

amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 6 of rule XXIII. Amendments so printed shall be considered as read. 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. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

When said resolution was considered. After debate,

On motion of Mr. DIAZ-BALART, the previous question was ordered on the resolution to its adoption or rejection and under the operation thereof, the resolution was agreed to.

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

§53.15 PROVIDING FOR THE CONSIDERATION OF H.R. 3120

Ms. GREENE, by direction of the Committee on Rules, called up the following resolution (H. Res. 422):

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 3120) to amend title 18, United States Code, with respect to witness retaliation, witness tampering and jury tampering. The first reading of the bill shall be dispensed with. Points of order against consideration of the bill for failure to comply with clause 7 of rule XIII are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on the Judiciary now printed in the bill. The committee amendment in the nature of a substitute shall be considered as read. During consideration of the bill for amendment, the Chairman of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 6 of rule XXIII. Amendments so printed shall be considered as read. 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. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

When said resolution was considered. After debate,

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

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

§53.16 CRIMES AGAINST CHILDREN AND ELDERLY PERSONS

The SPEAKER pro tempore, Mr. FOLEY, pursuant to House Resolution 421 and rule XXIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 2974) to amend the Violent Crime Control and Law Enforcement Act of 1994 to provide enhanced penalties for crimes against elderly and child victims.

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

§53.17 RECORDED VOTE

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

Page 4, line 2, after "conduct" insert ", or is a victim of an offense under section 2241(e) of title 18, United States Code".

Add at the end the following new section: SEC. 5. FEDERAL JURISDICTION OVER RAPE AND SEXUAL ASSAULT CASES.

Section 2241 of title 18, United States Code, is amended by adding at the end the following:

"(e) PUNISHMENT FOR SEXUAL PREDATORS.— (1) Whoever, in a circumstance described in paragraph (2) of this subsection—

"(A) violates this section; or
 "(B) engages in conduct that would violate this section, if the conduct had occurred in the special maritime and territorial jurisdiction of the United States, and—

"(i) that conduct is in interstate or foreign commerce;

"(ii) the person engaging in that conduct crossed a State line with intent to engage in the conduct; or

"(iii) the person engaging in that conduct thereafter engages in conduct that is a violation of section 1073(l) with respect to an offense that consists of the conduct so engaged in; shall be imprisoned for life.

"(2) The circumstance referred to in paragraph (1) of this subsection is that the defendant has previously been convicted of another State or Federal offense for conduct which—

"(A) is an offense under this section or section 2242 of this title; or

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

It was decided in the { Yeas 411 affirmative } Nays 4

§53.18 [Roll No. 146] AYES—411

Abercrombie	Bachus	Barcia
Ackerman	Baesler	Barr
Allard	Baker (CA)	Barrett (NE)
Andrews	Baker (LA)	Barrett (WI)
Archer	Baldacci	Bartlett
Arney	Ballenger	Barton

