

joined us in working for this legislation and who continue to exhibit the courage and selflessness that Bill Degan so exemplified.

Finally, Mr. Speaker, I wish to pay tribute to Karen Degan, who has shown such dignity and courage in the face of tragedy and loss, and has done so much to honor Bill's memory and enrich his legacy.

I urge support for the bill and yield back the balance of my time.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

The Clerk read the Senate bill, as follows:

S. 2101

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 "Federal Law Enforcement Dependents Assistance Act of 1996".

SEC. 2. EDUCATIONAL ASSISTANCE TO DEPENDENTS OF SLAIN FEDERAL LAW ENFORCEMENT OFFICERS.

Part L of title in of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796 et seq.) is amended by—

(1) inserting after the heading the following: "Subpart 1—Death Benefits"; and

(2) adding at the end the following:

"Subpart 2—Educational Assistance to Dependents of Slain Federal Law Enforcement Officers Killed or Disabled in the Line of Duty

"SEC. 1211. PURPOSES.

"The purposes of this subpart are—

"(1) to enhance the appeal of service in civilian Federal law enforcement agencies;

"(2) to extend the benefits of higher education to qualified and deserving persons who, by virtue of the death of or total disability of an eligible officer, may not be able to afford it otherwise; and

"(3) to allow the family members of eligible officers to attain the vocational and educational status which they would have attained had a parent or spouse not been killed or disabled in the line of duty.

"SEC. 1212. BASIC ELIGIBILITY.

"(a) BENEFITS.—(1) Subject to the availability of appropriations, the Attorney General shall provide financial assistance to a dependent who attends a program of education and is—

"(A) the child of any eligible Federal law enforcement officer under subpart 1; or

"(B) the spouse of an officer described in subparagraph (A) at the time of the officer's death or on the date of a totally and permanently disabling injury.

"(2) Financial assistance under this subpart shall consist of direct payments to an eligible dependent and shall be computed on the basis set forth in section 3532 of title 38, United States Code.

"(b) DURATION OF BENEFITS.—No dependent shall receive assistance under this subpart for a period in excess of forty-five months of full-time education or training or a proportional period of time for a part-time program.

"(c) AGE LIMITATION FOR DEPENDENT CHILDREN.—No dependent child shall be eligible for assistance under this subpart after the child's 27th birthday absent a finding by the Attorney General of extraordinary circumstances precluding the child from pursuing a program of education.

"SEC. 1213. APPLICATIONS; APPROVAL.

"(a) APPLICATION.—A person seeking assistance under this subpart shall submit an application to the Attorney General in such form and containing such information as the Attorney General reasonably may require.

"(b) APPROVAL.—The Attorney General shall approve an application for assistance under this subpart unless the Attorney General finds that—

"(1) the dependent is not eligible for, is no longer eligible for, or is not entitled to the assistance for which application is made;

"(2) the dependent's selected educational institution fails to meet a requirement under this subpart for eligibility;

"(3) the dependent's enrollment in or pursuit of the educational program selected would fail to meet the criteria established in this subpart for programs; or

"(4) the dependent already is qualified by previous education or training for the educational, professional, or vocational objective for which the educational program is offered.

"(c) NOTIFICATION.—The Attorney General shall notify a dependent applying for assistance under this subpart of approval or disapproval of the application in writing.

"SEC. 1214. REGULATIONS.

The Attorney General may promulgate reasonable and necessary regulations to implement this subpart.

"SEC. 1215. DISCONTINUATION FOR UNSATISFACTORY CONDUCT OR PROGRESS.

"The Attorney General may discontinue assistance under this subpart when the Attorney General finds that, according to the regularly prescribed standards and practices of the educational institution, the recipient fails to maintain satisfactory progress as described in section 484(c) of the Higher Education Act of 1965 (20 U.S.C. 1091(c)).

"SEC. 1216. SPECIAL RULE.

