released sexual predator, unfortunately became the impetus for including sexual predator language in the 1994 crime bill. With Senator GORTON's help, Mr. ZIMMER and I were able to convince conferees to the crime bill to include community notification and registration of sexually violent predators.

Since the 1994 crime law enactment, many States have developed tracking programs that require convicted sexual predators to register with the local law enforcement agencies upon release and allow officials to notify local communities of their presence. Now, Mr. Speaker, it is time that we take this good law one step farther before we are shocked once again to hear of a needless death or crime committed by a violent sexual offender. Currently, communities may or may not be aware of a predator in their midst. That is wrong. We must alert the citizens when repeat sexually violent predators are in the area. H.R. 2137 will accomplish that by changing community notification from an option to a requirement.

Wouldn't you and your family like to know when a potential predator has moved in next door so that adequate steps could be taken to protect your family? American women and families deserve no less. Every time we hear of a crime committed by a sexual predator we feel fear and terror in the possibility that our own personal safety—or that of a loved one—is at risk. Our daily routine is monopolized by tension and anxiety: walking to our cars, sending our children off to school, or locking up the house at night. Of course, women feel the brunt of this anxiety because women are the targets of most repeat sexual predators. Nobody should have to live in fear. Congress can and must help target the crimes that cause us the worst fear. We can and must pass a law that will require notifying a community when a sexually violent predator has moved into the neighborhood. And we must pass it now.

Empowering families, women, and children with the knowledge that a potential threat is looming in their community enables them to take the necessary precautions to ensure that there are not second, third, or fourth victims. Communities must be forewarned when a sexual predator has moved in next door. That is why I support swift passage of H.R. 2137, a bill that will require law enforcement to notify communities of a sexual predator's presence. I urge my colleagues to do the same.

Mr. BEREUTER. Mr. Speaker, this Member is pleased to be a cosponsor of H.R. 2137, Megan's Law and would urge his colleagues to support this bill.

This measure builds on an earlier law, also supported by this Member, that requires convicted sex offenders and kidnapers of children to register their addresses with law enforcement authorities for 10 years after their release from prison. Since such a high percentage of child abusers are repeat offenders, this registration requirement has been very helpful to police in solving crimes involving child abuse. However, the Jacob Wetterling law only permits States to release this information. Megan's law requires States to release this information to local law enforcement officials when a known criminal sex offender is released from prison and settles within their jurisdiction. States may also determine whether a criminal's personal information can be available to the general public.

Mr. Speaker, it is this Member's hope that this legislation will quickly become law in order to provide better information to police, neighborhoods, and communities regarding the existence of convicted sex offenders which in turn should prevent crimes and protect citizens.

Ms. MOLINARI. Mr. Speaker, I would like to commend Mr. ZIMMER, Mr. MCCOLLUM, chairman of the Crime Subcommittee and Mr. HYDE, the distinguished chairman of the Judiciary Committee for introducing Megan's law. And on behalf of the children who will not be assaulted or killed and for the parents, who will not suffer their loss I would like to thank you for your hard work. This bill costs nothing, yet takes a step toward protecting something so valuable to every parent—the safety of their children.

Critics of this bill have argued that the bill unduly punishes offenders after they have paid their debt to society. What about the void and pain of the parents whose son or daughter became their victim? When are they finished paying? For those who oppose the bill, I ask you to envision the loss of your child. I ask you to feel the loss of your child to a ruthless criminal, who saw her as nothing more than an easy victim. I ask you to stand in the place of Maureen Kanka, the mother of 7-year-old Megan Kanka, who was kidnaped and murdered by a man who had twice been convicted of attacking children. The fact that he was released and allowed to roam the streets in and around young children, is nothing less than placing a wolf among lambs.

The danger of recidivism in sex crimes has been demonstrated, time and time again, unfortunately at the expense of another child. By requiring the registration of sex offenders, Congress is taking affirmative steps to alert, police and parents to dangers in their community, and above all preventing the assault, abduction, and murder of another youngster.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida [Mr. MCCOLLUM] that the House suspend the rules and pass the bill, H.R. 2137, as amended.

The question was taken.

Mr. ZIMMER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to the provisions of clause 5 of rule I and the Chair's prior announcement, further proceedings on this motion will be postponed.

