

Strickland, Tim Holden, and Harold E. Ford, Jr.

AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 2146

OFFERED BY: MR. CONYERS

AMENDMENT NO. 1: Page 4, after line 7, insert the following:

SEC. 3. STUDY OF IMPACT OF LEGISLATION.

(a) In each case in which a life sentence is imposed under section 3559(e), the judge shall make and transmit to the Administrative Office of the United States Courts findings with regard to each of the following:

(1) The applicable range under the Federal Sentencing Guidelines if the statutory minimum life sentence had not applied.

(2) The sentence that the court would have imposed on the defendant if the statutory minimum life sentence had not applied, in light of the nature and circumstances of the offense, the history and characteristics of the defendant, and the other factors set forth in section 3553(a).

(3) The race, gender, age, and ethnicity of the victim and defendant.

(4) The reason for the Government's decision to prosecute this defendant in Federal

court instead of deferring to prosecution in State or tribal court, and the criteria used by the Government to make that decision in this and other cases.

(5) The projected cost to the Federal Government of the life sentence, taking into account capital and operating costs associated with imprisonment.

(b) To assist the court to make the findings required in subsections (a)(4) and (a)(5), the Government attorney shall state on the record such information as the court deems necessary to make such findings, including cost data provided by the Bureau of Prisons. In making the required findings, the court shall not be bound by the information provided by the Government attorney.

(c) The Administrative Office of the United States Courts shall annually compile and report the findings made under subsection (a) to the Congress.

Redesignate succeeding sections accordingly.

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OFFERED BY: MS. JACKSON-LEE OF TEXAS

AMENDMENT NO. 2: Add at the end the following new section:

SEC. . PROHIBITION OF FEDERAL EXPENDITURES.

No federal funds shall be expended for this Act if there are more than five convicted sex offenders within any given ZIP code.

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OFFERED BY: MR. SCOTT

AMENDMENT NO. 3: Page 2, beginning in line 22, strike "2243(a) (relating to sexual abuse of a minor".

Page 4, after line 7 insert the following:

SEC. 3. LIFE IMPRISONMENT MAXIMUM FOR CERTAIN REPEAT SEX OFFENDERS AGAINST CHILDREN.

Section 2243(a) of title 18, United States Code, is amended by striking the final period and inserting ", but if the defendant has a prior sex conviction (as defined in section 3559(e)) in which a minor was a victim, the court may sentence that defendant to imprisonment for any term or years or for life."

Redesignate succeeding sections accordingly.

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OFFERED BY: MR. SCOTT

AMENDMENT NO. 4: Page 4, after line 11, insert the following:

SEC. 4. SPECIAL PROVISION FOR INDIAN COUNTRY.

Section 3559(c)(6) of title 18, United States Code, is amended by inserting "or subsection (e)" after "this subsection" each place it occurs.