

memorandum of understanding to facilitate cooperatively protecting and interpreting the remaining vestige of Fort Henry and other remaining Civil War resources in the Land Between the Lakes National Recreation Area affiliated with the Fort Donelson campaign.

SEC. 6. CONFORMING AMENDMENT.

The first section of Public Law 86-738 (16 U.S.C. 428k) is amended by striking "Tennessee" and all that follows through the period at the end and inserting "Tennessee."

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.

STATE JUSTICE INSTITUTE REAUTHORIZATION ACT OF 2004

Mr. CANNON. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 2714) to reauthorize the State Justice Institute, with a Senate amendment thereto and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Senate amendment: Page 3, after line 5, insert:

SEC. 4. LAW ENFORCEMENT ARMOR VESTS.

Section 1001(a)(23) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3793(a)(23)) is amended by striking "2004" and inserting "2007".

Mr. LOBIONDO. Mr. Speaker, I rise today in support of the Bulletproof Vest Partnership Grant Act included in the State Justice Institute Reauthorization Act of 2004. This legislation reauthorizes the Grant program until 2007. The current authorization expired on September 30, 2004. Congress has overwhelmingly approved this program twice, both in the 105th Congress and the 106th Congress. The Bulletproof Vest Partnership Grant program has directly benefited every U.S. state and territory.

A bulletproof vest is one of the most important pieces of equipment an officer can have. Many times the vest can mean the difference between life and death. Every day, law enforcement officers are confronted by violent criminals armed with deadly weapons. While many officers wear vests to protect themselves, an alarming number of officers across the United States are not afforded this same protection because of local budget constraints. The Bulletproof Vest Partnership Grant program has helped state and local law enforcement to purchase vests. These funds have saved countless lives across the nation.

We must protect those who risk their lives every day protecting our communities. This program has provided more than 1 million of these life saving vests since its inception. In 2004 alone, the Bulletproof Vest Partnership Grant program provided \$25 million to state and local law enforcement agencies across America. In turn, this funding helped provide more than 175,000 new bulletproof vests giving vital protection to thousands of law enforcement officer nationwide.

Due to the success of this program, grant applications have steadily increased annually since the program's enactment, yet many municipalities are denied grants due to a lack of funding for the program. This reauthorization will provide an additional three years to work

toward full funding for this program, enabling more law enforcement officers to have access to these lifesaving vests.

Please join me as we work together to save more lives, and give our law enforcement officers the necessary tools they need to help them keep our communities safe.

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

There was no objection.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. CANNON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 2714.

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

There was no objection.

□ 2245

PREVENTION OF CHILD ABDUCTION PARTNERSHIP ACT

Mr. CANNON. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the Senate bill (S. 2883) to amend the International Child Abduction Remedies Act to limit the tort liability of private entities or organizations that carry out responsibilities of the United States Central Authority under that Act, and ask for its immediate consideration in the House.

The Clerk read the title of the Senate bill.

The SPEAKER pro tempore (Mr. SIMPSON). Is there objection to the request of the gentleman from Utah?

There was no objection.

The Clerk read the Senate bill, as follows:

S. 2883

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 "Prevention of Child Abduction Partnership Act".

SEC. 2. LIMITATION ON LIABILITY.

Section 7 of the International Child Abduction Remedies Act (42 U.S.C. 11606) is amended by adding at the end the following new subsection:

"(f) LIMITED LIABILITY OF PRIVATE ENTITIES ACTING UNDER THE DIRECTION OF THE UNITED STATES CENTRAL AUTHORITY.—

"(1) LIMITATION ON LIABILITY.—Except as provided in paragraphs (2) and (3), a private entity or organization that receives a grant from or enters into a contract or agreement with the United States Central Authority under subsection (e) of this section for purposes of assisting the United States Central Authority in carrying out its responsibilities and functions under the Convention and this Act, including any director, officer, employee, or agent of such entity or organization, shall not be liable in any civil action sounding in tort for damages directly related to the performance of such responsibilities and functions as defined by the regulations

issued under subsection (c) of this section that are in effect on October 1, 2004.

