. 216]

AYES—293

Aderholt
Archer
Armey
Bachus
Baker
Baldacci
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bereuter
Berkley
Berry
Biggert
Bilbray
Bilirakis
Bishop
Bliley
Blunt
Boehlert
Boehner
Bonilla
Bono
Boswell
Boucher
Boyd
Brady (TX)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Castle
Chabot
Chambliss
Chenoweth
Clement
Coble
Coburn
Collins
Combest
Condit
Cook
Costello
Cox
Cramer
Crane
Cubin
Cunningham
Danner
Davis (FL)
Davis (VA)
Deal
DeFazio
DeLay
DeMint
Deutsch
Diaz-Balart
Dickey
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
English
Etheridge
Everett
Ewing
Fletcher
Foley
Forbes
Ford
Fossella
Fowler
Franks (NJ)
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goodling
Goss
Graham
Granger
Green (TX)
Green (WI)
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (IN)
Hill (MT)
Hilleary
Hobson
Hoeffel
Hoekstra
Holden
Hooley
Horn
Hostettler
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Istook
Jenkins
John
Johnson (CT)
Johnson, Sam
Jones (NC)
Kaptur
Kasich
Kelly
King (NY)
Kingston
Knollenberg
Kolbe
Kucinich
Kuykendall
LaHood
Lampson
Largent
Latham
LaTourette
Lazio
Leach
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lowey
Lucas (KY)
Lucas (OK)
Maloney (CT)
Manzullo
Mascara
McCarthy (NY)
McCollum
McCrery
McHugh
McInnis
McIntosh
McIntyre
McKeon
McNulty
Metcalf
Mica
Miller (FL)
Miller, Gary
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Obey
Ortiz
Ose
Oxley
Packard
Pascrell
Pease
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Regula
Reyes
Reynolds
Riley
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryan (WI)
Ryun (KS)
Salmon
Sanchez
Sandlin
Sanford
Saxton
Scarborough
Schaffer
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Spence
Spratt
Stabenow
Stearns
Stenholm
Stump
Sununu
Sweeney
Talent
Tancredo
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thornberry
Thune
Thurman
Tiahrt
Toomey
Traficant
Turner
Udall (NM)
Upton
Visclosky
Vitter
Walden
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Weygand
Whitfield
Wicker
Wilson
Wise
Wolf
Young (AK)
Young (FL)

NOES—134

Abercrombie
Ackerman
Allen
Andrews
Baird
Baldwin
Barrett (WI)
Becerra
Bentsen
Berman
Blagojevich
Blumenauer
Bonior
Borski
Brady (PA)
Brown (FL)
Brown (OH)
Capps
Capuano
Cardin
Carson
Clay
Clayton
Clyburn
Conyers
Cooksey
Coyne
Crowley
Cummings
Davis (IL)
DeGette
Delahunt
DeLauro
Dingell
Dixon
Doggett
Dooley
Engel
Eshoo
Evans
Farr
Fattah
Filner
Frank (MA)
Frost
Gejdenson
Gonzalez
Gordon
Hastings (FL)
Hilliard
Hinchey
Hinojosa
Holt
Hoyer
Inslee
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson, E. B.
Jones (OH)
Kanjorski
Kennedy
Kildee
Kilpatrick
Kind (WI)
Kleczka
Klink
LaFalce
Lantos
Larson
Lee
Levin
Lewis (GA)
Lofgren
Luther
Maloney (NY)
Markey
Matsui
McCarthy (MO)
McDermott
McGovern
McKinney
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Minge
Mink
Moakley
Nadler
Napolitano
Neal
Oberstar
Olver
Owens
Pallone
Pastor
Paul
Payne
Pelosi
Rangel
Rivers
Rodriguez
Rothman
Roybal-Allard
Rush
Sabo
Sanders
Sawyer
Schakowsky
Scott
Serrano
Sherman
Slaughter
Stark
Strickland
Stupak
Tauscher
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Velazquez
Vento
Waters
Watt (NC)
Waxman
Wexler
Woolsey
Wu
Wynn

NOT VOTING—7

Brown (CA)
Dicks
Gephardt
Houghton
Martinez
Thomas
Weiner

So the amendment was agreed to.

¶65.19 RECORDED VOTE

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

Add at the end the following new title:

TITLE ____—DRUG DEALER LIABILITY

SEC. ____. FEDERAL CAUSE OF ACTION FOR DRUG DEALER LIABILITY.

(a) IN GENERAL.—Part E of the Controlled Substances Act is amended by adding at the end the following:

"SEC. 521. FEDERAL CAUSE OF ACTION FOR DRUG DEALER LIABILITY.

"(a) IN GENERAL.—Except as provided in subsection (b), any person who manufactures or distributes a controlled substance in a felony violation of this title or title III shall be liable in a civil action to any party harmed, directly or indirectly, by the use of that controlled substance.

"(b) EXCEPTION.—An individual user of a controlled substance may not bring or maintain an action under this section unless the individual personally discloses to narcotics enforcement authorities all of the information known to the individual regarding all that individual's sources of illegal controlled substances.".

(b) CLERICAL AMENDMENT.—The table of sections for the Comprehensive Drug Abuse Prevention and Control Act of 1970 is amended by inserting after the time relating to section 520 the following new item:

"Sec. 521. Federal cause of action for drug dealer liability.".

It was decided in the affirmative { Yeas ..... 424 / Nays 3

¶65.20 [Roll No. 217]

AYES—424

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Archer
Armey
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bateman
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
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
Clay
Clayton
Clement
Clyburn
Coble
Coburn
Collins
Combest
Condit
Conyers
Cook
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crowley
Cubin
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dickey
Dingell
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Ewing
Farr
Fattah
Filner
Fletcher
Foley
Forbes
Ford
Fossella
Fowler
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
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
Inslee
Isakson
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kasich
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kleczka
Klink
Knollenberg
Kolbe
Kucinich
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Largent
Larson
Latham
LaTourette
Lazio
Leach
Lee
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
Meek (FL)
Meeks (NY)
Menendez
Metcalf
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
Olver
Ortiz
Ose
Owens
Oxley
Packard
Pallone
Pascrell
Pastor
Payne
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
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Sabo
Salmon
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Saxton
Scarborough
Schaffer
Schakowsky
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
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
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Vento
Visclosky
Vitter
Walden
Walsh
Wamp
Waters
Watkins
Watt (NC)
Watts (OK)
Waxman
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
Whitfield
Wicker
Wilson
Wise
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NOES—3

Ehrlich
Gonzalez
Paul

NOT VOTING—7

Brown (CA)
Dicks
Gephardt
Houghton
Martinez
Thomas
Weiner

So the amendment was agreed to.

