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Mr. Speaker, for those children who reach adulthood without permanent placement and transition out of the foster care system, they begin their adult lives with no sense of family, low self-esteem and little direction for the future. Children are being removed from abusive homes only to be abused once again by the system.

Healing can only begin for these children when they are in a safe and permanent environment. But all too often these children languish in the foster care system in a state of emotional limbo.

According to the National Center for Juvenile Justice, between 1991 and 1997, in my own home district of Franklin County, Ohio, 38 percent of the children who are waiting permanent adoption because parental rights have been severed have been in the system over 4 years. And nationally, according to the Department of Health and Human Services, children who are adopted from foster care leave the system between 3.5 and 5.5 years later.

This is simply too long for these children to wait for the love and warmth of a permanent family. This is a good part of a childhood.

Congress began to address this situation in 1997 with the Adoption and Safe Families Act. Without a doubt this is one of our crowning achievements of the last session. But while ASFA's accelerated timelines are essential to promoting stability and permanence for abused and neglected children, these timelines, along with grossly insufficient funding, have resulted in continued prolonged stays for abused and neglected children in the foster care system and increased pressure on our Nation's already overburdened abuse and neglect courts.

SANCA addresses the shortfalls of the Adoption and Safe Families Act by making Federal funding available to State and local courts to reduce case backlogs and to develop and implement automated case tracking systems for abuse and neglect proceedings.

SANCA also provides funding for start-up grants to appoint the Court Appointed Special Advocate for CASA, programs in underserved areas.

The foster care system cannot help abused and neglected children without properly functioning State and local courts. The relatively small amount of funding provided by SANCA will have a dramatic impact on the lives of abused and neglected children.

SANCA is backed by the American Bar Association, the Conference of Chief Justices, the National Council of Juvenile and Family Court Judges, among others. Clearly, this legislation is of vital importance to abused and neglected children who need nothing more than the stability and love that comes with the safe and permanent home. Mr. Speaker, I urge my colleagues' support.

Mr. SCOTT. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this bill will have the short-term effect of reducing backlogs but will have the long-term effect of improving the lives of many children. I want to thank the gentleman from Illinois (Mr. HYDE), the distinguished chairman of the Committee on the Judiciary for bringing the bill to the floor and thank the gentlewoman from Ohio (Ms. PRYCE) for her advocacy in this issue. She is a former judge and is very knowledgeable on this issue. I thank her for her advocacy on behalf of children.

Mrs. JOHNSON of Connecticut. Mr. Speaker, the strengthening Abuse and neglect Courts Act of 2000 will build on the success of the Adoption and Safe Families Act of 1997 (ASFA) which required states to shorten the length of time that children remain in foster care by filing termination of parental rights petitions at 15 months.

Implementation of ASFA has resulted in an unprecedented 64 percent increase in adoptions out of foster care since 1996.

As a direct result of ASFA, developed by the Committee on Ways and means, new pressures have been put on state courts to hold permanency hearings, implement permanency plans, make judicial findings and finalize adoptions cases involving abused and neglected children in a timely fashion.

The Strengthening Abuse and Neglect Courts Act of 2000 will increase the efficiency and capacity of the nation's abuse and neglect courts by providing funds to state courts to computerize a data collection and case tracking system. This system will allow judges to track the number of children under judicial care to monitor how these children are faring. A case tracking system will allow judges to keep a running account of the number and type of services offered to the family and the results of these interventions. This information is critical to keeping children safe and promoting permanency.

This Act will enable state and local courts to reduce existing backlogs of children awaiting termination of parental rights or finalization of adoption. According to the Department of Health and Human Services there were over 103,000 children awaiting adoption in 1998. Grants provided to state courts under this Act will allow courts to hire additional judges to hear these cases and to establish night court sessions for hearing these cases.

The Strengthening Abuse and Neglect Courts Act of 2000 is a logical next step to the Adoption and Safe Families Act of 1997. We need courts that work to reduce delays and keep children safe and in loving families. This legislation does that and I wholeheartedly support it.

Mr. SCOTT. Mr. Speaker, I yield back the balance of my time.

Mr. HYDE. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. OSE). The question is on the motion offered by the gentleman from Illinois (Mr. HYDE) that the House suspend the rules and pass the Senate bill, S. 2272.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the Senate bill was passed.