"(a) RETROACTIVE ELIGIBILITY.—Notwithstanding any other provision of law, each dependent of a Federal law enforcement officer killed in the line of duty on or after May 1, 1992, shall be eligible for assistance under this subpart, subject to the other limitations of this subpart.

"(b) RETROACTIVE ASSISTANCE.—The Attorney General may provide retroactive assistance to dependents eligible under this section for each month in which the dependent pursued a program of education at an eligible education institution. The Attorney General shall apply the limitations contained in this subpart to retroactive assistance.

"(c) PROSPECTIVE ASSISTANCE.—The Attorney General may provide prospective assistance to dependents eligible under this section on the same basis as assistance to dependents otherwise eligible. In applying the limitations on assistance under this subpart, the Attorney General shall include assistance provided retroactively. A dependent eligible under this section may waive retroactive assistance and apply only for prospective assistance on the same basis as dependents otherwise eligible.

"SEC. 1217. DEFINITIONS.

"For purposes of this subpart:

"(1) The term 'Attorney General' means the Attorney General of the United States.

"(2) The term 'Federal law enforcement officer' has the same meaning as under subpart 1.

"(3) The term 'program of education' means any curriculum or any combination of unit courses or subjects pursued at an eligible education institution, which generally is accepted as necessary to fulfill requirements for the attainment of a predetermined and identified educational, professional, or vocational objective. It includes course work for the attainment of more than one objective if

in addition to the previous requirements, all the objectives generally are recognized as reasonably related to a single career field.

"(4) The term 'eligible educational institution' means an institution which—

"(A) is described in section 481 of the Higher Education Act of 1965 (20 U.S.C. 1088), as in effect on the date of the enactment of this section; and

"(B) is eligible to participate in programs under title IV of such Act.

"SEC. 1218. AUTHORIZATION OF APPROPRIATIONS.

"There are authorized to be appropriated to carry out this subpart such sums as may be necessary."

The Senate bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PAM LYCHNER SEXUAL OFFENDER TRACKING AND IDENTIFICATION ACT OF 1996

Mr. McCOLLUM. Mr. Speaker, I ask unanimous consent that the Committee on the Judiciary be discharged from further consideration of the Senate bill (S. 1675) to provide for the nationwide tracking of convicted sexual predators, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the Senate bill.

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

Ms. JACKSON-LEE of Texas. Mr. Speaker, reserving the right to object, I will not object if the gentleman from Florida will please explain his request.

Mr. McCOLLUM. Mr. Speaker, will the gentleman yield?

Ms. JACKSON-LEE of Texas. I yield to the gentleman from Florida.

Mr. McCOLLUM. Mr. Speaker, we just passed the Sexual Offender Tracking and Identification Act of 1996 as a suspension a few minutes ago, and the entire purpose of this request today is to take up the companion Senate bill, which is identical to the bill we just passed by a vote of 423 to 1, and send it to the President for his consideration.

This allows us to send this bill, the Senate has already passed an identical bill, to the President without having to send it back to the other body. That is the entire purpose of this exercise.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I thank the gentleman for his explanation and agree to the urgency of this legislation and the importance in protecting our citizens from devastating crime.

Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

The Clerk read the Senate bill, as follows:

S. 1675

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 "Pam Lychner Sexual Offender Tracking and Identification Act of 1996".

SEC. 2. OFFENDER REGISTRATION.

(a) ESTABLISHMENT OF FBI DATABASE.—Subtitle A of title XVII of the Violent Crime Control and Law Enforcement Act of 1994 (42 U.S.C. 14071) is amended by adding at the end the following new section:

“SEC. 170102. FBI DATABASE.