¶65.21 RECORDED VOTE

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

At the end of the bill, add the following (and make such technical and conforming changes as may be appropriate):

SEC. 3. SAFE SCHOOLS.

(a) AMENDMENTS.—Part F of title XIV of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 8921 et seq.) is amended as follows:

(1) SHORT TITLE.—Section 14601(a) is amended by striking ''Gun-Free Schools Act of 1994'' and inserting ''Safe Schools Act of 1999''.

(2) REQUIREMENTS.—Section 14601(b)(1) is amended by inserting after ''determined'' the following: ''to be in possession of felonious quantities of an illegal drug, on school property under the jurisdiction of, or in a vehicle operated by an employee or agent of, a local educational agency in that State, or''.

(3) DEFINITIONS.—Section 14601(b)(4) is amended to read as follows: ''For purposes of this part—

''(A) the term ''1 weapon'' means a firearm as such term is defined in section 921 of title 18, United States Code;

''(B) the term 'illegal drug' means a controlled substance, as defined in section 102(6) of the Controlled Substances Act (21 U.S.C. 802(6)), the possession of which is unlawful under the Act (21 U.S.C. 801 et seq.) or under the Controlled Substances Import and Export Act (21 U.S.C. 951 et seq.), but does not mean a controlled substance used pursuant to a valid prescription or as authorized by law; and

''(C) the term 'illegal drug paraphernalia' means drug paraphernalia, as defined in section 422(d) of the Controlled Substances Act (21 U.S.C. 863(d)), except that the first sentence of that section shall be applied by inserting 'or under the Controlled Substances Import and Export Act (21 U.S.C. 951 et seq.)', before the period; and

''(D) the term 'felonious quantities of an illegal drug' means any quantity of an illegal drug—

''(i) possession of which quantity would, under Federal, State, or local law, either constitute a felony or indicate an intent to distribute; or

''(ii) that is possessed with an intent to distribute.''.

(4) REPORT TO STATE.—Section 14601(d)(2)(C) is amended by inserting ''illegal drugs or'' before ''weapons''.

(5) REPEALER.—Section 14601 is amended by striking subsection (f).

(6) POLICY REGARDING CRIMINAL JUSTICE SYSTEM REFERRAL.—Section 14602(a) is amended by—

(1) striking ''served by'' and inserting ''under the jurisdiction of''; and

(2) by inserting after ''who'' the following: ''is in possession of an illegal drug, or illegal drug paraphernalia, on school property under the jurisdiction of, or in a vehicle operated by an employee or agent of, such agency, or who''.

(7) DATA AND POLICY DISSEMINATION UNDER IDEA.—Section 14603 is amended—

(1) in paragraph (1), by inserting ''current'' before ''policy'';

(2) in paragraph (2)—

(A) by inserting before ''engaging'' the following ''possessing illegal drugs, or illegal drug paraphernalia, on school property, or in vehicles operated by employees or agents of, schools or local educational agencies, or''; and

(B) by striking ''; and'' and inserting a period; and

(3) by striking paragraph (3).

(b) COMPLIANCE DATE; REPORTING.—(1) States shall have 2 years from the date of enactment of this Act to comply with the requirements established in the amendments made by subsection (a).

(2) Not later than 3 years after the date of enactment of this Act, the Secretary of Education shall submit to Congress a report on any State that is not in compliance with the requirements of this part.

(3) Not later than 2 years after the date of enactment of this Act, the Secretary of Education shall submit to Congress a report analyzing the strengths and weaknesses of approaches regarding the disciplining of children with disabilities.

It was decided in the negative ..... { Yeas ..... 184 / Nays 243

¶65.22 [Roll No. 218]

AYES—184

Aderholt
Andrews
Armey
Bachus
Baker
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bereuter
Bilbray
Bilirakis
Bishop
Bliley
Boehner
Bono
Boswell
Brady (TX)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Canady
Cannon
Chabot
Chambliss
Chenoweth
Coble
Collins
Combest
Condit
Cook
Cooksey
Cox
Cramer
Crane
Cunningham
Danner
Davis (VA)
Deal
DeMint
Deutsch
Diaz-Balart
Doyle
Dreier
Duncan
Dunn
English
Everett
Fletcher
Foley
Fowler
Franks (NJ)
Frelinghuysen
Gallegly
Gekas
Gibbons
Gilchrest
Gillmor
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Green (TX)
Gutknecht
Hall (OH)
Hall (TX)
Hayes
Hayworth
Herger
Hill (IN)
Hilleary
Hobson
Holden
Horn
Hunter
Hyde
Istook
Jenkins
John
Johnson (CT)
Jones (NC)
Kasich
Klink
Knollenberg
Kucinich
Lampson
Latham
Leach
Lewis (KY)
Linder
LoBiondo
Lofgren
Lucas (KY)
Luther
Maloney (CT)
Mascara
McCollum
McInnis
McIntosh
McIntyre
Menendez
Metcalf
Mica
Miller, Gary
Mollohan
Moore
Morella
Myrick
Ney
Norwood
Ose
Oxley
Packard
Pallone
Pascrell
Pease
Peterson (MN)
Peterson (PA)
Pickering
Pitts
Pomeroy
Radanovich
Ramstad
Regula
Riley
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Royce
Ryun (KS)
Salmon
Sandlin
Saxton
Schaffer
Sensenbrenner
Sessions
Shadegg
Shays
Sherwood
Shows
Shuster
Simpson
Skelton
Smith (NJ)
Smith (TX)
Spence
Spratt
Stabenow
Stearns
Stenholm
Stump
Tancredo
Tauzin
Taylor (MS)
Taylor (NC)
Tiahrt
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Vitter
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Wise
Wolf
Wu
Young (AK)
Young (FL)

NOES—243

Abercrombie
Ackerman
Allen
Archer
Baird
Baldacci
Baldwin
Barrett (WI)
Bateman
Becerra
Bentsen
Berkley
Berman
Berry
Biggert
Blagojevich
Blumenauer
Blunt
Boehlert
Bonilla
Bonior
Borski
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Camp
Campbell
Capps
Capuano
Cardin
Carson
Castle
Clay
Clayton
Clement
Clyburn
Coburn
Conyers
Costello
Coyne
Crowley
Cubin
Cummings
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Dickey
Dingell
Dixon
Doggett
Dooley
Doolittle
Edwards
Ehlers
Ehrlich
Emerson
Engel
Eshoo
Etheridge
Evans
Ewing
Farr
Fattah
Filner
Forbes
Ford
Fossella
Frank (MA)
Frost
Ganske
Gejdenson
Gilman
Gonzalez
Goodling
Green (WI)
Greenwood
Gutierrez
Hansen
Hastings (FL)
Hastings (WA)
Hefley
Hill (MT)
Hilliard
Hinchey
Hinojosa
Hoeffel
Hoekstra
Holt
Hooley
Hostettler
Hoyer
Hulshof
Hutchinson
Inslee
Isakson
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson, E. B.
Johnson, Sam
Jones (OH)
Kanjorski
Kaptur
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kleczka
Kolbe
Kuykendall
LaFalce
LaHood
Lantos
Largent
Larson
LaTourette
Lazio
Lee
Levin
Lewis (CA)
Lewis (GA)
Lipinski
Lowey
Lucas (OK)
Maloney (NY)
Manzullo
Markey
Matsui