A motion to reconsider was laid on the table.

AMENDING IMMIGRATION AND NATIONALITY ACT WITH REGARD TO BRINGING IN AND HARBORING CERTAIN ALIENS

Mr. ROGAN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 238) to amend section 274 of the Immigration and Nationality Act to impose mandatory minimum sentences, and increase certain sentences, for bringing in and harboring certain aliens, and to amend title 18, United States Code, to provide enhanced penalties for persons committing such offenses while armed, as amended.

The Clerk read as follows:

H.R. 238

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. INCREASED PERSONNEL FOR INVESTIGATING AND COMBATING ALIEN SMUGGLING.

The Attorney General in each of the fiscal years 2001, 2002, 2003, 2004, and 2005 shall increase the number of positions for full-time, active duty investigators or other enforcement personnel within the Immigration and Naturalization Service who are assigned to combating alien smuggling by not less than 50 positions above the number of such positions for which funds were allotted for the preceding fiscal year.

SEC. 2. INCREASING CRIMINAL SENTENCES AND FINES FOR ALIEN SMUGGLING.

(a) IN GENERAL.—Subject to subsection (b), pursuant to its authority under section 994(p) of title 28, United States Code, the United States Sentencing Commission shall promulgate sentencing guidelines or amend existing sentencing guidelines for smuggling, transporting, harboring, or inducing aliens under sections 274(a)(1)(A) of the Immigration and Nationality Act (8 U.S.C. 1324(a)(1)(A)) so as to—

(1) double the minimum term of imprisonment under that section for offenses involving the smuggling, transporting, harboring, or inducing of—

(A) 1 to 5 aliens from 10 months to 20 months;

(B) 6 to 24 aliens from 18 months to 36 months;

(C) 25 to 100 aliens from 27 months to 54 months; and

(D) 101 aliens or more from 37 months to 74 months;

(2) increase the minimum level of fines for each of the offenses described in subparagraphs (A) through (D) of paragraph (1) to the greater of the current minimum level or twice the amount the defendant received or expected to receive as compensation for the illegal activity; and

(3) increase by at least 2 offense levels above the applicable enhancement in effect on the date of enactment of this Act the sentencing enhancements for intentionally or recklessly creating a substantial risk of serious bodily injury or causing bodily injury, serious injury, permanent or life threatening injury, or death.

(b) EXCEPTIONS.—Subsection (a) shall not apply to an offense that—

- (1) was committed other than for profit; or
- (2) involved the smuggling, transporting, or harboring only of the defendant's spouse or child (or both the defendant's spouse and child).

SEC. 3. ELIMINATION OF PENALTY ON PERSONS RENDERING EMERGENCY ASSISTANCE.

(a) IN GENERAL.—Section 274(a)(1) of the Immigration and Nationality Act (8 U.S.C. 1324(a)(1)) is amended by adding at the end the following:

“(C) In no case may any penalty for a violation of subparagraph (A) be imposed on any person based on actions taken by the person to render emergency assistance to an alien found physically present in the United States in life threatening circumstances.”.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect 90 days after the date of the enactment of this Act, and shall apply to offenses committed after the termination of such 90-day period.

SEC. 4. AMENDMENTS TO SENTENCING GUIDELINES REGARDING THE EFFECT OF PROSECUTORIAL POLICIES.

In the exercise of its authority under section 994 of title 28, United States Code, the United States Sentencing Commission shall amend the Federal sentencing guidelines to include the following:

“§ 5H1.14. Plea bargaining and other prosecutorial policies.

“Plea bargaining and other prosecutorial policies, and differences in those policies among different districts, are not a ground for imposing a sentence outside the applicable guidelines range.”.

SEC. 5. ENHANCED PENALTIES FOR PERSONS COMMITTING OFFENSES WHILE ARMED.

(a) IN GENERAL.—Section 924(c)(1) of title 18, United States Code, is amended—

- (1) in subparagraph (A)—
 - (A) by inserting after “device)” the following: “or any violation of section 274(a)(1)(A) of the Immigration and Nationality Act”; and
 - (B) by striking “or drug trafficking crime—” and inserting “, drug trafficking crime, or violation of section 274(a)(1)(A) of the Immigration and Nationality Act—”; and
- (2) in subparagraph (D)(ii), by striking “or drug trafficking crime” and inserting “, drug trafficking crime, or violation of section 274(a)(1)(A) of the Immigration and Nationality Act”.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect 90 days after the date of the enactment of this Act, and shall apply to offenses committed after the termination of such 90-day period.