INTERSTATE STALKING PUNISHMENT AND PREVENTION ACT OF 1996

Mr. MCCOLLUM. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2980) to amend title 18, United States Code, with respect to stalking, as amended.

The Clerk read as follows:

H.R. 2980

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 ''Interstate Stalking Punishment and Prevention Act of 1996''.

SEC. 2. PUNISHMENT OF INTERSTATE STALKING.

(a) IN GENERAL.—Title 18, United States Code, is amended by inserting after section 2261 the following:

''§ 2261A. Interstate stalking

''Whoever travels across a State line or within the special maritime and territorial jurisdiction of the United States with the intent to injure or harass another person, and in the course of, or as a result of, such travel places that person in reasonable fear of the death of, or serious bodily injury (as defined in section 1365(g)(3) of this title) to, that person or a member of that person's immediate family (as defined in section 115 of this title) shall be punished as provided in section 2261 of this title.''.

(b) CONFORMING AMENDMENTS.—

(1) Section 2261(b) of title 18, United States Code, is amended by inserting ''or section 2261A'' after ''this section''.

(2) Sections 2261(b) and 2262(b) of title 18, United States Code, are each amended by striking ''offender's spouse or intimate partner'' each place it appears and inserting ''victim''.

(3) The chapter heading for chapter 110A of title 18, United States Code, is amended by inserting ''AND STALKING'' after ''VIOLENCE''.

(4) The table of chapters at the beginning of part I of title 18, United States Code, is amended by striking

''110A. Domestic violence ..... 2261''

and inserting:

''110A. Domestic violence and stalking 2261''.

(c) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 110A of title 18, United States Code, is amended by inserting after the item relating to section 2261 the following new item:

''2261A. Interstate stalking.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Florida [Mr. MCCOLLUM] and the gentleman from Michigan [Mr. CONYERS] will each be recognized for 20 minutes.

The Chair recognizes the gentleman from Florida [Mr. MCCOLLUM].

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

Mr. Speaker, in the 1994 crime bill, Congress established a new Federal offense aimed at stalkers of current or former spouses or intimate partners. This offense did not address cases in which the victim was unrelated to the stalker.

In H.R. 2980, the Interstate Stalking Punishment and Prevention Act of 1986, this insufficiency is addressed. This bill establishes a new Federal crime for crossing a State line or otherwise entering Federal jurisdiction for the purpose of injuring or harassing another person when such action places a person in reasonable fear of bodily harm.

This bill does not generally federalize the offense of stalking. Rather, it ensures that this crime of stalking is given force and effect in all areas clearly within the responsibility of the Federal Government. The authorized penalties under this bill are the same as those provided for in the current interstate domestic violence offense.

Once a stalker has selected a victim, the pursuit can be a full-time occupation. In some cases victims have had to move to a new residence, at times to a new State, to escape their tormentors, and even at times moving to a new State does not give the relief that is sought. Mr. Speaker, I would suggest

that the victim move out of State and the stalker often follows right behind. This interstate stalking has made it increasingly difficult for law enforcement officials to investigate and prosecute.

Well-publicized cases involving celebrities have served to highlight the frightening dimensions of the crime. Jody Foster, David Letterman, Troy Aikman, and Madonna are just a few examples of celebrities who have been recently stalked and harassed by obsessed fans. In 1989 actress Rebecca Schaefer was murdered by a crazed fan who followed her for 2 years.

Stalking is a frightening and cowardly crime. Victims often feel trapped within their own homes. Family members and coworkers are often threatened, and personal property is often damaged or destroyed. Congress should do everything in its power to assist law enforcement in the apprehension and conviction of these predators. I am especially pleased to support this legislation, which has been crafted by the gentleman from California [Mr. ROYCE].

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

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

Mr. Speaker, I support this measure, which creates a new Federal offense for interstate stalking. The provision is modeled after a provision in the 1994 crime bill that created a Federal offense of interstate travel to commit domestic violence. The bill here before us covers travel across State lines or from or to Indian country with the intent to injure or harass another person, where the defendant places the subject in reasonable fear of death or bodily injury, or death or bodily injury to a member of the subject's immediate family.