McCarthy (MO)
McCarthy (NY)
McCrery
McDermott
McGovern
McHugh
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Millender-McDonald
Miller (FL)
Miller, George
Minge
Mink
Moakley
Moran (KS)
Moran (VA)
Murtha
Nadler
Napolitano
Neal
Nethercutt
Northup
Nussle
Oberstar
Obey
Olver
Ortiz
Owens
Pastor
Paul
Payne
Pelosi
Petri
Phelps
Pickett
Pombo
Porter
Portman
Price (NC)
Pryce (OH)
Quinn
Rahall
Rangel
Reyes
Reynolds
Rivers
Rodriguez
Roybal-Allard
Rush
Ryan (WI)
Sabo
Sanchez
Sanders
Sanford
Sawyer
Scarborough
Schakowsky
Scott
Serrano
Shaw
Sherman
Shimkus
Sisisky
Skeen
Slaughter
Smith (MI)
Smith (WA)
Snyder
Souder
Stark
Strickland
Stupak
Sununu
Sweeney
Talent
Tanner
Tauscher
Terry
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tierney
Toomey
Towns
Velazquez
Vento
Visclosky
Walden
Walsh
Wamp
Waters
Watt (NC)
Waxman
Wexler
Weygand
Whitfield
Wicker
Wilson
Woolsey
Wynn

NOT VOTING—7

Brown (CA)
Dicks
Gephardt
Houghton
Martinez
Thomas
Weiner

So the amendment was not agreed to.

¶65.23 RECORDED VOTE

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

At the end of the bill, add the following (and make such technical and conforming changes as may be appropriate):

SEC. 3. CONSTITUTIONALITY OF MEMORIAL SERVICES AND MEMORIALS AT PUBLIC SCHOOLS.

(a) FINDINGS.—The Congress of the United States finds that the saying of a prayer, the reading of a scripture, or the performance of religious music, as part of a memorial service that is held on the campus of a public school in order to honor the memory of any person slain on that campus does not violate the First Amendment to the Constitution of the United States, and that the design and construction of any memorial which includes religious symbols, motifs, or sayings that is placed on the campus of a public school in order to honor the memory of any person slain on that campus does not violate the First Amendment to the Constitution of the United States.

(b) LAWSUITS.—In any lawsuit claiming that the type of memorial or memorial service described in subsection (a) violates the Constitution of the United States—

(1) each party shall pay its own attorney's fee and costs, notwithstanding any other provision of law; and

(2) the Attorney General is authorized to provide legal assistance to the school district or other government entity that is defending the legality of such memorial service.

It was decided in the affirmative ..... { Yeas ..... 300 / Nays 127

¶65.24 [Roll No. 219]

AYES—300

Aderholt
Archer
Armey
Bachus
Baird
Baker
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bateman
Berry
Biggert
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blunt
Boehlert
Boehner
Bonilla
Bono
Borski
Boswell
Boucher
Boyd
Brady (TX)
Brown (OH)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Castle
Chabot
Chambliss
Chenoweth
Clement
Coble
Coburn
Collins
Combest
Condit
Cook
Costello
Cox
Cramer
Crane
Crowley
Cubin
Cunningham
Danner
Davis (FL)
Davis (VA)
Deal
DeFazio
DeLay
DeMint
Deutsch
Diaz-Balart
Dickey
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Etheridge
Everett
Ewing
Fletcher
Foley
Forbes
Ford
Fossella
Fowler
Franks (NJ)
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green (TX)
Green (WI)
Greenwood
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (IN)
Hill (MT)
Hilleary
Hobson
Hoeffel
Hoekstra
Holden
Hooley
Horn
Hostettler
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Istook
Jenkins
John
Johnson (CT)
Johnson, Sam
Jones (NC)
Kanjorski
Kaptur
Kasich
Kelly
King (NY)
Kingston
Klink
Knollenberg
Kolbe
Kuykendall
LaFalce
LaHood
Lampson
Largent
Latham
LaTourette
Lazio
Leach
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lucas (KY)
Lucas (OK)
Manzullo
Mascara
Matsui
McCarthy (NY)
McCollum
McCrery
McHugh
McInnis
McIntosh
McIntyre
McKeon
McNulty
Menendez
Metcalf
Mica
Miller (FL)
Miller, Gary
Mollohan
Moore
Moran (KS)
Moran (VA)
Murtha
Myrick
Napolitano
Nethercutt
Ney
Northup
Norwood
Nussle
Obey
Ortiz
Ose
Oxley
Packard
Pascrell
Pastor
Paul
Pease
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Pombo
Pomeroy
Portman
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Regula
Reynolds
Riley
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Royce
Ryan (WI)
Ryun (KS)
Salmon
Sandlin
Sanford
Sawyer
Saxton
Scarborough
Schaffer
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Souder
Spence
Spratt
Stabenow
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
Talent
Tancredo
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thompson (CA)
Thornberry
Thune
Thurman
Tiahrt
Toomey
Traficant
Turner
Upton
Visclosky
Vitter
Walden
Walsh
Wamp
Watkins
Watts (OK)
Waxman
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wise
Wolf
Wu
Wynn
Young (AK)
Young (FL)

NOES—127

Abercrombie
Ackerman
Allen
Andrews
Baldacci
Baldwin
Becerra
Bentsen
Bereuter
Berkley
Berman
Blumenauer
Bonior
Brady (PA)
Brown (FL)
Campbell
Capps
Capuano
Cardin
Carson
Clay
Clayton
Clyburn
Conyers
Cooksey
Coyne
Cummings
Davis (IL)
DeGette
Delahunt
DeLauro
Dingell
Dixon
Doggett
Edwards
Engel
Eshoo
Evans
Farr
Fattah
Filner
Frank (MA)
Frelinghuysen
Frost
Gejdenson
Gonzalez
Gutierrez
Hastings (FL)
Hilliard
Hinchey
Hinojosa
Holt
Hoyer
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson, E.B.
Jones (OH)
Kennedy
Kildee
Kilpatrick
Kind (WI)
Kleczka
Kucinich
Lantos
Larson
Lee
Levin
Lewis (GA)
Lowey
Luther
Maloney (CT)
Maloney (NY)
Markey
McCarthy (MO)
McDermott
McGovern
McKinney
Meehan
Meek (FL)
Meeks (NY)
Millender-McDonald
Miller, George
Minge
Mink
Moakley
Morella
Nadler
Neal
Oberstar
Olver
Owens
Pallone
Payne
Pelosi
Pickett
Porter
Rangel
Reyes
Rivers
Rodriguez
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Schakowsky
Scott
Serrano
Sherman
Slaughter
Snyder
Stark
Tanner
Tauscher
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Velazquez
Vento
Waters
Watt (NC)
Wexler
Weygand
Woolsey

NOT VOTING—7

Brown (CA)
Dicks
Gephardt
Houghton
Martinez
Thomas
Weiner

So the amendment was agreed to.