Bass	Everett	LaHood
Bateman	Ewing	Lantos
Becerra	Farr	Largent
Beilenson	Fattah	Latham
Bentsen	Fawell	LaTourette
Bereuter	Fazio	Laughlin
Berman	Fields (LA)	Lazio
Bevill	Fields (TX)	Leach
Bilbray	Filner	Levin
Bilirakis	Flake	Lewis (CA)
Bishop	Flanagan	Lewis (GA)
Bliley	Foglietta	Lewis (KY)
Blute	Foley	Lightfoot
Boehkert	Forbes	Lincoln
Boehner	Fowler	Linder
Bonilla	Fox	Lipinski
Bonior	Frank (MA)	Livingston
Bono	Franks (CT)	LoBiondo
Borski	Franks (NJ)	LoFgren
Boucher	Frelinghuysen	Longley
Browder	Frisa	Lowe
Brown (CA)	Frost	Lucas
Brown (FL)	Funderburk	Luther
Brown (OH)	Furse	Maloney
Brownback	Gallegly	Manton
Bryant (TN)	Ganske	Manzullo
Bryant (TX)	Gejdenson	Markey
Bunn	Gekas	Martinez
Bunning	Gephardt	Martini
Burr	Geren	Mascara
Burton	Gilchrest	Matsui
Buyer	Gillmor	McCarthy
Callahan	Gilman	McCollum
Calvert	Gonzalez	McCrary
Camp	Goodlatte	McDermott
Campbell	Goodling	McHale
Canady	Gordon	McHugh
Cardin	Goss	McInnis
Castle	Graham	McIntosh
Chabot	Green (TX)	McKeon
Chambliss	Greene (UT)	McKinney
Chapman	Greenwood	McNulty
Chenoweth	Gutierrez	Meehan
Christensen	Gutknecht	Meek
Chrysler	Hall (TX)	Menendez
Clay	Hamilton	Metcalfe
Clayton	Hancock	Meyers
Clement	Hansen	Mica
Clinger	Hastert	Millender-
Clyburn	Hastings (FL)	McDonald
Coble	Hastings (WA)	Miller (CA)
Coburn	Hayworth	Miller (FL)
Coleman	Hefley	Minge
Collins (GA)	Hefner	Mink
Collins (MI)	Heineman	Moakley
Combest	Henger	Montgomery
Condit	Hillery	Moorhead
Conyers	Hilliard	Moran
Cooley	Hinchesy	Morella
Costello	Hobson	Murtha
Cox	Hoekstra	Myers
Coyne	Hoke	Myrick
Cramer	Holden	Nadler
Crane	Horn	Neal
Crapo	Hostettler	Nethercutt
Creameans	Houghton	Neumann
Cubin	Hoyer	Ney
Cummings	Hunter	Norwood
Cunningham	Hutchinson	Nussle
Danner	Hyde	Oberstar
Davis	Inglis	Obey
de la Garza	Istook	Olver
Deal	Jackson (IL)	Ortiz
DeFazio	Jackson-Lee	Orton
DeLauro	(TX)	Owens
DeLay	Jacobs	Oxley
Dellums	Jefferson	Packard
Deutsch	Johnson (CT)	Pallone
Diaz-Balart	Johnson (SD)	Parker
Dickey	Johnson, E. B.	Pastor
Dicks	Johnson, Sam	Paxon
Dingell	Johnston	Payne (NJ)
Dixon	Jones	Payne (VA)
Doggett	Kanjorski	Pelosi
Dooley	Kaptur	Peterson (FL)
Doolittle	Kasich	Peterson (MN)
Dornan	Kelly	Petri
Doyle	Kennedy (MA)	Pickett
Dreier	Kennedy (RI)	Pombo
Duncan	Kennelly	Pomeroy
Durbin	Kildee	Porter
Edwards	Kim	Portman
Ehlers	King	Poshard
Ehrlich	Kingston	Pryce
Emerson	Kleczka	Quillen
Engel	Klink	Quinn
English	Klug	Radanovich
Ensign	Knollenberg	Rahall
Eshoo	Kolbe	Ramstad
Evans	LaFalce	Rangel

Reed Shuster Torres
Regula Sisisky Torricelli
Richardson Skaggs Towns
Riggs Skeen Traficant
Rivers Skelton Upton
Roberts Slaughter Velazquez
Roemer Smith (MI) Vento
Rogers Smith (NJ) Volkmer
Rohrabacher Smith (TX) Vucanovich
Ros-Lehtinen Smith (WA) Walker
Rose Spence Walsh
Roukema Spratt Wamp
Roybal-Allard Stark Ward
Royce Stearns Watts (OK)
Rush Stenholm Waxman
Saboo Stockman Weldon (FL)
Salmon Stokes Weldon (PA)
Sanders Studds Weller
Sanford Stump White
Sawyer Stupak Whitfield
Saxton Talent Wicker
Scarborough Tanner Wilson
Schaefer Tate Wise
Schiff Tauzin Wolf
Schroeder Taylor (MS) Woolsey
Schumer Tejada Wynn
Seastrand Thomas Yates
Sensenbrenner Thompson Young (AK)
Serrano Thornberry Young (FL)
Shadegg Thornton Zeliff
Shaw Thurman Zimmer
Shays Turkildsen