SEC. 6. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—In addition to funds otherwise available for such purpose, there are authorized to be appropriated to the Immigration and Naturalization Service of the Department of Justice such sums as may be necessary to carry out section 1 and to cover the operating expenses of the Service and the Department in conducting undercover investigations of alien smuggling activities and in prosecuting violations of section 274(a)(1)(A) of the Immigration and Nationality Act (relating to alien smuggling), resulting from the increase in personnel under section 1.

(b) AVAILABILITY OF FUNDS.—Amounts appropriated pursuant to subsection (a) are authorized to remain available until expended.

SEC. 7. ALIEN SMUGGLING DEFINED.

In sections 1 and 6, the term “alien smuggling” means any act prohibited by para-

graph (1) or (2) of section 274(a) of the Immigration and Nationality Act (8 U.S.C. 1324(a)).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. ROGAN) and the gentleman from Michigan (Mr. CONYERS) each will control 20 minutes.

The Chair recognizes the gentleman from California (Mr. ROGAN).

GENERAL LEAVE

Mr. ROGAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 238, as amended.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. ROGAN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today to offer legislation that will curb the inhuman trafficking in human lives known as alien smuggling. In areas like my home State of California, the impact of alien smuggling is felt at all levels. With the passage of this bill we can take a major step toward eliminating this despicable trade.

The problem of alien smuggling is widespread. From each of our southern border States to the northern border States and along the ports of the East and West Coast, aliens are traded like commodities often with deadly consequences. Stories of aliens packed like produce into shipping containers and moving vans abound, as do reports of corpses found throughout the desert as aliens are abandoned by their smugglers.

What was once a trickle of aliens transported by smugglers has today grown into an international trade ring, comparable in size and scope to the drug trade, generating vast revenue and crowning new kings of crime. Making the trade more deadly is the toll in human lives. Media reports describe in gruesome detail how aliens paid the large sums to be transported across our southern border, only to be abandoned in the desert, where many are robbed, raped, and sometimes murdered.

Sadly, current law permits minimal penalties for convicted smugglers. To criminals who generate millions of dollars in revenue each year from this trade, a small fine is the equivalent of paying for a parking ticket. This is wrong.

Mr. Speaker, this bill, H.R. 238, will strengthen the punishment for smugglers convicted in our courts. As amended, it will double the minimum sentence recommended by the sentencing commission for alien smuggling crimes and increase sentences for those who cause serious bodily injury or threaten a life. Specifically, the Alien Smuggler Enforcement Act, as amended, puts in place five key changes to current law.

First, the bill will add an additional 50 officers per year for 5 years to enforce our antismuggling laws.

Second, the legislation will double criminal sentences for alien smugglers through direction to the Federal sentencing commission. An increase in sentences will act as an additional deterrent. It also will guarantee that those who traffic in human lives are severely punished for this unjust crime.

Third, the bill will increase fines for those convicted of smuggling aliens to twice the amount the smuggler received for the original crime. The current minimum fine of \$3,000 is deceptively small, considering the frequency of the crime and the amount of money generated in smuggling fees.

Fourth, the legislation will authorize additional funds to expand undercover investigation and enforcement programs through the Immigration and Naturalization Service.

Finally, H.R. 238 will add alien smuggling to the list of Federal crimes that receive an increased sentence if a firearm is involved, putting this crime on par with drug smuggling and other violent crimes. Our bill would add 5 additional years to a sentence and will keep smugglers off the streets.

Mr. Speaker, the focus of this legislation is professional alien smugglers and those who knowingly aid and abet professional alien smuggling for commercial or financial gain. The legislation is not designed against the unwitting employers of illegal aliens.

Mr. Speaker, our country is strengthened by the diversity of its people; our heritage of immigration is what makes us whole. However, alien smuggling chips away at both the rule of law and at human dignity. We owe it to the families of the countless victims of smugglers to enact serious penalties for this serious offense. We also owe it to the legal residents of this country to enforce strict laws against illegal immigration.

We can meet both needs by passing this bill.