¶65.25 RECORDED VOTE

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

Add at the end the following:

TITLE __—LIMITATION ON RECOVERY OF ATTORNEYS FEES IN CERTAIN CASES

SEC. __. LIMITATION ON RECOVERY OF ATTORNEYS FEES IN CERTAIN CASES.

Section 722(b) of the Revised Statutes of the United States (42 U.S.C. 1988(b)) is amended—

(1) by striking ''In'' and inserting ''Except as otherwise provided in this subsection, in'';

(2) by striking '', except that'' and inserting ''. However,''; and

(3) by adding at the end the following:''Attorneys' fees under this section may not be allowed in any action claiming that a public school or its agent violates the constitutional prohibition against the establishment of religion by permitting, facilitating, or accommodating a student's religious expression.''.

It was decided in the affirmative ..... { Yeas ..... 238 / Nays 189

¶65.26 [Roll No. 220]

AYES—238

Aderholt
Archer
Armey
Bachus
Baker
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Berry
Biggert
Bilbray
Bilirakis
Bishop
Bliley
Blunt
Boehner
Bonilla
Bono
Boswell
Boucher
Brady (TX)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Chabot
Chambliss
Chenoweth
Clement
Coble
Coburn
Collins

Combest
Condit
Cook
Cox
Cramer
Crane
Cubin
Cunningham
Danner
Davis (VA)
Deal
DeLay
DeMint
Diaz-Balart
Dickey
Doolittle
Doyle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
Etheridge
Everett
Ewing
Fletcher
Foley
Forbes
Fossella
Fowler
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green (WI)
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (IN)
Hill (MT)
Hilleary
Hobson
Hoekstra
Holden
Horn
Hostettler
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Istook
Jenkins
John
Johnson, Sam
Jones (NC)
Kelly
Kingston
Knollenberg
Kolbe
Kuykendall
LaHood
Largent
Latham
LaTourette
Lazio
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas (KY)
Lucas (OK)
Manzullo
Mascara
McCollum
McCrery
McHugh
McInnis
McIntosh
McIntyre
McKeon
Metcalf
Mica
Miller (FL)
Miller, Gary
Mollohan
Moran (KS)
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Ortiz
Ose
Oxley
Packard
Paul
Pease
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Pombo
Portman
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Regula
Reynolds
Riley
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryan (WI)
Ryun (KS)
Salmon
Sanford
Saxton
Scarborough
Schaffer
Sensenbrenner
Sessions
Shadegg
Shaw
Sherwood
Shimkus
Shows
Shuster
Simpson
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Spence
Spratt
Stearns
Stenholm
Stump
Sununu
Sweeney
Talent
Tancredo
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thornberry
Thune
Tiahrt
Toomey
Traficant
Upton
Vitter
Walden
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)

NOES—189

Abercrombie
Ackerman
Allen
Andrews
Baird
Baldacci
Baldwin
Barrett (WI)
Becerra
Bentsen
Bereuter
Berkley
Berman
Blagojevich
Blumenauer
Boehlert
Bonior
Borski
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Campbell
Capps
Capuano
Cardin
Carson
Castle
Clay
Clayton
Clyburn
Conyers
Cooksey
Costello
Coyne
Crowley
Cummings
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dingell
Dixon
Doggett
Dooley
Edwards
Engel
English
Eshoo
Evans
Farr
Fattah
Filner
Ford
Frank (MA)
Franks (NJ)
Frost
Gejdenson
Gonzalez
Green (TX)
Greenwood
Gutierrez
Hastings (FL)
Hilliard
Hinchey
Hinojosa
Hoeffel
Holt
Hooley
Hoyer
Inslee
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (CT)
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kasich
Kennedy
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kleczka
Klink
Kucinich
LaFalce
Lampson
Lantos
Larson
Lee
Levin
Lewis (GA)
Lipinski
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Markey
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Minge
Mink
Moakley
Moore
Moran (VA)
Morella
Murtha
Nadler
Napolitano
Neal
Oberstar
Obey
Olver
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Phelps
Pickett
Pomeroy
Porter
Price (NC)
Rangel
Reyes
Rivers
Rodriguez
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Schakowsky
Scott
Serrano
Shays
Sherman
Sisisky
Slaughter
Smith (WA)
Snyder
Stabenow
Stark
Strickland
Stupak
Tanner
Tauscher
Thompson (CA)
Thompson (MS)
Thurman
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Velazquez
Vento
Visclosky
Waters
Watt (NC)
Waxman
Wexler
Weygand
Wise
Woolsey
Wu
Wynn

NOT VOTING—7

Brown (CA)
Dicks
Gephardt
Houghton
Martinez
Thomas
Weiner

So the amendment was agreed to.

THURSDAY, JUNE 17 (LEGISLATIVE DAY OF JUNE 16), 1999

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

When Mr. LAHOOD, Acting Chairman, reported that the Committee, having had under consideration said bill, had come to no resolution thereon.

¶65.27 COMMISSION ON INTERNATIONAL RELIGIOUS FREEDOM

The SPEAKER pro tempore, Mr. McCOLLUM, by unanimous consent, announced that the Speaker, pursuant to section 201(b) of the International Religious Freedom Act of 1998 (22 United States Code 6431) and upon the recommendation of the Minority Leader, appointed to a two-year term to the Commission on International Religious Freedom, Rabbi David Saperstein of Washington, D.C., from private life, on the part of the House.

Ordered, That the Clerk notify the Senate of the foregoing appointment.

¶65.28 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. THOMAS for today after 5 p.m. and balance of the week.

And then,

¶65.29 ADJOURNMENT

On motion of Mr. LAHOOD, at 1 o'clock and 2 minutes a.m., Thursday, June 17 (legislative day of Wednesday, June 16), 1999, the House adjourned.