"(2) EXCEPTION FOR INTENTIONAL, RECKLESS, OR OTHER MISCONDUCT.—The limitation on liability under paragraph (1) shall not apply in any action in which the plaintiff proves that the private entity, organization, officer, employee, or agent described in paragraph (1), as the case may be, engaged in intentional misconduct or acted, or failed to act, with actual malice, with reckless disregard to a substantial risk of causing injury without legal justification, or for a purpose unrelated to the performance of responsibilities or functions under this Act.

"(3) EXCEPTION FOR ORDINARY BUSINESS ACTIVITIES.—The limitation on liability under paragraph (1) shall not apply to any alleged act or omission related to an ordinary business activity, such as an activity involving general administration or operations, the use of motor vehicles, or personnel management."

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.

Mr. HYDE. Mr. Speaker, I rise today in support of S. 2883, the Prevention of Child Abduction Partnership Act.

The Hague Convention on the Civil Aspects of International Child Abduction is the diplomatic tool which creates a civil cause of action for the return of an abducted child to his or her habitual residence. Under this international treaty, the U.S. Department of State is the central authority responsible for discharging the duties as outlined by the Convention. For the past 9 years, pursuant to a cooperative agreement between the National Center for Missing and Exploited Children, NCMEC, and the Departments of State and Justice, NCMEC has played a vital role by assisting the Department of State in performing certain obligations under the Convention, thereby helping the United States fulfill its international treaty obligations under the Convention.

In sum, NCMEC helps parents seeking the return of or access to a child in the United States to process an application under the Convention and to pursue remedies as provided by statute. Secretary of State Colin Powell has written to NCMEC that

its expertise and national networks make NCMEC uniquely effective in helping us give force to the Hague Abduction Convention in the United States. NCMEC's credibility and the success of our work together also give us a decided advantage when we press other governments for changes of practice, policy, legislation, and resource allocation to deter international parental child abduction and send abducted children home to the United States.

In May, I introduced H.R. 4347, the International Assistance for Missing and Exploited Children Act of 2004. Among many other important issues, this legislation provides a mechanism for granting NCMEC employees, who are working on Hague Convention cases under the direction of the State Department, the same limited immunity enjoyed by those employed by the Department of State. This legislation is currently being negotiated with the administration and other congressional committees, and I intend to reintroduce it again in the 109th session of Congress. As a product of this negotiation, an agreement has been reached on language which would provide NCMEC with the limited immunity necessary to be able to continue performing its

obligations under the Hague Convention, which is the substance in S. 2883.

This measure has the support of the relevant House and Senate Committees and the Departments of State and Justice. If this measure is not enacted into law, NCMC may not be able to continue its operations on behalf of the Federal Government since its resources would be lost in the defense of frivolous lawsuits. Left-behind parents would suffer the prolonged loss of their children, and our Nation potentially would lose its advantage in pressing other nations to return abducted children.

I wish to extend my personal gratitude to the National Center for Missing and Exploited Children for its critical work on reuniting families, to Chairman JIM SENSENBRENNER of the House Judiciary Committee, and to Senators HATCH and LEAHY of the Senate Judiciary Committee and to Senators LUGAR and BIDEN of the Senate Foreign Relations Committee, for working tirelessly to implement this measure.

GENERAL LEAVE

Mr. CANNON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on S. 2883.

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

There was no objection.

ANABOLIC STEROID CONTROL ACT OF 2004

Mr. CANNON. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the Senate bill (S. 2195) to amend the Controlled Substances Act to clarify the definition of anabolic steroids and to provide for research and education activities relating to steroids and steroid precursors, and ask for its immediate consideration in the House.

The Clerk read the title of the Senate bill.

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

There was no objection.

The Clerk read the Senate bill, as follows:

S. 2195

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 "Anabolic Steroid Control Act of 2004".

SEC. 2. AMENDMENTS TO THE CONTROLLED SUBSTANCES ACT.

