

"(10) UNSERVED HOUSEHOLD.—The term 'unserved household', with respect to a particular television network, means a household that cannot receive, through the use of a conventional outdoor rooftop receiving antenna, an over-the-air signal of grade B intensity (as defined by the Federal Communications Commission) of a primary network station affiliated with that network."; and

(2) by adding at the end the following:

"(12) LOCAL NETWORK STATION.—The term 'local network station' means a network station that is secondarily transmitted to subscribers who reside within the local market in which the network station is located.".

SEC. 7. PUBLIC BROADCASTING SERVICE SATELLITE FEED.

(a) SECONDARY TRANSMISSIONS.—Section 119(a)(1) of title 17, United States Code, is amended—

(1) by striking the paragraph heading and inserting "(1) SUPERSTATIONS AND PBS SATELLITE FEED.—"; and

(2) by inserting "or by the Public Broadcasting Service satellite feed" after "superstation".

(b) DEFINITION.—Section 119(d) of title 17, United States Code, is amended by adding at the end the following:

"(12) PUBLIC BROADCASTING SERVICE SATELLITE FEED.—The term 'Public Broadcasting Service satellite feed' means the national satellite feed distributed by the Public Broadcasting Service consisting of educational and informational programming intended for private home viewing, to which the Public Broadcasting Service holds national terrestrial broadcast rights.".

SEC. 8. APPLICATION OF FEDERAL COMMUNICATIONS COMMISSION REGULATIONS.

Section 119(a) of title 17, United States Code, is amended—

(1) in paragraph (1), by inserting "is permissible under the rules, regulations, and authorizations of the Federal Communications Commission," after "satellite carrier to the public for private home viewing."; and

(2) in paragraph (2), by inserting "is permissible under the rules, regulations, and authorizations of the Federal Communications Commission," after "satellite carrier to the public for private home viewing.".

SEC. 9. EFFECTIVE DATE.

This Act and the amendments made by this Act shall take effect on January 1, 1999, except section 4 shall take effect on the date of enactment of this Act.

TRADEMARK LAW TREATY IMPLEMENTATION ACT—AMENDMENT NO. 3601

Amendment No. 3601, sent to the desk by Mr. HATCH on September 17, is printed in today's RECORD under "Amendments Submitted—September 17, 1998."

S. 2491—THE PROTECTION OF CHILDREN FROM SEXUAL PREDATORS ACT OF 1998

S. 2491, introduced by Mr. HATCH, for himself, Mr. LEAHY, and Mr. DEWINE on September 17, is as follows:

S. 2491

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Protection of Children From Sexual Predators Act of 1998".

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—PROTECTION OF CHILDREN FROM PREDATORS

Sec. 101. Use of interstate facilities to transmit identifying information about a minor for criminal sexual purposes.

Sec. 102. Coercion and enticement.

Sec. 103. Increased penalties for transportation of minors or assumed minors for illegal sexual activity and related crimes.

Sec. 104. Repeat offenders in transportation offense.

Sec. 105. Inclusion of offenses relating to child pornography in definition of sexual activity for which any person can be charged with a criminal offense.

Sec. 106. Transportation generally.

TITLE II—PROTECTION OF CHILDREN FROM CHILD PORNOGRAPHY

Sec. 201. Additional jurisdictional base for prosecution of production of child pornography.

Sec. 202. Increased penalties for child pornography offenses.

TITLE III—SEXUAL ABUSE PREVENTION

Sec. 301. Elimination of redundancy and ambiguities.

Sec. 302. Increased penalties for abusive sexual contact.

Sec. 303. Repeat offenders in sexual abuse cases.

TITLE IV—PROHIBITION ON TRANSFER OF OBSCENE MATERIAL TO MINORS

Sec. 401. Transfer of obscene material to minors.

TITLE V—INCREASED PENALTIES FOR OFFENSES AGAINST CHILDREN AND FOR REPEAT OFFENDERS

Sec. 501. Death or life in prison for certain offenses whose victims are children.

Sec. 502. Sentencing enhancement for chapter 117 offenses.

Sec. 503. Increased penalties for use of a computer in the sexual abuse or exploitation of a child.