Finally, Mr. Speaker, I want to thank Jim Willen, our very distinguished attorney on the House Committee on the Judiciary for his work on this. And I also especially want to thank Grayson Wolfe, an attorney on my staff, who has done just a yeoman's job in working on this bill over the many months that it has been proceeding.

I want to thank the gentleman from Michigan (Mr. CONYERS), the ranking member of the committee, and the minority members of the committee for their valuable input which has helped to shape this bill. I thank my colleagues for their consideration on this.

Mr. Speaker, I reserve the balance of my time.

Mr. CONYERS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this is a mandatory minimum sentences bill for bringing in

and harboring certain aliens, and the bill to me does not pass muster because experience and numerous studies have shown that mandatory minimum sentences which are spread throughout our Federal statutes or blindly increasing sentences, as the managers amendment does, creates an unfairness and requires judicial and correctional expenditures that are disproportionate to any deterrent or rehabilitative effect that they might have.

Studies have also highlighted the very high costs of the unnecessary incarceration resulting from mandatory minimums and increased sentences. In fact, scientific study has found that no empirical evidence linking increased sentences to reductions in crime. No empirical evidence linking increased sentences to reductions in crime have been found by scientific studies. Instead, we know that they distort the sentencing process, discriminate against minorities in their application and waste money.

A Rand commission study has concluded that mandatory minimum sentences were less effective than either discretionary sentencing or drug treatment in reducing drug-related crime and far more costly than either.

Mr. Speaker, and for the twelfth time, the Judicial Conference of the United States has once again reiterated its opposition to mandatory minimum sentencing. Many conservatives have joined us in recognizing the policy problems caused by mandatory minimums and increased sentences. Thus, for example, after realizing the damage and ineffectiveness of mandatory minimums at reducing crime, Democrats and Republicans, in a bipartisan effort repealed Federal mandatory minimum sentencing in 1970.

Similarly, Chief Justice Rehnquist, who is not known to be lenient on criminals, has observed that mandatory minimums are frequently the result of floor amendments to demonstrate emphatically that legislators want to get tough on crime. Just as frequently, they do not involve any careful consideration of the effect that they might have on sentencing guidelines as a whole.

Proliferation of harsh sentencing policies has inhibited the ability of the courts to sentence offenders in a way that permits a more problem-solving approach to crime.

By limiting consideration of factors contributing to crime or to a range of responses, as the measure H.R. 238 does, such sentencing policies fail to provide justice for either victims or offenders. In light of these concerns, a less Draconian approach than H.R. 238 would be to enact a legislative directive to the United States Sentencing Commission to revise their existing sentencing guidelines to increase sentences for alien smuggling offenses. This would at least permit more in-

formed consideration of aggravating and mitigating circumstances.

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Whatever the political benefits of increased sentences, they simply do not do what they purport to do. They do not deter criminal behavior by guaranteeing that a particular penalty will be imposed for a particular crime. Instead, they impose unfair and harsh results and unnecessarily increase the prison costs to all of us.

Mr. Speaker, I am happy to yield such time as she may consume to the distinguished gentlewoman from California (Ms. LOFGREN).

Ms. LOFGREN. Mr. Speaker, I thank the gentleman from Michigan for yielding time to me.

Mr. Speaker, I support the bill before us. While I certainly respect our ranking member, the gentleman from Michigan (Mr. CONYERS), and the ranking member on the Subcommittee on Crime, the gentleman from Virginia (Mr. SCOTT), I do not always share their viewpoint on mandatory minimums, but I do respect their thinking.

I do believe that even if one concurs in their overall approach on the issue of mandatory minimums, this is an exception to that general rule.

Smuggling of aliens is a very serious and I would add very dangerous thing to do. It is something that criminals are making vast fortunes doing, and we know that the body count in the desert between the United States and Mexico is rising as the coyotes are taking more money but also abandoning people in the desert.

A fine for a coyote is just part of the cost of doing business. It is like a license. I think the only way to add to the cost of doing business in a way that will be meaningful to people who would abuse helpless people in this way is to have an actual strong sentence that puts that abusive person out of business and behind bars for a deterrent period of time.

I would also like to note that the gentleman from California (Mr. ROGAN) in committee did agree to several amendments that make this bill targeted towards what it is aimed at. For example, family members were excluded from the bill. Good samaritans who might become involved in saving people who were abandoned were excluded.