“(a) DEFINITIONS.—For purposes of this section—

“(1) the term ‘FBI’ means the Federal Bureau of Investigation;

“(2) the terms ‘criminal offense against a victim who is a minor’, ‘sexually violent offense’, ‘sexually violent predator’, ‘mental abnormality’, and ‘predatory’ have the same meanings as in section 170101(a)(3); and

“(3) the term ‘minimally sufficient sexual offender registration program’ means any State sexual offender registration program that—

“(A) requires the registration of each offender who is convicted of an offense described in subparagraph (A) or (B) of section 170101(a)(1);

“(B) requires that all information gathered under such program be transmitted to the FBI in accordance with subsection (g) of this section;

“(C) meets the requirements for verification under section 170101(b)(3); and

“(D) requires that each person who is required to register under subparagraph (A) shall do so for a period of not less than 10 years beginning on the date that such person was released from prison or placed on parole, supervised release, or probation.

“(b) ESTABLISHMENT.—The Attorney General shall establish a national database at the Federal Bureau of Investigation to track the whereabouts and movement of—

“(1) each person who has been convicted of a criminal offense against a victim who is a minor;

“(2) each person who has been convicted of a sexually violent offense; and

“(3) each person who is a sexually violent predator.

“(c) REGISTRATION REQUIREMENT.—Each person described in subsection (b) who resides in a State that has not established a minimally sufficient sexual offender registration program shall register a current address, fingerprints of that person, and a current photograph of that person with the FBI for inclusion in the database established under subsection (b) for the time period specified under subsection (d).

“(d) LENGTH OF REGISTRATION.—A person described in subsection (b) who is required to register under subsection (c) shall, except during ensuing periods of incarceration, continue to comply with this section—

“(1) until 10 years after the date on which the person was released from prison or placed on parole, supervised release, or probation; or

“(2) for the life of the person, if that person—

“(A) has 2 or more convictions for an offense described in subsection (b);

“(B) has been convicted of aggravated sexual abuse, as defined in section 2241 of title 18, United States Code, or in a comparable provision of State law; or

“(C) has been determined to be a sexually violent predator.

“(e) VERIFICATION.—

“(1) PERSONS CONVICTED OF AN OFFENSE AGAINST A MINOR OR A SEXUALLY VIOLENT OFFENSE.—In the case of a person required to register under subsection (c), the FBI shall, during the period in which the person is required to register under subsection (d), verify the person's address in accordance with guidelines that shall be promulgated by the Attorney General. Such guidelines shall ensure that address verification is accom-

plished with respect to these individuals and shall require the submission of fingerprints and photographs of the individual.

“(2) SEXUALLY VIOLENT PREDATORS.—Paragraph (1) shall apply to a person described in subsection (b)(3), except that such person must verify the registration once every 90 days after the date of the initial release or commencement of parole of that person.

“(f) COMMUNITY NOTIFICATION.—

“(1) IN GENERAL.—Subject to paragraph (2), the FBI may release relevant information concerning a person required to register under subsection (c) that is necessary to protect the public.

“(2) IDENTITY OF VICTIM.—In no case shall the FBI release the identity of any victim of an offense that requires registration by the offender with the FBI.

“(g) NOTIFICATION OF FBI OF CHANGES IN RESIDENCE.—

“(1) ESTABLISHMENT OF NEW RESIDENCE.—For purposes of this section, a person shall be deemed to have established a new residence during any period in which that person resides for not less than 10 days.

“(2) PERSONS REQUIRED TO REGISTER WITH THE FBI.—Each establishment of a new residence, including the initial establishment of a residence immediately following release from prison, or placement on parole, supervised release, or probation, by a person required to register under subsection (c) shall be reported to the FBI not later than 10 days after that person establishes a new residence.

“(3) INDIVIDUAL REGISTRATION REQUIREMENT.—A person required to register under subsection (c) or under a minimally sufficient offender registration program, including a program established under section 170101, who changes address to a State other than the State in which the person resided at the time of the immediately preceding registration shall, not later than 10 days after that person establishes a new residence, register a current address, fingerprints, and photograph of that person, for inclusion in the appropriate database, with—

“(A) the FBI; and

“(B) the State in which the new residence is established.