Mr. Speaker, some may argue that creating a new Federal law for stalking is an overfederalization of crimes, but I disagree. The problems of stalking, because of their interstate nature, transcend the ability of State law enforcement agencies, obviously, to continue working together without such a provision as H.R. 2980. Moreover, under title 18 of the United States Code, there are provisions that make it a crime to cross the State line with falsely made dentures, or with a cow. Keeping that in mind, this is clearly not a radical expansion of the law to make it a crime to cross State lines to harass or abuse another person.

Mr. Speaker, this stalking offense is modeled on an existing interstate domestic violence offense. It specifically covers traveling across State lines, entering or leaving Indian country, with the intent to injure or harass another person.

□ 1615

I urge the support of the entire membership of the House in passing H.R. 2980.

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

Mr. MCCOLLUM. Mr. Speaker, I yield 5 minutes to the gentleman from California [Mr. ROYCE], the author of this measure.

Mr. ROYCE. Mr. Speaker, my legislation that is here today, H.R. 2980, does three things. First it makes crossing a State line to stalk someone a felony and thus for the first time it defines in law, in Federal law, the crime of stalking, and it brings certain penalties, 5 years for the crime of stalking, 10 years if a gun is used and so forth.

Second, it makes crossing a State line in violation of a restraining order a felony. And, third, it makes it a felony to stalk someone on Federal property such as a post office or a military base or a national park.

The bill is needed because in each of these cases the victim loses the protection of their State laws. I was the author in 1990 of the first State antistalking law in the country, in California. The California legislature passed my bill after four women were killed in the space of 6 weeks in Orange County, CA. Each woman, fearing for her life, had sought police protection only to be told that there was nothing that law enforcement could do until she was physically attacked. One police officer told me at the time that the hardest thing he ever had to do in his life was to tell that victim ''there is nothing I can do until you're attacked'' and subsequently she was killed.

The law was passed by the California legislature defines stalking as an obsessive pattern of behavior and threats that would cause a reasonable person to fear for their life or fear for great bodily harm. Versions of that law have since been adopted in every State in the Nation and here in the District of Columbia, and they have been very useful in protecting stalking victims before they are attacked, before they are injured.

The problem has been that when the victim leaves her State or when he leaves his State, they lose their protection. State laws are not the same and restraining orders obtained in one State may not be valid in another. This bill addresses that problem by making it a felony to cross a State line to stalk someone in violation of a restraining order, and in addition it protects victims on Federal property.

Mr. Speaker, many stalking victims unfortunately have become prisoners in their own State. They cannot leave the State for a vacation or business or otherwise without exposing themselves to danger. Ironically, many stalking victims are advised by someone from Victim Witness or other groups that help stalkees, they are advised typically, get away from your stalker, move away from your stalker. But if they take that advice, ironically, they have now lost their protection.

This bill would solve that problem. It gives stalking victims freedom to travel, to lead normal lives and not subject themselves to fear of injury or death.

Sitting in the gallery today is a woman who was stalked for 8 years. Her stalker was finally sent to State prison when he attempted to kidnap her, leading to an 11-hour police standoff. Her testimony before the California legislature was instrumental in the passage of the California antistalker law and subsequent stalker laws.

She left the State. But when the stalker was released from prison, he jumped parole and he left the State and her nightmare began anew. Fortunately the stalker was intercepted in another State, but others may not be so fortunate. We need to pass this bill to give stalking victims freedom to travel, to live without fear and to begin anew. I urge the Members' ''aye'' vote.

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

Mr. Speaker, I would like to recount for the Members in the body the criminal penalties that attach to this crime:

A person who violates this section, or section 2261A shall be fined under this title, imprisoned—

(1) for life or any term of years, if the death of the offender's spouse or other intimate partner results;

(2) for not more than 20 years if permanent disfigurement or life threatening bodily injury to the offender's spouse or intimate partner results;

(3) for not more than 10 years, if serious bodily injury to the offender's spouse or intimate partner results or if the offender uses a dangerous weapon during the offense;

(4) as provided for the applicable conduct under chapter 109A if the offense would constitute an offense under chapter 109A, without regard to whether the offense was committed in the special maritime and territorial jurisdiction of the United States or in a Federal prison; and,

(5) for not more than 5 years, in any other case, or both fined and imprisoned.