Finally, we excluded people who were not involved in anything such as this, for example, people in the sanctuary movement who were not profiting or in the business of being a coyote, because the idea is to make a real constraint on those who are smuggling in aliens and who are endangering so many men, women, and even small children as they do it.

So I respect very much my colleague, the gentleman from Michigan, and his comments, but I do think this bill is

worth voting for. I enthusiastically support it and plan to vote for it.

I thank the gentleman for his great courtesy in recognizing me.

Mr. ROGAN. Mr. Speaker, I yield myself such time as I may consume.

First, I want to thank my friend and colleague, the gentlewoman from California, for her statement, and also for her valuable input, both in committee and as this bill has been progressing, as we have amended it.

Once again, I want to publicly thank her for her support of the measure.

Mr. Speaker, I am pleased to yield such time as he may consume to our good friend, the gentleman from Utah (Mr. CANNON).

Mr. CANNON. Mr. Speaker, I thank the gentleman for yielding time to me.

Mr. Speaker, I rise today in support of H.R. 238, sponsored by my good friend, the distinguished gentleman from California.

The Alien Smuggling Prevention and Enforcement Act addresses the serious and growing problem of professional smugglers who violate our Nation's borders carrying not illegal drugs or bootleg alcohol, but human cargo. These alien smugglers are active throughout our country, not just in the border States, but in my home State of Utah and many others.

We have tightened our Nation's borders in recent years, making it more difficult for people to enter the United States illegally. The demand for entry, however, has not decreased because of tighter border controls, but the desperation of those seeking to get in has increased. Worldwide, people yearning to be free are willing to pay a tremendous price to gain entry to this great country by whatever means necessary.

The situation has produced a new, contemptible breed of predatory smuggler who specializes in taking advantage of people in exchange for the promise to get to America. Those people who put their hopes for new life in America into the hands of an alien smuggler often find their fondest dreams have turned to their worst nightmare.

Inhumane conditions are the norm as aliens find themselves packed into cargo containers for days or weeks, abandoned in the desert without basic supplies, or dumped in the sea miles from shore. Some media reports have produced a portrait of conditions which sometimes rival those imposed by slave traders during the "middle passage" two centuries ago.

For this misery, aliens pay smugglers exorbitant fees, whether they are successful or not. Some of those who are successful in entering America must pay off their admission through years of indentured servitude in sweatshops, or are forced to live lives of crimes or prostitution.

Many find themselves robbed, raped, brutalized, or even murdered by the

smugglers to whom they have entrusted their lives without ever reaching our shores. This legislation today is not aimed at the poor, tired huddled masses of aliens seeking freedom, but at those who take advantage of those same aliens by preying upon their misery. The bill increases enforcement efforts against alien smugglers, and increases penalties for those who are caught.

Today's vote can help bring some truly despicable criminals to justice. I thank my friend, again, the gentleman from California (Mr. ROGAN), for taking the lead on yet another important issue and working hard to move it to completion. He is truly a tremendous asset to this body.

I urge my colleagues to support this fine effort to address a serious problem and vote for this bill.

Mr. CONYERS. Mr. Speaker, I yield such time as he may consume to the distinguished gentleman from Virginia (Mr. Scott), a member of the Committee on the Judiciary.

Mr. SCOTT. Mr. Speaker, I thank the gentleman for yielding time to me.

Mr. Speaker, I recognize the seriousness of this offense, but I must oppose the bill because Congress should not be dictating and mandating sentences to the Sentencing Commission.

As we know, the Sentencing Commission was established to determine the appropriate sentencing guidelines based on the severity of the offense and after giving consideration to all other relevant factors, including the proportionality of the sentence to other offenses.

The review needs to be thorough and thoughtful. But this review, however, has not been thorough and thoughtful, because without the Sentencing Commission, crimes are considered out of context, and as a result, we have sentencing disparities.

For example, this bill provides for a sentence of 1½ to 3 years for getting caught smuggling 24 aliens, while Congress has required a 5-year mandatory minimum sentence for possession of a weekend's worth of crack cocaine.

It seems to me that an enterprise involved in smuggling 24 aliens is far more serious than an offense of smoking crack at home, but we would be better served with the Sentencing Commission considering all of those offenses in context and avoid such disparities.