“(4) STATE REGISTRATION REQUIREMENT.—Any time any State agency in a State with a minimally sufficient sexual offender registration program, including a program established under section 170101, is notified of a change of address by a person required to register under such program within or outside of such State, the State shall notify—

“(A) the law enforcement officials of the jurisdiction to which, and the jurisdiction from which, the person has relocated; and

“(B) the FBI.

“(5) VERIFICATION.—

“(A) NOTIFICATION OF LOCAL LAW ENFORCEMENT OFFICIALS.—The FBI shall ensure that State and local law enforcement officials of the jurisdiction from which, and the State and local law enforcement officials of the jurisdiction to which, a person required to register under subsection (c) relocates are notified of the new residence of such person.

“(B) NOTIFICATION OF FBI.—A State agency receiving notification under this subsection shall notify the FBI of the new residence of the offender.

“(C) VERIFICATION.—

“(i) STATE AGENCIES.—If a State agency cannot verify the address of or locate a person required to register with a minimally sufficient sexual offender registration program, including a program established under section 170101, the State shall immediately notify the FBI.

“(ii) FBI.—If the FBI cannot verify the address of or locate a person required to register under subsection (c) or if the FBI re-

ceives notification from a State under clause (i), the FBI shall—

“(I) classify the person as being in violation of the registration requirements of the national database; and

“(II) add the name of the person to the National Crime Information Center Wanted person file and create a wanted persons record: *Provided*, That an arrest warrant which meets the requirements for entry into the file is issued in connection with the violation.

“(h) FINGERPRINTS.—

“(1) FBI REGISTRATION.—For each person required to register under subsection (c), fingerprints shall be obtained and verified by the FBI or a local law enforcement official pursuant to regulations issued by the Attorney General.

“(2) STATE REGISTRATION SYSTEMS.—In a State that has a minimally sufficient sexual offender registration program, including a program established under section 170101, fingerprints required to be registered with the FBI under this section shall be obtained and verified in accordance with State requirements. The State agency responsible for registration shall ensure that the fingerprints and all other information required to be registered is registered with the FBI.

“(i) PENALTY.—A person required to register under paragraph (1), (2), or (3) of subsection (g) who knowingly fails to comply with this section shall—

“(1) in the case of a first offense—

“(A) if the person has been convicted of 1 offense described in subsection (b), be fined not more than \$100,000; or

“(B) if the person has been convicted of more than 1 offense described in subsection (b), be imprisoned for up to 1 year and fined not more than \$100,000; or

“(2) in the case of a second or subsequent offense, be imprisoned for up to 10 years and fined not more than \$100,000.

“(j) RELEASE OF INFORMATION.—The information collected by the FBI under this section shall be disclosed by the FBI—

“(1) to Federal, State, and local criminal justice agencies for—

“(A) law enforcement purposes; and

“(B) community notification in accordance with section 170101(d)(3); and

“(2) to Federal, State, and local governmental agencies responsible for conducting employment-related background checks under section 3 of the National Child Protection Act of 1993 (42 U.S.C. 5119a).”.

“(k) NOTIFICATION UPON RELEASE.—Any State not having established a program described in section 170102(a)(3) must—

“(1) upon release from prison, or placement on parole, supervised release, or probation, notify each offender who is convicted of an offense described in subparagraph (A) or (B) of section 170101(a)(1) of their duty to register with the FBI; and

“(2) notify the FBI of the release of each offender who is convicted of an offense described in subparagraph (A) or (B) of section 170101(a)(1).”.

SEC. 3. DURATION OF STATE REGISTRATION REQUIREMENT.