These are very appropriate, they are stiff penalties, and I think that they are appropriate for the kind of violence and stalking that has plagued the country as exemplified by the examples that have been recited here on the floor this afternoon.

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

Mr. MCCOLLUM. Mr. Speaker, I yield 3 minutes to the gentleman from Washington [Mr. TATE].

Mr. TATE. Mr. Speaker, today I rise in strong support of the Interstate Stalking Punishment and Prevention Act of 1996. I would like to congratulate the gentleman from California for his work both at the State level and at the national level on this legislation, and the Committee on the Judiciary for their leadership in bringing this forward.

This bill will fill a gap in the existing law and offer increased protection for those men and women who are the target of obsessive and terrifying predators. This crime is a crime of terror. These predator criminals pursue their victims like prey, stealthily and under cover. Stalkers are known to relentlessly hunt down their victims, creating emotional and physical terror in men and women who are their targets.

The stalker invades every aspect of the victim's life, watching every movement, following every step. When a

woman tries to get away from a stalker, she prays it will end her long ordeal. But the stalker has other ideas. He wants to continue to terrorize and to control. So he decides to stalk. The stalker wants to make sure that the victim never feels safe. No matter the woman's efforts to end this, the stalker wants to make sure she never feels free. He knows where she works, where her family lives and who her friends are.

So the terrified woman flees to other States, sometimes fleeing across-country, leaving her friends, her family and everyone she knows just to get away from the threat of abuse. Then one day she walks out of her new home in her new State and she sees him down the street waiting for her, and she wonders if the nightmare will end.

Mr. Speaker, today is the time to say enough is enough. This legislation is one more weapon in the war against violence. No longer will we wait for this horrible tragedy to take place before taking action. We must give women the tools they need now to be protected from the reach of stalkers.

The Interstate Stalking Punishment and Prevention Act of 1996 will punish those who repeatedly harass, follow, and threaten their victims from State to State. It will send a strong message of zero tolerance to those who terrorize. It is time for the criminals to live in fear, fear of the swift hand of justice. It is time for the abusers to be pursued, pursued by unwavering application of the law. And it is time for the stalkers to have their freedom restricted, restricted by a cold, stark prison cell.

Crime is a cancer that eats away at the fabric of our society. It is high time for strong and potent medicine. I urge my colleagues to support the Interstate Stalking Punishment and Prevention Act of 1996.

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

Mr. Speaker, I would bring to the attention of my colleagues that in addition to adding stalking to domestic violence and attaching penalties to it, this measure, in addition, makes interstate violation of a protection order subject to the following penalties:

A person who violates an interstate protection order shall be fined under this title and imprisoned for life or any term of years, if death of the victim results.

Although this is current law, it is important to understand that it is in fact related to violence and stalking, because frequently a violation of a protection order might be involved.

So in addition to a life term if death results, there is also a 20-year penalty if permanent disfigurement or life threatening bodily injury results. There is a penalty of 10 years incarceration if serious bodily injury to the victim results or if the offender uses a dangerous weapon during the offense. And, as provided for the conduct under chapter 109A if the offense would constitute an offense under chapter 109A, then it would be punishable for not more than 5 years, in any other case, or both fine and imprisonment.

So we now have a complete criminal statutory provision that deals with domestic violence, stalking, and violation of a protection order.

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

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

I simply want to say in closing that this is a very significant piece of legislation today. It is one of four crime bills that the Subcommittee on Crime is presenting today, two under suspension of the rules, and two that will be debated under open rules that will follow this. All of these bills are designed in helping us with crimes against the most vulnerable members of society, those who are children, those who are elderly, those who are vulnerable in some other way.

We are seeing entirely too much violent crime in this country today. The crime rate in this country is entirely unacceptable in the violent crime area, and we need to put some deterrence into the law to get at those people who are indeed committing these kinds of crimes. Sending them a message, this bill sends a specific message, and helps us with Federal law enforcement abilities in the area where somebody commits a stalking crime across a State line.

The stalking crimes that have been described earlier today are among the most heinous of all, when the victim may even try to escape and move year after year after year. Somebody may come in and threaten them in ways of violent bodily harm. In cases as we reported earlier, murders have certainly occurred on more than one occasion, in fact on unfortunately too many occasions as a result of a stalking case.