The bill before us takes that responsibility from the Sentencing Commission and simply mandates that the sentences be doubled, a process which was neither thoughtful nor thorough. If Congress must dictate to the Sentencing Commission, we must at least assess the full effect of the sentencing changes Congress has already directed the Sentencing Commission to implement.

In the 1996 Illegal Immigration Reform and Immigration Responsibility

Act, Congress required the United States Sentencing Commission to substantially increase the sentences for alien smuggling. The revised sentencing guidelines have resulted in a 300 percent increase in the median sentence for immigrant smuggling from 1997 to 1998.

Without taking the time to evaluate the impact of such an increase in sentencing for immigrant smuggling, Congress cannot know whether doubling the sentence is appropriate.

In addition to doubling the base offense level for alien smuggling, the bill includes mandatory minimums if the defendant used a firearm. Unfortunately, here we are again with Congress' favorite solution to crime: the mandatory minimum sentence. This is despite the fact that research has shown that mandatory minimum sentences are both ineffective and unduly harsh.

A 1997 study by the Rand Corporation on drug sentencing found that in all cases, conventional enforcement is more cost-effective than mandatory minimums, and treatment is more than twice as cost-effective as mandatory minimums.

Furthermore, in March of this year in a letter to the gentleman from Illinois (Chairman HYDE), the Judicial Conference of the United States set forth the problems with mandatory minimums as follows:

"The reason for our opposition is manifest: Mandatory minimums severely distort and damage the Federal sentencing system. . . . Far from fostering certainty in punishment, mandatory minimums result in unwarranted sentencing disparity. Mandatories also treat dissimilar offenders in a similar manner, offenders who can be quite different with respect to the seriousness of their conduct or their danger to society. Mandatories require the sentencing court to impose the same sentence on offenders when sound policy and common sense call for reasonable differences in punishment."

Based on these facts, it is clear that we should not be expanding mandatory minimums. The better approach would be directing the Sentencing Commission to review and to rationally consider increasing the offense level for alien smuggling to reflect the seriousness of the offense.

To this end, I offered an amendment to H.R. 238 which would have referred the issue to the Sentencing Commission for further consideration in light of the seriousness of the offense. Unfortunately, the amendment was not adopted. As a result, we are here today preventing the Sentencing Commission from doing its job.

I therefore must oppose this legislation, because we are dictating new sentences out of context of other crimes 6 weeks before an election.

I urge my colleagues to vote no on H.R. 238.

Mr. CONYERS. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. ROGAN. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. ROGAN) that the House suspend the rules and pass the bill, H.R. 238, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

The title was amended so as to read:

"A bill to improve the prevention and punishment of criminal smuggling, transporting, and harboring of aliens, and for other purposes."

A motion to reconsider was laid on the table.

CHILD SEX CRIMES WIRETAPPING ACT OF 2000

Mr. HUTCHINSON. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3484) to amend title 18, United States Code, to provide that certain sexual crimes against children are predicate crimes for the interception of communications, and for other purposes, as amended.

The Clerk read as follows:

H.R. 3484

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Child Sex Crimes Wiretapping Act of 2000".

SEC. 2. AUTHORIZATION OF INTERCEPTION OF COMMUNICATIONS IN THE INVESTIGATION OF SEXUAL CRIMES AGAINST CHILDREN.

(a) CHILD PORNOGRAPHY.—Section 2516(1)(c) of title 18, United States Code, is amended by inserting "section 2252A (relating to material constituting or containing child pornography)," after "2252 (sexual exploitation of children)."

(b) TRANSPORTATION FOR ILLEGAL SEXUAL ACTIVITY.—Section 2516(1) of title 18, United States Code, as amended by section 3 of this Act, is amended—

(1) by striking "or" at the end of paragraph (o);

(2) by inserting after paragraph (o) the following:

"(p) a violation of section 2422 (relating to coercion and enticement) or section 2423 (relating to transportation of minors) of this title, if, in connection with that violation, the sexual activity for which a person may be charged with a criminal offense would constitute a felony offense under chapter 109A or 110, if that activity took place within the special maritime and territorial jurisdiction of the United States; or"; and

(3) by redesignating paragraph (p) as paragraph (q).

SEC. 3. TECHNICAL AMENDMENT ELIMINATING DUPLICATIVE PROVISION.

Section 2516(1) of title 18, United States Code, is amended—

(1) by striking the first paragraph (p); and

(2) by inserting "or" at the end of paragraph (o).