¶65.30 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committee was delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. YOUNG of Alaska: Committee on Resources. H.R. 592. A bill to redesignate Great Kills Park in the Gateway National Recreation Area as ''World War II Veterans Park at Great Kills''; with an amendment (Rept. No. 106–188). Referred to the Committee of the Whole House on the State of the Union.

¶65.31 TIME LIMITATION OF REFERRED BILL

Pursuant to clause 5 of rule X the following action was taken by the Speaker:

H.R. 434. Referral to the Committees on Ways and Means and Banking and Financial Services extended for a period ending not later than June 17, 1999.

¶65.32 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. GEPHARDT:

H.R. 2235. A bill to establish a Commission on the Bicentennial of the Louisiana Purchase and the Lewis and Clark Expedition; to the Committee on Resources.

By Mr. LAFALCE (for himself, Ms. KILPATRICK, and Mr. MEEKS of New York):

H.R. 2236. A bill to authorize the Secretary of Health and Human Services to make grants in the form of forgiveable capital advances to help preserve community hospitals experiencing financial difficulties; to the Committee on Commerce.

By Mr. GILMAN (for himself, Mr. WALSH, Mr. MCHUGH, and Mrs. KELLY):

H.R. 2237. A bill to authorize the Secretary of Agriculture to provide emergency assistance to apple producers and onion producers in the State of New York who incurred extensive crop losses in 1998; to the Committee on Agriculture.

By Mr. BALDACCI:

H.R. 2238. A bill to authorize the provision of waivers to allow welfare-to-work funds to be used to cover the start-up costs of forming alliances designed to enable small businesses to purchase discounted health insurance for their employees among whom are individuals eligible for assistance under a welfare-to-work program; to the Committee on Ways and Means.

By Mr. CHAMBLISS (for himself, Mr. BERRY, Mr. PICKERING, Mr. BISHOP, Mr. COOKSEY, Mr. HAYES, Mr. KINGSTON, Mr. BOYD, Mr. EVERETT, Mr. NORWOOD, and Mr. SHOWS):

H.R. 2239. A bill to amend the Federal Crop Insurance Act to improve crop insurance coverage and administration, and for other purposes; to the Committee on Agriculture.

By Mr. COYNE (for himself, Mr. ENGLISH, Mr. HILLIARD, Mr. LEVIN, Mr. SANDERS, Mr. SAXTON, and Mr. SMITH of New Jersey):

H.R. 2240. A bill to amend title XVIII of the Social Security Act to revise payment amounts to home health agencies under the Medicare Program, and for other purposes; to the Committee on Ways and Means, 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 Mr. FOLEY (for himself, Mrs. JOHNSON of Connecticut, Mr. HAYWORTH, Mr. ENGLISH, Mr. DAVIS of Florida, Mr. PETERSON of Minnesota, and Mr. LARSON):

H.R. 2241. A bill to amend the Balanced Budget Act of 1997 to limit the reductions in Federal payments under the Medicare prospective payment system for hospital outpatient department services; to the Committee on Commerce, and in addition to the

Committee on Ways and Means, 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. GREENWOOD (for himself, Mr. SHAYS, Mr. SENSENBRENNER, Mrs. JOHNSON of Connecticut, Mr. DEAL of Georgia, Mr. WHITFIELD, Mr. NORWOOD, Mr. SMITH of New Jersey, and Mr. COOKSEY):

H.R. 2242. A bill to establish limits on medical malpractice claims, and for other purposes; to the Committee on the Judiciary, 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 Mr. HEFLEY:

H.R. 2243. A bill to restrict United States assistance for certain reconstruction efforts in the Balkans region of Europe to United States-produced articles and services; to the Committee on International Relations.

By Mr. HUNTER:

H.R. 2244. A bill to prohibit United States assistance to the Republic of Panama if a defense site or military installation built or formerly operated by the United States has been conveyed by the Government of the Republic of Panama to any foreign government-owned entity, and for other purposes; to the Committee on International Relations, and in addition to the Committees on Banking and Financial Services, Armed Services, and Intelligence (Permanent Select), 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. MCINTOSH (for himself, Mr. MORAN of Virginia, Mr. PORTMAN, Ms. MCCARTHY of Missouri, Mr. CASTLE, Mr. CONDIT, and Mr. DAVIS of Virginia):

H.R. 2245. A bill to ensure the liberties of the people by promoting federalism, to protect the reserved powers of the States, to impose accountability for Federal preemption of State and local laws, and for other purposes; to the Committee on Government Reform, and in addition to the Committees on Rules, and the Judiciary, 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. RYUN of Kansas (for himself, Mr. MORAN of Kansas, Mr. TIAHRT, Mr. NETHERCUTT, Mr. STEARNS, Mr. HOEKSTRA, Mr. RAHALL, Mr. HOSTETTLER, Mr. PETERSON of Pennsylvania, Ms. MILLENDER-MCDONALD, Mr. KOLBE, Mr. PAUL, Mrs. MYRICK, Mr. BARRETT of Nebraska, and Mr. MARKEY):

H.R. 2246. A bill to amend the Balanced Budget Act of 1997 to prohibit the Secretary of Health and Human Services to require the collection of data from home health agencies furnishing services under the Medicare Program under the OASIS data collection program from non-Medicare patients, and for other purposes; to the Committee on Ways and Means, 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 Mr. SHIMKUS:

H.R. 2247. A bill to amend the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (''Superfund'') to exempt small business concerns from certain liability under that Act; to the Committee on Commerce, and in addition to the Committee on Transportation and Infrastructure, 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. WAMP (for himself and Mr. STUPAK):

H.R. 2248. A bill to provide for the establishment, use, and enforcement of a consistent and comprehensive system for labeling violent content in audio and visual media products; to the Committee on Commerce.

By Mr. WICKER:

H.R. 2249. A bill to establish the Corinth Unit of Shiloh National Military Park in the vicinity of Corinth, Mississippi, and in the State of Tennessee, and for other purposes; to the Committee on Resources.

By Mr. YOUNG of Alaska:

H.R. 2250. A bill to establish and implement a competitive oil and gas leasing program that will result in an environmentally sound and job creating program for the exploration, development, and production of the oil and gas resources of Coastal Plain, and for other purposes; to the Committee on Resources.

By Mr. FILNER:

H. Con. Res. 134. Concurrent resolution expressing the sense of Congress with regard to ''In Memory'' Day; to the Committee on Government Reform.