Sec. 504. Increased penalties for knowing misrepresentation in the sexual abuse or exploitation of a child.

Sec. 505. Increased penalties for pattern of activity of sexual exploitation of children.

Sec. 506. Clarification of definition of distribution of pornography.

Sec. 507. Directive to the United States Sentencing Commission.

TITLE VI—CRIMINAL, PROCEDURAL, AND ADMINISTRATIVE REFORMS

Sec. 601. Pretrial detention of sexual predators.

Sec. 602. Criminal forfeiture for offenses against minors.

Sec. 603. Civil forfeiture for offenses against minors.

Sec. 604. Reporting of child pornography by electronic communication service providers.

Sec. 605. Civil remedy for personal injuries resulting from certain sex crimes against children.

Sec. 606. Administrative subpoenas.

Sec. 607. Grants to States to offset costs associated with sexually violent offender registration requirements.

TITLE VII—MURDER AND KIDNAPPING INVESTIGATIONS

Sec. 701. Authority to investigate serial killings.

Sec. 702. Kidnapping.

Sec. 703. Morgan P. Hardiman Child Abduction and Serial Murder Investigative Resources Center.

TITLE VIII—RESTRICTED ACCESS TO INTERACTIVE COMPUTER SERVICES

Sec. 801. Prisoner access.

Sec. 802. Recommended prohibition.

Sec. 803. Survey.

TITLE IX—STUDIES

Sec. 901. Study on limiting the availability of pornography on the Internet.

Sec. 902. Study of hotlines.

TITLE I—PROTECTION OF CHILDREN FROM PREDATORS

SEC. 101. USE OF INTERSTATE FACILITIES TO TRANSMIT IDENTIFYING INFORMATION ABOUT A MINOR FOR CRIMINAL SEXUAL PURPOSES.

(a) IN GENERAL.—Chapter 117 of title 18, United States Code, is amended by adding at the end the following:

"§2425. Use of interstate facilities to transmit information about a minor

"Whoever, using the mail or any facility or means of interstate or foreign commerce, or within the special maritime and territorial jurisdiction of the United States, knowingly initiates the transmission of the name, address, telephone number, social security number, or electronic mail address of another individual, knowing that such other individual has not attained the age of 16 years, with the intent to entice, encourage, offer, or solicit any person to engage in any sexual activity for which any person can be charged with a criminal offense, or attempts to do so, shall be fined under this title, imprisoned not more than 5 years, or both."

(b) TECHNICAL AND CONFORMING AMENDMENT.—The analysis for chapter 117 of title 18, United States Code, is amended by adding at the end the following:

"2425. Use of interstate facilities to transmit information about a minor."

SEC. 102. COERCION AND ENTICEMENT.

Section 2422 of title 18, United States Code, is amended—

(1) in subsection (a)—

(A) by inserting "or attempts to do so," before "shall be fined"; and

(B) by striking "five" and inserting "10"; and

(2) by striking subsection (b) and inserting the following:

"(b) Whoever, using the mail or any facility or means of interstate or foreign commerce, or within the special maritime and territorial jurisdiction of the United States knowingly persuades, induces, entices, or coerces any individual who has not attained the age of 18 years, to engage in prostitution or any sexual activity for which any person can be charged with a criminal offense, or attempts to do so, shall be fined under this title, imprisoned not more than 15 years, or both."

SEC. 103. INCREASED PENALTIES FOR TRANSPORTATION OF MINORS OR ASSUMED MINORS FOR ILLEGAL SEXUAL ACTIVITY AND RELATED CRIMES.

Section 2423 of title 18, United States Code, is amended—

(1) by striking subsection (a) and inserting the following:

"(a) TRANSPORTATION WITH INTENT TO ENGAGE IN CRIMINAL SEXUAL ACTIVITY.—A person who knowingly transports an individual who has not attained the age of 18 years in interstate or foreign commerce, or in any territory or possession of the United States, with intent that the individual engage in prostitution, or in any sexual activity for which any person can be charged with a criminal offense, or attempts to do so, shall be fined under this title, imprisoned not more than 15 years, or both."; and

(2) in subsection (b), by striking "10 years" and inserting "15 years".