NOES—4

Scott Watt (NC)
Waters Williams

NOT VOTING—18

Brewster Hall (OH) Roth
Collins (IL) Harman Solomon
Dunn Hayes Souder
Ford McDade Taylor (NC)
Gibbons Molinari Tiahrt
Gunderson Mollohan Visclosky

So the amendment was agreed to.
After some further time,

53.19 RECORDED VOTE

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

Page 3, beginning on line 9, strike subsection (a) and insert the following:

“IN GENERAL.—The United States Sentencing Commission shall review the Federal sentencing guidelines to determine an appropriate sentencing enhancement for crimes of violence committed against vulnerable persons.

It was decided in the { Yeas 41
negative } Nays 370

53.20 [Roll No. 147]
AYES—41

Barrett (WI) Fields (LA) Rohrabacher
Becerra Flake Roybal-Allard
Bishop Hastings (FL) Rush
Campbell Hilliard Scarborough
Clay Jackson (IL) Scott
Clayton Jefferson Serrano
Clyburn Lewis (GA) Stokes
Collins (MI) McDermott Thompson
Conyers Meek Towns
Coyne Millender Velazquez
Cummings McDonald Waters
Dellums Payne (NJ) Watt (NC)
Dixon Pelosi Williams
Fattah Rangel Wynn

NOES—370

Abercrombie Barcia Bilirakis
Ackerman Barr Bliley
Allard Barrett (NE) Blute
Andrews Bartlett Boehlert
Archer Barton Bonior
Army Bass Bono
Bachus Bateman Borski
Baesler Boucher Brewster
Baker (CA) Bereuter Browder
Baker (LA) Berman Brown (FL)
Baldacci Beville Brown (OH)
Ballenger Bilbray

Brownback Goss Menendez
Bryant (TN) Graham Metcalf
Bryant (TX) Green (TX) Meyers
Bunn Greene (UT) Mica
Bunning Greenwood Miller (CA)
Burr Gutierrez Miller (FL)
Burton Gutknecht Minge
Buyer Hall (OH) Mink
Callahan Hall (TX) Moakley
Calvert Hamilton Montgomery
Camp Hancock Moorhead
Canady Hansen Morella
Cardin Hastert Murtha
Castle Hastings (WA) Myers
Chabot Hayworth Myrick
Chambliss Hefley Nadler
Chapman Hefner Neal
Chenoweth Heineman Nethercutt
Christensen Herger Neumann
Chrysler Hillery Ney
Clement Hinchev Norwood
Clinger Hobson Nussle
Coble Hoekstra Oberstar
Coburn Hoke Obey
Coleman Holden Olver
Collins (GA) Yynn Ortiz
Collins (IL) Hostettler Orton
Combest Houghton Oxley
Condit Hoyer Packard
Cooley Hunter Pallone
Costello Hutchinson Parker
Cox Hyde Pastor
Cramer Inglis Paxon
Crane Jackson-Lee Payne (VA)
Crapo (TX) Peterson (FL)
Cremean Jacobs Peterson (MN)
Cubin Johnson (CT) Petri
Cunningham Johnson (SD) Pickett
Danner Johnson, E.B. Pombo
Davis Johnson, Sam Pomeroy
de la Garza Johnston Porter
Deal Jones Portman
DeFazio Kanjorski Poshard
DeLauro Kaptur Pryce
DeLay Kasich Quillen
Deutsch Kelly Quinn
Diaz-Balart Kennedy (MA) Radanovich
Dickey Kennedy (RI) Rahall
Dicks Kennelly Ramstad
Dingell Kildee Reed
Doggett Kim Regula
Dooley King Richardson
Doolittle Kingston Riggs
Dornan Kleczka Rivers
Doyle Klink Roemer
Dreier Klug Rogers
Duncan Knollenberg Ros-Lehtinen
Dunn Kolbe Rose
Durbin LaFalce Roth
Edwards LaHood Roukema
Ehlers Lantos Royce
Ehrlich Largent Sabo
Emerson Latham Salmon
Engel LaTourette Sanders
English Laughlin Sanford
Ensign Lazio Sawyer
Eshoo Leach Saxton
Evans Levin Schaefer
Everett Lewis (CA) Schiff
Ewing Lewis (KY) Schroeder
Farr Lightfoot Schumer
Fawell Lincoln Seastrand
Fazio Linder Sensenbrenner
Fields (TX) Lipinski Shadegg
Filner Livingston Shaw
Flanagan LoBiondo Shays
Foley Lofgren Shuster
Forbes Longley Sisisky
Fox Lowey Skaggs
Frank (MA) Lucas Skeen
Franks (CT) Luther Skelton
Franks (NJ) Maloney Slaughter
Frelinghuysen Manton Smith (MI)
Frisa Manzullo Smith (NJ)
Frost Markey Smith (TX)
Funderburk Martinez Smith (WA)
Furse Martini Solomon
Gallegly Mascara Spence
Ganske Matsui Spratt
Gejdenson McCarthy Stearns
Gekas McCollum Stenholm
Gephardt McCreery Stockman
Geren McHale Stump
Gilchrist McHugh Stupak
Gillmor McLinnis Talent
Gilman McIntosh Tanner
Gonzalez McKeon Tate
Goodlatte McKinney Tauzin
Gooding McNulty Taylor (MS)
Gordon Meehan Taylor (NC)