Section 170101(b)(6) of the Violent Crime Control and Law Enforcement Act of 1994 (42 U.S.C. 14071(b)(6)) is amended to read as follows:

“(6) LENGTH OF REGISTRATION.—A person required to register under subsection (a)(1) shall continue to comply with this section, except during ensuing periods of incarceration, until—

“(A) 10 years have elapsed since the person was released from prison or placed on parole, supervised release, or probation; or

“(B) for the life of that person if that person—

"(i) has 1 or more prior convictions for an offense described in subsection (a)(1)(A); or
 "(ii) has been convicted of an aggravated offense described in subsection (a)(1)(A); or
 "(iii) has been determined to be a sexually violent predator pursuant to subsection (a)(2)."

SEC. 4. STATE BOARDS.

Section 170101(a)(2) of the Violent Crime Control and Law Enforcement Act of 1994 (42 U.S.C. 14071(a)(2)) is amended by inserting before the period at the end the following: "victim rights advocates, and representatives from law enforcement agencies".

SEC. 5. FINGERPRINTS.

Section 170101 of the Violent Crime Control and Law Enforcement Act of 1994 (42 U.S.C. 14071) is amended by adding at the end the following new subsection:

"(g) FINGERPRINTS.—Each requirement to register under this section shall be deemed to also require the submission of a set of fingerprints of the person required to register, obtained in accordance with regulations prescribed by the Attorney General under section 170102(h)."

SEC. 6. VERIFICATION.

Section 170101(b)(3)(A)(iii) of the Violent Crime Control and Law Enforcement Act of 1994 (42 U.S.C. 14071(b)(3)(A)(iii)) is amended by adding at the end the following: "The person shall include with the verification form, fingerprints and a photograph of that person."

SEC. 7. REGISTRATION INFORMATION.

Section 170101(b)(2) of the Violent Crime Control and Law Enforcement Act of 1994 (42 U.S.C. 14071(b)(2)) is amended to read as follows:

"(2) TRANSFER OF INFORMATION TO STATE AND THE FBI.—The officer, or in the case of a person placed on probation, the court, shall, within 3 days after receipt of information described in paragraph (1), forward it to a designated State law enforcement agency. The State law enforcement agency shall immediately enter the information into the appropriate State law enforcement record system and notify the appropriate law enforcement agency having jurisdiction where the person expects to reside. The State law enforcement agency shall also immediately transmit all information described in paragraph (1) to the Federal Bureau of Investigation for inclusion in the FBI database described in section 170102."

SEC. 8. IMMUNITY FOR GOOD FAITH CONDUCT.

State and Federal law enforcement agencies, employees of State and Federal law enforcement agencies, and State and Federal officials shall be immune from liability for good faith conduct under section 170102.

SEC. 9. REGULATIONS.

Not later than 1 year after the date of enactment of this Act, the Attorney General shall issue regulations to carry out this Act and the amendments made by this Act.

SEC. 10. EFFECTIVE DATE.

(a) IN GENERAL.—This Act and the amendments made by this Act shall become effective 1 year after the date of enactment of this Act.

(b) COMPLIANCE BY STATES.—Each State shall implement the amendments made by sections 3, 4, 5, 6, and 7 of this Act not later than 3 years after the date of enactment of this Act, except that the Attorney General may grant an additional 2 years to a State that is making good faith efforts to implement such amendments.

(c) INELIGIBILITY FOR FUNDS.—

(1) A State that fails to implement the program as described in section 3, 4, 5, 6, and 7 of this Act shall not receive 10 percent of the funds that would otherwise be allocated to the State under section 506 of the Omnibus

Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3765).

(2) Any funds that are not allocated for failure to comply with section 3, 4, 5, 6, or 7 of this Act shall be reallocated to States that comply with these sections.

SEC. 11. SEVERABILITY.

If any provision of this Act, an amendment made by this Act, or the application of such provision or amendment to any person or circumstance is held to be unconstitutional, the remainder of this Act, the amendments made by this Act, and the application of the provisions of such to any person or circumstance shall not be affected thereby.

The Senate bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill (H.R. 3456) was laid on the table.

REMOVAL OF RUSSIAN TROOPS FROM KALININGRAD

Mr. GILMAN. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 51) expressing the sense of the Congress relating to the removal of Russian troops from Kaliningrad, as amended.