A little earlier today we passed—at least we passed it by voice vote, we have yet to have a recorded vote on it—a bill that the gentleman from New Jersey [Mr. ZIMMER] offered dealing with the issue that surrounds sexual predators, in an attempt to try to make sure that communities are notified properly when those sexual predators are indeed released from time that they may have served in prison, so that people can take protective measures to defend themselves and their families if this person moves into their community.

In a little while this afternoon, the two other measures we will be having out here on the floor for general debate and amendments under an open rule will be measures that are designed, first, to increase the penalties under the sentencing guidelines for anybody who commits a crime, a Federal crime against a child 14 years of age or younger or a person 65 or older. That is the bill of the gentleman from Michigan [Mr. CHRYSLER], and one which the gentleman from Pennsylvania [Mr. FOX] has offered to steeply increase the punishment for somebody who tampers with a Federal jury or who does any intimidation of Federal witnesses in a Federal criminal proceeding.

□ 1630

These are the type of laws we need to put on the books. It is a very important day for us to present these crime measures out here in sequential order. I think the one the gentleman from California [Mr. ROYCE] has offered, the bill we are voting on today dealing with stalkers, is a good one to discuss the fact we are presenting these together today in sequential order.

Mr. Speaker, I certainly urge the passage of this bill on stalkers, H.R. 2980, that the gentleman from California, [Mr. ROYCE] has presented to us today.

Mr. KENNEDY of Massachusetts. Mr. Speaker, experts believe that each year more than 200,000 women are stalked by their former boyfriends, or complete strangers. In addition, about 400,000 protective orders are issued by civil or family courts each year to prevent such violence.

Given available data, at least nine women die every day at the hands of their stalkers.

Believing that this is tragically a growing trend that must be stopped, I introduced legislation in the 103d Congress, the National Stalker and Domestic Violence Reduction Act, that later became law with the passage of the 1994 crime bill.

Among other provisions, this law has done much to give law enforcement officials and civil/criminal courts the tools to enforce civil protection orders by providing access to criminal history information of the offender for use in domestic violence and stalking cases.

This law also established a State grant program for data collection on stalking and domestic violence crimes to be added to criminal records in the national crime information databases. This data is used to track offenders across State lines.

And while my legislation helps us track these people, the bill before us today takes an important step in actually making some forms of stalking a Federal offense. I rise in strong support of this legislation and believe it should be on a fast track to President Clinton's desk.

We have needed Federal legislation that criminalizes the dangerous act of stalking for quite some time. In most States, stalking is an act that is already punishable by law. A problem is created, however, when these offenders follow their targets across State lines.

Passing this legislation today will create a beautiful marriage between the ability to identify interstate stalkers from the national crime information databases created in my 1994 legislation that became law, and the ability to punish interstate stalkers as a Federal crime under the legislation we are considering here today.

I urge my colleagues to stand with me today in support of women—women all across this Nation that are at risk of becoming another sorrowful stalking statistic. Please join me in voting to stop the stalkers and to protect innocent women.

Mr. MCCOLLUM. Mr. Speaker, I ask for an ''aye'' vote and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by

the gentleman from Florida [Mr. MCCOLLUM] that the House suspend the rules and pass the bill, H.R. 2980, 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.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. MCCOLLUM. Mr. Speaker, I ask unanimous consent that all members may have 5 legislative days within which to revise and extend their remarks on H.R. 2980 and H.R. 2137.

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

There was no objection.

PROVIDING FOR CONSIDERATION OF H.R. 2974, CRIMES AGAINST CHILDREN AND ELDERLY PERSONS INCREASED PUNISHMENT ACT

Mr. DIAZ-BALART. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 421 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 421

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. 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 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. Each section of the committee amendment in the nature of a substitute shall be considered as read. Points of order against the amendment printed in the report of the Committee on Rules accompanying this resolution for failure to comply with clause 7 of rule XVI are waived. 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.

The SPEAKER pro tempore (Mr. FOLEY). The gentleman from Florida [Mr. DIAZ-BALART] is recognized for 1 hour.