By Mr. SANDERS (for himself, Mr. ABERCROMBIE, Ms. LEE, Mr. NADLER, Mr. COYNE, Mr. WAXMAN, Mr. SANDLIN, Mr. FARR of California, Mr. HINCHEY, Mr. HILLIARD, Ms. MILLENDER-MCDONALD, Mr. THOMPSON of Mississippi, Mr. ENGEL, Mr. SERRANO, Mr. BRADY of Pennsylvania, Mr. BLAGOJEVICH, Mr. WATT of North Carolina, Ms. PELOSI, Mr. FILNER, Mr. BORSKI, Mr. GUTIERREZ, Ms. SCHAKOWSKY, Mr. LAFALCE, Mr. CAPUANO, Mr. HASTINGS of Florida, Ms. KILPATRICK, Ms. DELAURO, Mr. OLVER, Mr. FRANK of Massachusetts, Mr. MATSUI, Mr. DEFAZIO, Mr. OBERSTAR, Mr. MOAKLEY, Mr. RANGEL, Mr. PAYNE, Mrs. NAPOLITANO, Ms. BROWN of Florida, Mr. MCGOVERN, Mrs. MALONEY of New York, Mrs. MCCARTHY of New York, Mr. RAHALL, Mr. ROMERO-BARCELO, Mr. CUMMINGS, Mr. WEINER, Mr. BROWN of California, Mr. CLAY, Mr. GEJDENSON, Mrs. JONES of Ohio, Ms. WOOLSEY, Mr. JACKSON of Illinois, Mr. VENTO, Mr. CROWLEY, Ms. BALDWIN, Mr. FALEOMAVAEGA, Mr. TIERNEY, Mr. TOWNS, Mr. FROST, Mr. KUCINICH, Mr. MCDERMOTT, Mr. BONIOR, and Mr. BECERRA):

H. Con. Res. 135. Concurrent resolution expressing the sense of Congress with regard to preserving and expanding Medicare; to the Committee on Commerce, and in addition to the Committee on Ways and Means, 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. BASS (for himself, Mr. CUNNINGHAM, Mr. ARMEY, Mr. FOLEY, Mr. BOEHLERT, Mr. FRANKS of New Jersey, Mr. UPTON, Mr. BURR of North Carolina, Mr. SUNUNU, Mr. FRELINGHUYSEN, Mr. GREENWOOD, Mr. WYNN, Mr. POMBO, Mr. HORN, Mr. ETHERIDGE, Ms. KILPATRICK, Mr. BURTON of Indiana, Mr. MCNULTY, Mr. STEARNS, Mr. SHOWS, Mr. KING, Mr. ROMERO-BARCELO, Mr. BROWN of Ohio, Mr. MURTHA, Mr. BAIRD, Mrs. KELLY, Ms. SLAUGHTER, Mr. BORSKI, Mr. DICKEY, Mr. SHAYS, Mr. HASTINGS of Florida, Mr. BROWN of California, Mr. QUINN, Mr. HINCHEY, Mr. BOYD, Mr. COOK, Mr. MCINTOSH, Mr. DIAZ-BALART, Mr. HOBSON, Mr. FROST, Mr. CANADY of Florida, Mr. THOMPSON of Mississippi, Mr. DAVIS of Florida, Mr. MCGOVERN, Mr. BILBRAY, Mr. BARTON of Texas, Mr. EHLERS, Mr. FILNER, Mr. BALDACCI, Mr. ENGLISH, Mrs. MORELLA, Ms. MILLENDER-MCDONALD, Mr. BILIRAKIS, Mr. KLECZKA, and Mr. FOSSELLA):

H. Res. 211. A resolution expressing the sense of the House of Representatives regarding the importance of raising public awareness of prostate cancer, and of regular testing and examinations in the fight against prostate cancer; to the Committee on Commerce.

By Mr. BLAGOJEVICH:

H. Res. 212. A resolution expressing hope for a peaceful resolution to the situation in Kashmir; to the Committee on International Relations.

By Mr. GREEN of Wisconsin:

H. Res. 213. A resolution expressing the sense of the House of Representatives that a postage stamp should be issued honoring American farm women; to the Committee on Government Reform.

By Mr. HEFLEY:

H. Res. 214. A resolution expressing the sense of the House of Representatives regarding the United States share of any reconstruction measures undertaken in the Balkans region of Europe on account of the armed conflict and atrocities that have occured in the Federal Republic of Yugoslavia since March 24, 1999; to the Committee on International Relations.

By Mr. LAMPSON (for himself, Mr. SANDLIN, Mr. PALLONE, Mr. DIAZ-BALART, Mr. BECERRA, Mr. ORTIZ, Mr. REYES, Mr. GREEN of Texas, and Mr. BENTSEN):

H. Res. 215. A resolution expressing the sense of the House of Representatives with regard to the return of Saif Ahmed; to the Committee on International Relations.

¶65.33 MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

113. The SPEAKER presented a memorial of the House of Representatives of the State of Hawaii, relative to House Concurrent Resolution No. 4 HD1 SD1 memorializing the United States Congress to expand and make permanent the temporary Visa Waiver Program established under the Immigration Control and Reform Act of 1986; to the Committee on the Judiciary.

114. Also,a memorial of the House of Representatives of the State of Hawaii, relative to House Concurrent Resolution No. 203 memorializing the United States Congress, the President of the United States, and the Secretary of Health and Human Services to support Hawaii's Congressional Delegation's Effort to Amend the Social Security Act; to the Committee on Ways and Means.

¶65.34 PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII,

Mr. ISTOOK introduced A bill (H.R. 2251) for the relief of Renato Rosetti; which was referred to the Committee on the Judiciary.

¶65.35 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 111: Mr. PICKETT and Mr. CRANE.

H.R. 137: Ms. MILLENDER-MCDONALD, Mr. OLVER, and Mr. WEINER.

H.R. 170: Mr. CALVERT.

H.R. 194: Mr. PETERSON of Pennsylvania.

H.R. 263: Mr. FROST.