The Clerk read as follows:

H. CON. RES. 51

Whereas from 1945 to the early 1990's Kaliningrad was a Russian military outpost consisting of as many as 200,000 Russian military personnel concentrated in an area of 15,000 square kilometers and Kaliningrad has suffered substantial environmental damage as a result of this military presence;

Whereas since this time the number of Russian military personnel in Kaliningrad has declined significantly, although the number of such personnel in the region is still substantial;

Whereas polls conducted by the Kaliningrad Sociological Center have shown that over 60 percent of the Kaliningrad public favors development of Kaliningrad as an economic bridge between Europe and Russia;

Whereas establishment of Kaliningrad as a free economic zone by the Russian Government in 1994 represents a positive step toward Kaliningrad's integration into the Baltic and European economies and toward giving Kaliningrad an opportunity to flourish economically and to contribute substantially to the well-being of the Baltic region; and

Whereas Russian economic analysts at the Russian Foreign Policy Foundation have noted that militarization of Kaliningrad "corresponded neither to the needs of the population of the region itself, nor to the necessities of its economic development": Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That it is the sense of the Congress that—

(1) Lithuania, Latvia, and Estonia have the right to self-determination which extends to the conduct of their foreign policy regarding membership in the North Atlantic Treaty Organization;

(2) development of the Kaliningrad region as a free trade zone will help ensure the freedom and future prosperity and stability of the Baltic region; and

(3) continued military reductions in and environmental restoration of the Kaliningrad region will greatly facilitate economic development and prosperity in Kaliningrad.

□ 1245

The SPEAKER pro tempore. (Mr. EWING). Pursuant to the rule, the gen-

tleman from New York [Mr. GILMAN] and the gentleman from American Samoa [Mr. FALEOMAVAEGA] each will control 20 minutes.

The Chair recognizes the gentleman from New York, [Mr. GILMAN].

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

(Mr. GILMAN asked and was given permission to revise and extend his remarks.)

Mr. GILMAN. Mr. Speaker, House Concurrent Resolution 51 focuses on a situation that has received very little attention in our foreign policy considerations with regard to Europe—and specifically with regard to the Baltic region of that continent.

This resolution, as introduced by Congressman Cox of California—and as amended by the House International Relations Committee, expresses certain concerns regarding that portion of the Baltic region now known as Kaliningrad, which has been a part of the Russian Federation since the end of World War II.

Specifically, the resolution notes the need for Russia to continue to reduce its military presence in Kaliningrad, encourages the environmental restoration of that enclave, and also encourages its economic integration into the larger Baltic region.

Unlike the original text, the amended version of this resolution does not raise questions concerning Russia's sovereignty over Kaliningrad.

Frankly, it is probably best that we leave unopened the Pandora's Box that involves possible border changes and challenges to sovereignty in post-cold-war Eastern Europe.

Still, although this resolution does not now challenge the sovereignty of the Russian Federation with regard to Kaliningrad, we should take a moment to at this point to note Russia's challenges to the sovereignty of the Baltic states—including:

Its threats of retaliation against those states as they seek membership in NATO;

Russian military transit to and from Kaliningrad through the sovereign territory of Lithuania; and

Questions related to the Russian border with Estonia.

With regard to that last issue, Russia's de facto demarcation of the border with Estonia has left Estonia with little choice but to relinquish 5 percent of the territory it held prior to the 1940 Soviet occupation.

All Estonia asks in return is that Russia recognize the validity of the 1920 Treaty of Tartu, under which the U.S.S.R. recognized Estonia's sovereignty.

Russia, however, continues to refuse to recognize that Treaty.

Mr. Speaker, as I have stated, this resolution, as amended, does not challenge the current status of Kaliningrad.

Let me take this opportunity, however, to say that what is good for the goose is good for the gander.

If Russia expects its sovereignty to be respected in regions like