(a) DEFINITIONS.—Section 102 of the Controlled Substances Act (21 U.S.C. 802) is amended—

(1) in paragraph (41)—

(A) by realigning the margin so as to align with paragraph (40); and

(B) by striking subparagraph (A) and inserting the following:

“(A) The term ‘anabolic steroid’ means any drug or hormonal substance, chemically and pharmacologically related to testosterone

(other than estrogens, progestins, corticosteroids, and dehydroepiandrosterone), and includes—

“(i) androstenediol—

“(I) 3 β ,17 β -dihydroxy-5 α -androstane; and

“(II) 3 α ,17 β -dihydroxy-5 α -androstane;

“(ii) androstanedione (5 α -androstane-3,17-dione);

“(iii) androstenediol—

“(I) 1-androstenediol (3 β ,17 β -dihydroxy-5 α -androst-1-ene);

“(II) 1-androstenediol (3 α ,17 β -dihydroxy-5 α -androst-1-ene);

“(III) 4-androstenediol (3 β ,17 β -dihydroxy-androst-4-ene); and

“(IV) 5-androstenediol (3 β ,17 β -dihydroxy-androst-5-ene);

“(iv) androstenedione—

“(I) 1-androstenedione ([5 α]-androst-1-en-3,17-dione);

“(II) 4-androstenedione (androst-4-en-3,17-dione); and

“(III) 5-androstenedione (androst-5-en-3,17-dione);

“(v) bolasterone (7 α ,17 α -dimethyl-17 β -hydroxyandrost-4-en-3-one);

“(vi) boldenone (17 β -hydroxyandrost-1,4-diene-3-one);

“(vii) calusterone (7 β ,17 α -dimethyl-17 β -hydroxyandrost-4-en-3-one);

“(viii) clostebol (4-chloro-17 β -hydroxyandrost-4-en-3-one);

“(ix) dehydrochloromethyltestosterone (4-chloro-17 β -hydroxy-17 α -methyl-androst-1,4-dien-3-one);

“(x) Δ 1-dihydrotestosterone (a.k.a. ‘1-testosterone’) (17 β -hydroxy-5 α -androst-1-en-3-one);

“(xi) 4-dihydrotestosterone (17 β -hydroxy-androstane-3-one);

“(xii) drostanolone (17 β -hydroxy-2 α -methyl-5 α -androstane-3-one);

“(xiii) ethylestrenol (17 α -ethyl-17 β -hydroxyestr-4-ene);

“(xiv) fluoxymesterone (9-fluoro-17 α -methyl-11 β ,17 β -dihydroxyandrost-4-en-3-one);

“(xv) formebolone (2-formyl-17 α -methyl-11 α ,17 β -dihydroxyandrost-1,4-dien-3-one);

“(xvi) furazabol (17 α -methyl-17 β -hydroxyandrostano[2,3-c]-furazan);

“(xvii) 13 β -ethyl-17 α -hydroxygon-4-en-3-one;

“(xviii) 4-hydroxytestosterone (4,17 β -dihydroxy-androst-4-en-3-one);

“(xix) 4-hydroxy-19-nortestosterone (4,17 β -dihydroxy-estr-4-en-3-one);

“(xx) mestanolone (17 α -methyl-17 β -hydroxy-5 α -androstane-3-one);

“(xxi) mesterolone (1 α -methyl-17 β -hydroxy-[5 α]-androstane-3-one);

“(xxii) methandienone (17 α -methyl-17 β -hydroxyandrost-1,4-dien-3-one);

“(xxiii) methandriol (17 α -methyl-3 β ,17 β -dihydroxyandrost-5-ene);

“(xxiv) methenolone (1-methyl-17 β -hydroxy-5 α -androst-1-en-3-one);

“(xxv) 17 α -methyl-3 β , 17 β -dihydroxy-5 α -androstane;

“(xxvi) 17 α -methyl-3 α ,17 β -dihydroxy-5 α -androstane;

“(xxvii) 17 α -methyl-3 β ,17 β -dihydroxy-androst-4-ene.