Tejeda Volkmer Whitfield
Thomas Vucanovich Wicker
Thornberry Walker Wilson
Thornton Walsh Wise
Thurman Wamp Wolf
Tiahrt Ward Woolsey
Turkildsen Watts (OK) Yates
Torres Waxman Young (AK)
Torricelli Weldon (FL) Young (FL)
Traficant Weldon (PA) Zeliff
Upton Weller Zimmer
Vento White

NOT VOTING—22

Beilenson Gunderson Owens
Boehner Harman Roberts
Bonilla Hayes Souder
Brown (CA) Istook Stark
Foglietta McDade Studds
Ford Molinari Visclosky
Fowler Mollohan
Gibbons Moran

So the amendment was not agreed to.
The SPEAKER pro tempore, Mr. HOBSON, assumed the Chair.

When Mr. LATOURETTE, Chairman, pursuant to House Resolution 421, reported the bill back to the House with an amendment adopted by the Committee.

The previous question having been ordered by said resolution,

The following amendment, reported from the Committee of the Whole House on the state of the Union, was agreed to:

Strike out all after the enacting clause and insert:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Crimes Against Children and Elderly Persons Increased Punishment Act”.

SEC. 2. ENHANCED PENALTIES FOR VULNERABLE VICTIMS.

Section 240002 of the Violent Crime Control and Law Enforcement Act of 1994 is amended to read as follows:

“SEC. 240002. ENHANCED PENALTIES FOR VULNERABLE VICTIMS.

“(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, including those crimes of violence involving the environment, if the crime of violence is against a child, elderly person, or other vulnerable person. If the crime of violence is also a sex crime against a child, the enhancement provided under the preceding sentence shall be 6 instead of 5 levels.

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

“(1) the term ‘crime of violence’ has the meaning given that term in section 16 of title 18, United States Code;

“(2) the term ‘child’ means a person who is 14 years of age, or younger;

“(3) the term ‘elderly person’ means a person who is 65 years of age or older; and

“(4) the term ‘vulnerable person’ means a person whom the defendant knew or should have known was unusually vulnerable due to age, physical or mental condition, or otherwise particularly susceptible to the criminal conduct, or is a victim of an offense under section 2241(e) of title 18, United States Code.”.

SEC. 3. SHORT TITLE.

Section 4 may be cited as the “Amber Hagerman Child Protection Act of 1996”.

SEC. 4. INCREASED PENALTIES FOR FEDERAL SEX OFFENSES AGAINST CHILDREN.

(a) AGGRAVATED SEXUAL ABUSE OF A MINOR.—Section 2241(c) of title 18, United States Code, is amended—

(1) by inserting “whoever in interstate or foreign commerce or” before “in the special”;