H.R. 274: Mr. BARCIA, Mr. SPRATT, Mr. BECERRA, Mr. DAVIS of Virginia, Mr. BOSWELL, Mr. CAPUANO, Mr. BROWN of Ohio, and Mr. FORD.
H.R. 275: Mr. BAKER and Mr. FROST.
H.R. 330: Mr. HEFLEY and Mr. BARR of Georgia.
H.R. 354: Mr. SHAW.
H.R. 382: Mr. EHLERS.
H.R. 405: Mr. OWENS, Mr. MCCOLLUM, Mr. DIAZ-BALART, and Mr. DAVIS of Florida.
H.R. 408: Mr. BEREUTER.
H.R. 423: Mr. KUYKENDALL.
H.R. 456: Mr. MCCOLLUM.
H.R. 483: Mr. GORDON.
H.R. 488: Mr. NEAL of Massachusetts and Mr. DAVIS of Illinois.
H.R. 534: Mr. ROTHMAN, Mr. GARY MILLER of California, and Mr. HUTCHINSON.
H.R. 546: Mr. TOWNS.
H.R. 566: Ms. SLAUGHTER.
H.R. 599: Mr. ROMERO-BARCELO.
H.R. 623: Mr. BALLENGER, Mr. BARCIA, Mr. BLUNT, Mr. CAMP, Mr. COBURN, Mr. COLLINS, Mr. CRAMER, Mr. DICKEY, Mrs. EMERSON, Mr. EVERETT, Mr. FRELINGHUYSEN, Mr. GOODLING, Mr. GUTKNECHT, Mr. HILLEARY, Mr. ISTOOK, Mr. JENKINS, Mr. JONES of North Carolina, Mr. KINGSTON, Mr. LATHAM, Mr. LINDER, Mr. HILL of Montana, Mr. MCCOLLUM, Mr. MCHUGH, Mr. MCINTOSH, Mr. MICA, Mr. MILLER of Florida, Mr. SCARBOROUGH, Mr. STUPAK, Mr. TERRY, Mr. THORNBERRY, Mr. TURNER, Mr. WAMP, and Mr. YOUNG of Alaska.
H.R. 653: Mr. RYAN of Wisconsin.
H.R. 691: Mr. GILMAN.
H.R. 728: Mr. PRICE of North Carolina and Mr. RAHALL.
H.R. 730: Mr. PRICE of North Carolina.
H.R. 750: Mr. GONZALEZ.
H.R. 772: Mr. HILLIARD.
H.R. 777: Mr. ROMERO-BARCELO and Mr. BARRETT of Wisconsin.
H.R. 798: Mr. DIXON, Mr. FROST, Mr. GREEN of Texas, Mr. KIND, and Mr. DAVIS of Illinois.
H.R. 827: Mr. INSLEE and Mr. JEFFERSON.
H.R. 828: Mr. SAWYER.
H.R. 844: Mr. HOSTETTLER, Mr. PRICE of North Carolina, Mr. STUMP, Mr. CARDIN, Mr. MICA, Mr. HYDE, Mr. GREENWOOD, Mr. CAMP, Mr. CHAMBLISS, Mr. DEUTSCH, Mr. GOODE, Mr. ACKERMAN, Mr. SWEENEY, Mr. SHOWS, Mr. DREIER, Mr. POMEROY, Mr. LATOURETTE, Mr. WEINER, Mr. NEY, Mr. PICKERING, and Mr. WATT of North Carolina.
H.R. 850: Mr. SAWYER.
H.R. 884: Mr. PALLONE.
H.R. 886: Mrs. MALONEY of New York.
H.R. 979: Mr. CLAY, Mr. GREEN of Wisconsin, Ms. DELAURO, Mr. HOEKSTRA, Mr. MCGOVERN, Mr. PASTOR, Ms. SLAUGHTER, Mr. LANTOS, Mr. GEJDENSON, and Mr. EVANS.
H.R. 997: Mr. BROWN of Ohio, Mr. CAPUANO, Mr. GIBBONS, Mr. BOSWELL, Ms. BALDWIN, Ms. NORTON, and Mr. FORD.
H.R. 1042: Mr. BLUNT.
H.R. 1070: Mr. SIMPSON.
H.R. 1096: Mr. GEJDENSON.
H.R. 1105: Mr. SANDLIN and Mrs. TAUSCHER.
H.R. 1109: Mrs. MALONEY of New York.
H.R. 1111: Mr. GORDON and Mr. DEUTSCH.
H.R. 1144: Mr. BARR of Georgia.
H.R. 1172: Mr. WICKER, Mr. BURTON of Indiana, Mr. FORBES, Mr. PICKETT, Mr. DUNCAN, Mr. SESSIONS, Mr. MCCRERY, Mr. SPRATT, Mr. STARK, Mr. MALONEY of Connecticut, Mr. PEASE, Mr. MCINTOSH, Mr. KINGSTON, Mr. BLUMENAUER, Mr. KUCINICH, Mr. LUCAS of Oklahoma, Mr. OBERSTAR, Mr. RUSH, Mr. LAFALCE, Ms. SLAUGHTER, Mr. CAMP, Mr. LEVIN, Mr. BARRETT of Nebraska, Mr. SIMPSON, Mr. LOBIONDO, and Mrs. NORTHUP.
H.R. 1180: Mr. MORAN of Kansas.
H.R. 1193: Mr. BORSKI, Ms. STABENOW, Ms. RIVERS, Mr. KIND, Mr. SMITH of New Jersey, and Mr. NETHERCUTT.
H.R. 1200: Mr. OWENS.
H.R. 1215: Mr. WALDEN of Oregon.
H.R. 1221: Mr. LIPINSKI, Mr. BLUMENAUER, Mr. CANADY of Florida, Mrs. MALONEY of New York, and Mr. HOLT.
H.R. 1256: Mr. PAUL and Mr. REYNOLDS.
H.R. 1261: Mrs. NORTHUP, Mr. NEY, and Mrs. FOWLER.
H.R. 1271: Mrs. MORELLA, Ms. MCKINNEY, Ms. WOOLSEY,, Mrs. MEEK of Florida, Mr. FRANK of Massachusetts, Mrs. JONES of Ohio, Mr. HILLIARD, Mr. MEEHAN, Mr. ABERCROMBIE, Mr. STARK, Ms. PELOSI, Mr. OLVER, Ms. MALONEY of New York, Mr. SANDERS, and Ms. MILLENDER-MCDONALD.
H.R. 1275: Mr. DOOLEY of California, Ms. PRYCE of Ohio, Mr. PHELPS, Mr. METCALF, and Mr. THOMPSON of California.
H.R. 1287: Mr. BOEHLERT and Mr. MCHUGH.
H.R. 1291: Mr. GUTKNECHT, Mr. RUSH, Mr. SWEENEY, Mr. SKELTON, and Mr. WEINER.
H.R. 1292: Mr. GARY MILLER of California, Mr. BRADY of Pennsylvania, and Mr. WEINER.
H.R. 1299: Mr. BONIOR.
H.R. 1337: Mr. PORTMAN and Mr. JEFFERSON.
H.R. 1344: Mr. CLYBURN, Mr. CRAMER, Mr. ADERHOLT, and Mr. NETHERCUTT.
H.R. 1358: Mr. EHLERS.
H.R. 1386: Mr. HAYES.
H.R. 1389: Mr. GOODLATTE, Mr. LATHAM, Mr. PHELPS, and Mr. BUYER.
H.R. 1429: Mr. MARKEY.
H.R. 1433: Mr. LAMPSON, Mr. RODRIGUEZ, Mr. DICKS, Mr. ORTIZ, Mr. REYES, Mr. HINOJOSA, Mr. TURNER, Mr. EDWARDS, Ms. JACKSON-LEE of Texas, Mr. SANDLIN, Ms. BROWN of Florida, Mrs. MEEK of Florida, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. BERKLEY, Mrs. THURMAN, and Mr. HASTINGS of Florida.