“(xxviii) 17 α -methyl-4-hydroxynandrolone (17 α -methyl-4-hydroxy-17 β -hydroxyestr-4-en-3-one);

“(xxix) methylidenolone (17 α -methyl-17 β -hydroxyestra-4,9(10)-dien-3-one);

“(xxx) methyltrienolone (17 α -methyl-17 β -hydroxyestra-4,9-11-trien-3-one);

“(xxxi) methyltestosterone (17 α -methyl-17 β -hydroxyandrost-4-en-3-one);

“(xxxii) mibolerone (7 α ,17 α -dimethyl-17 β -hydroxyestr-4-en-3-one);

“(xxxiii) 17 α -methyl- Δ 1-dihydrotestosterone (17 β -hydroxy-17 α -methyl-5 α -androst-1-en-3-one) (a.k.a. ‘17 α -methyl-1-testosterone’);

“(xxxiv) nandrolone (17 β -hydroxyestr-4-en-3-one);

“(xxxv) norandrostenediol—

“(I) 19-nor-4-androstenediol (3 β , 17 β -dihydroxyestr-4-ene);

“(II) 19-nor-4-androstenediol (3 α , 17 β -dihydroxyestr-4-ene);

“(III) 19-nor-5-androstenediol (3 β , 17 β -dihydroxyestr-5-ene); and

“(IV) 19-nor-5-androstenediol (3 α , 17 β -dihydroxyestr-5-ene);

“(xxxvi) norandrostenedione—

“(I) 19-nor-4-androstenedione (estr-4-en-3,17-dione); and

“(II) 19-nor-5-androstenedione (estr-5-en-3,17-dione);

“(xxxvii) norbolethone (13 β ,17 α -diethyl-17 β -hydroxygon-4-en-3-one);

“(xxxviii) norclostebol (4-chloro-17 β -hydroxyestr-4-en-3-one);

“(xxxix) norethandrolone (17 α -ethyl-17 β -hydroxyestr-4-en-3-one);

“(xl) normethandrolone (17 α -methyl-17 β -hydroxyestr-4-en-3-one);

“(xli) oxandrolone (17 α -methyl-17 β -hydroxy-2-oxa-[5 α]-androstane-3-one);

“(xlii) oxymesterone (17 α -methyl-4,17 β -dihydroxyandrost-4-en-3-one);

“(xliii) oxymetholone (17 α -methyl-2-hydroxymethylene-17 β -hydroxy-[5 α]-androstane-3-one);

“(xliv) stanozolol (17 α -methyl-17 α -hydroxy-[5 α]-androst-2-eno[3,2-c]-pyrazole);

“(xlv) stenbolone (17 β -hydroxy-2-methyl-[5 α]-androst-1-en-3-one);

“(xlv) testolactone (13-hydroxy-3-oxo-13,17-secoandrost-1,4-dien-17-oic acid lactone);

“(xlvii) testosterone (17 β -hydroxyandrost-4-en-3-one);

“(xlviii) tetrahydrogestrinone (13 β ,17 α -diethyl-17 β -hydroxygon-4,9,11-trien-3-one);

“(xlix) trenbolone (17 β -hydroxyestr-4,9,11-trien-3-one); and

“(xlx) any salt, ester, or ether of a drug or substance described in this paragraph.

The substances excluded under this subparagraph may at any time be scheduled by the Attorney General in accordance with the authority and requirements of subsections (a) through (c) of section 201; and

(2) in paragraph (44), by inserting “anabolic steroids,” after “marihuana,”.

(b) AUTHORITY AND CRITERIA FOR CLASSIFICATION.—Section 201(g) of the Controlled Substances Act (21 U.S.C. 811(g)) is amended—

(1) in paragraph (1), by striking “substance from a schedule if such substance” and inserting “drug which contains a controlled substance from the application of titles II and III of the Comprehensive Drug Abuse Prevention and Control Act (21 U.S.C. 802 et seq.) if such drug”; and

(2) in paragraph (3), by adding at the end the following:

“(C) Upon the recommendation of the Secretary of Health and Human Services, a compound, mixture, or preparation which contains any anabolic steroid, which is intended for administration to a human being or an animal, and which, because of its concentration, preparation, formulation or delivery system, does not present any significant potential for abuse.”.

(c) ANABOLIC STEROIDS CONTROL ACT.—Section 1903 of the Anabolic Steroids Control Act of 1990 (Public Law 101-647) is amended—

(1) by striking subsection (a); and

(2) by redesignating subsections (b) and (c) as subsections (a) and (b), respectively.

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect 90 days after the date of enactment of this Act.

SEC. 3. SENTENCING COMMISSION GUIDELINES.

The United States Sentencing Commission shall—