Mr. DIAZ-BALART. Mr. Speaker, for the purposes of debate only, I yield the customary 30 minutes to the gentleman from Texas [Mr. FROST], pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

(Mr. DIAZ-BALART asked and was given permission to revise and extend his remarks.)

Mr. DIAZ-BALART. Mr. Speaker, House Resolution 421 is an open rule providing for the consideration of H.R. 2974, the Crimes Against Children and Elderly Persons Increased Punishment Act. The rule waives clause 7 of rule XIII (which requires a cost estimate in the committee report), against consideration of the bill. Because the Congressional Budget Office [CBO] has been extremely busy concentrating on the fiscal year 1997 budget resolution, the Judiciary Committee has provided a rough estimate of cost based on U.S. Sentencing Commission figures for increased prison construction and operating costs, but not a detailed CBO estimate. The committee does state in its report that it estimates H.R. 2874 will have no significant inflationary impact on prices and costs in the national economy, and I believe it has, without a doubt, satisfied the spirit of the cost estimate requirement.

In addition, the rule makes in order as an original bill, for the purposes of amendment under the 5-minute rule, the amendment in the nature of a substitute recommended by the Judiciary Committee, now printed in the bill. Also, the rule provides that Members who have preprinted their amendments in the RECORD prior to their consideration will be given priority in recognition to offer their amendments.

Further, the rule waives points of order against the amendment printed in the report of the Committee on Rules for failure to comply with clause 7 of rule XVI, which relates to germaneness. This amendment, requested by my colleague from Texas, Mr. FROST, adds increased penalties for Federal sex offenses against children, and needs a waiver because it creates a new crime with sentencing provisions, whereas H.R. 2974 focuses on creating new levels of sentencing for existing crimes. I am informed that Mr. MCCOLLUM, the chairman of the Crime Subcommittee of Judiciary, supports Mr. FROST's amendment and I have no objection to it.

Finally, the rule provides for one motion to recommit, with or without instructions.

The purpose of this legislation is to increase the time of imprisonment for those who commit violent crimes against children under 12 years of age and seniors age 65 and older. In the Judiciary Committee, the age for children was increased to 14, and the definition of ''vulnerable persons'' was expanded to include any victim that ''the defendant should have known was unusually vulnerable due to age, physical or mental condition, or otherwise particularly susceptible to the criminal conduct.''

In other words, this legislation is designed to increase protection for the most vulnerable sectors of our society: the elderly, children, the handicapped (mentally and/or physically disabled), those who find it most difficult to defend themselves.

This legislation is needed because the U.S. Sentencing Commission failed to act as requested in the 1994 Crime Act directive ''to ensure that the applicable guideline range for a defendant convicted of a crime of violence against an elderly victim is sufficiently stringent to deter such a crime and to reflect the heinous nature of such an offense.'' This bill amends the Crime Act of 1994 to enhance sentences by increasing the length of sentences ''not less than 5 levels above the offense level otherwise provided for by a crime of violence against such victims''.

Federal law enforcement officials agree that tougher punishment for criminals who target these victims is warranted. Violent crimes against the elderly have increased substantially, and child homicide rates have nearly doubled in recent years. In 1992, tragically, close to 20 percent of all rape victims were under 12 years of age, children attacked by pedophiles.

I believe there is nothing more important than protecting our most vulnerable from harm. In Dade County, FL, 9-year-old Jimmy Ryce was abducted by a predator on September 11, 1995. Three months later, law enforcement officials found Jimmy's remains after he had been brutally sexually assaulted and murdered by his kidnaper.

In response to the delays that the Ryce family encountered in the search for Jimmy, I joined my colleagues from south Florida in pressing for legislation, named in honor of Jimmy Ryce, to improve Federal law enforcement efforts at finding endangered children.

Congressional involvement led to an executive directive by the President which now requires all Federal agencies to post photos of missing children in Federal buildings to expedite the search for missing children. A similar directive in Florida has alleviated comparable roadblocks by requiring the posting of missing children photos in State buildings and tollbooths.

In addition, we are moving forward with H.R. 3238, (which I encourage my colleagues to consider cosponsoring), Congressman DEUTSCH's bill to establish a national resource center and clearinghouse to carry out, through the Jimmy Ryce Law Enforcement Training Center for the recovery of