H.R. 1505: Mr. NORWOOD and Mr. PALLONE.
H.R. 1511: Mr. KUCINICH, Mr. WELDON of Florida, and Mr. BEREUTER.
H.R. 1535: Mr. SANDERS and Mr. THOMAS.
H.R. 1586: Mr. LUCAS of Oklahoma.
H.R. 1592: Mr. WALDEN of Oregon, Mr. BAKER, and Ms. STABENOW.
H.R. 1598: Mr. HYDE and Mr. GREEN of Texas.
H.R. 1600: Ms. MCKINNEY and Mr. KUCINICH.
H.R. 1614: Mr. BEREUTER.
H.R. 1621: Mr. WU, Mr. EVERETT, and Mr. FRANK of Massachusetts.
H.R. 1632: Mr. BARRETT of Wisconsin.
H.R. 1648: Ms. ESHOO, Mr. LANTOS, and Mr. SNYDER.
H.R. 1732: Ms. BERKLEY and Mr. MINGE.
H.R. 1775: Mr. WEYGAND, Mr. ROTHMAN, Mr. DAVIS of Florida, Mr. MEEHAN, Mr. PALLONE, Mr. FOSSELLA, and Mr. EHLERS.
H.R. 1777: Mr. THOMPSON of California and Mr. WALSH.
H.R. 1795: Mr. PRICE of North Carolina, Mr. BARTON of Texas, Mr. TRAFICANT, Mr. TAYLOR of North Carolina, and Mr. BACHUS.
H.R. 1841: Ms. ROS-LEHTINEN.
H.R. 1850: Mr. SMITH of New Jersey, Mr. RYAN of Wisconsin, and Mr. LOBIONDO.
H.R. 1874: Mr. BLUNT.
H.R. 1926: Mr. WYNN, Mr. SAXTON, Mr. BILIRAKIS, Mr. PETERSON of Minnesota, and Mr. PALLONE.
H.R. 1932: Mr. CAMP, Mr. BEREUTER, Mr. CHABOT, Mr. LATOURETTE, Mr. SHAYS, Mr. LIPINSKI, Mr. CAMPBELL, Mr. KNOLLENBERG, Mr. GRAHAM, Mr. MCKEON, Mr. PETRI, Mr. VENTO, Mr. SAXTON, Mr. OXLEY, Mr. HULSHOF, Mr. MCCRERY, Mr. WELDON of Pennsylvania, Mr. EHRLICH, and Mr. VITTER.
H.R. 1941: Mrs. JONES of Ohio, Mr. MCGOVERN, Mr. JEFFERSON, Mr. ROEMER, and Mr. STARK.
H.R. 1993: Mr. SNYDER, Mr. LAFALCE, and Mr. JEFFERSON.
H.R. 2004: Mr. PALLONE.
H.R. 2014: Mr. PALLONE, Mr. ROTHMAN, Mr. PASCRELL, Mr. MALONEY of Connecticut, and Mr. SHAYS.
H.R. 2028: Mr. GARRY MILLER of California, Mr. ADERHOLT, Mr. BLILEY, Mr. BARTLETT of Maryland, Mr. BAKER, and Mr. BURTON of Indiana.
H.R. 2038: Mr. CAMP.
H.R. 2056: Mr. SALMON, Mr. MCINTOSH, and Mr. LAHOOD.
H.R. 2057: Mr. DEMINT.
H.R. 2091: Mr. MCGOVERN.
H.R. 2096: Mr. SANDERS and Mr. WEINER.
H.R. 2202: Mr. GILCHREST and Ms. DEGETTE.
H.J. Res. 2: Mr. GREEN of Wisconsin.
H.J. Res. 15: Mr. GREEN of Wisconsin.
H.J. Res. 21: Mr. PETERSON of Minnesota.
H.J. Res. 29: Mr. DEAL of Georgia.
H.J. Res. 55: Mr. BRADY of Texas, Mr. MCINTOSH, and Mr. CRANE.
H. Con. Res. 21: Mr. MEEKS of New York.
H. Con. Res. 58: Ms. ROS-LEHTINEN and Mr. STUPAK.
H. Con. Res. 60: Mr. MCGOVERN, Ms. SLAUGHTER, Ms. SANCHEZ, Mr. YOUNG of Alaska, and Mr. ETHERIDGE.
H. Con. Res. 119: Mr. SHERMAN and Mr. STUMP.
H. Con. Res. 128: Mr. INSLEE, Mr. KNOLLENBERG, Ms. MCKINNEY, Mr. EWING, Mr. MCNULTY, Mr. HOLT, Mr. LOBIONDO, Mr. WEYGAND, Mr. HASTINGS of Florida, Mr. FOLEY, and Ms. LEE.
H. Con. Res. 130: Ms. DEGETTE, Ms. WATERS, Mrs. JONES of Ohio, Mr. CUMMINGS, Ms. JACKSON-LEE of Texas, Mr. ROMERO-BARCELO, Ms. KILPATRICK, and Mr. WEXLER.
H. Con. Res. 133: Mr. HASTINGS of Florida and Mr. SHOWS.
H. Res. 16: Mr. PETERSON of Minnesota.
H. Res. 41: Ms. EDDIE BERNICE JOHNSON of Texas.
H. Res. 94: Mr. INSLEE, Mr. DOYLE, Mr. CUMMINGS, Mr. GARY MILLER of California.
H. Res. 115: Mr. JEFFERSON.
H. Res. 183: Mr. GRAHAM.

THURSDAY, JUNE 17, 1999 (66)

¶66.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order by the SPEAKER pro tempore, Mrs. WILSON, who laid before the House the following communication:

WASHINGTON, DC,
June 17, 1999.

I hereby appoint the Honorable HEATHER WILSON to act as Speaker pro tempore on this day.

J. DENNIS HASTERT,
Speaker of the House of Representatives.

¶66.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mrs. WILSON, announced she had examined and approved the Journal of the proceedings of Wednesday, June 16, 1999.

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

¶66.3 COMMUNICATIONS

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

2650. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Tebufenozide; Pesticide Tolerance [OPP–300828; FRL–6072–6] (RIN: 2070–AB78) received April 6, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2651. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Avermectin; Pesticide Tolerances for Emergency Exemptions [OPP–300825; FRL–6070–6] (RIN: 2070–AB78) received April 6, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2652. A letter from the Director, Regulations Policy and Management Staff, FDA,