

105TH CONGRESS  
2D SESSION

# H. R. 3494

To amend title 18, United States Code, with respect to violent sex crimes against children, and for other purposes.

---

## IN THE HOUSE OF REPRESENTATIVES

MARCH 18, 1998

Mr. MCCOLLUM (for himself, Ms. DUNN, Ms. PRYCE of Ohio, Ms. GRANGER, Mrs. NORTHUP, Mrs. FOWLER, Mr. FRANKS of New Jersey, Mr. FOLEY, Mr. CUNNINGHAM, Mr. DEAL of Georgia, Mr. RAMSTAD, Mr. BARR of Georgia, Mr. CHABOT, Mr. DIAZ-BALART, Mr. GUTKNECHT, and Mr. LAMPSON) introduced the following bill; which was referred to the Committee on the Judiciary

---

## A BILL

To amend title 18, United States Code, with respect to violent sex crimes against children, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Child Protection and  
5 Sexual Predator Punishment Act of 1998”.

---

1 **TITLE I—PROTECTING CHIL-**  
2 **DREN FROM SEXUAL PREDA-**  
3 **TORS AND COMPUTER POR-**  
4 **NOGRAPHY**

5 **SEC. 101. CONTACTING MINORS FOR SEXUAL PURPOSES.**

6 Section 2422 of title 18, United States Code, is  
7 amended by adding at the end the following:

8 “(c) Whoever, using the mail or any facility or means  
9 of interstate or foreign commerce, or within the special  
10 maritime and territorial jurisdiction of the United  
11 States—

12 “(1) knowingly contacts an individual who has  
13 not attained the age of 18 years; or

14 “(2) knowingly contacts an individual, who has  
15 been represented to the person making the contact  
16 as not having attained the age of 18 years;

17 for the purposes of engaging in any sexual activity, with  
18 a person who has not attained the age of 18 years, for  
19 which any person may be criminally prosecuted, or at-  
20 tempts to do so, shall be fined under this title or impris-  
21 oned not more than 5 years, or both.”.

22 **SEC. 102. TRANSFER OF OBSCENE MATERIAL TO MINORS.**

23 (a) **IN GENERAL.**—Chapter 71 of title 18, United  
24 States Code, is amended by adding at the end the follow-  
25 ing:

1 **“§ 1470. Transfer of obscene material to minors**

2 “Whoever, using the mail or any facility or means  
3 of interstate or foreign commerce—

4 “(1) knowingly transfers obscene matter to an  
5 individual who has not attained the age of 18 years,  
6 or attempts to do so; or

7 “(2) knowingly transfers obscene matter to an  
8 individual who has been represented to the trans-  
9 feror as not having attained the age of 18 years;  
10 shall be fined under this title or imprisoned not more than  
11 5 years, or both.”.

12 (b) CLERICAL AMENDMENT.—The table of sections  
13 at the beginning of chapter 71 of title 18, United States  
14 Code, is amended by adding at the end the following new  
15 item:

“1470. Transfer of obscene material to minors.”.

16 **SEC. 103. INCREASED PRISON SENTENCES FOR ENTICE-**  
17 **MENT OF MINORS.**

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

20 (1) in subsection (a), by adding at the end “If  
21 the individual had not attained the age of 18 years  
22 at the time of the offense, the maximum imprison-  
23 ment for an offense under this subsection is 10  
24 years.”; and

1           (2) in subsection (b), by striking “10” and in-  
2           serting “15”.

3 **SEC. 104. INCREASED PENALTIES FOR CERTAIN ACTIVITIES**  
4                           **RELATING TO MATERIAL INVOLVING THE**  
5                           **SEXUAL EXPLOITATION OF MINORS OR**  
6                           **CHILD PORNOGRAPHY AND TECHNICAL COR-**  
7                           **RECTION.**

8           (a) INCREASED PENALTIES IN SECTION 2252.—Sec-  
9           tion 2252(b) of title 18, United States Code, is amended—

10           (1) in each of paragraphs (1) and (2), by strik-  
11           ing “or chapter 109A” and inserting “chapter 109A,  
12           or section 2421, 2422, or 2423”; and

13           (2) in paragraph (2), by inserting “the offense  
14           consisted of the possession of 50 or more items of  
15           the sort described in subsection (a)(4) or” after “if”.

16           (b) INCREASED PENALTIES IN SECTION 2252A.—  
17           Section 2252A(b)(2) of title 18, United States Code, is  
18           amended by inserting “the offense consisted of the posses-  
19           sion of 50 or more images of the sort described in sub-  
20           section (a)(4) or” after “if”.

21           (c) TECHNICAL CORRECTION.—Section 2252(a) of  
22           title 18, United States Code, is amended so that para-  
23           graph (4) reads as follows:

24           “(4) either—

1           “(A) in the special maritime and territorial  
2 jurisdiction of the United States, or on any  
3 land or building owned by, leased to, or other-  
4 wise used by or under the control of the Gov-  
5 ernment of the United States, or in the Indian  
6 country (as defined in section 1151 of this  
7 title), knowingly possesses—

8                   “(i) 3 or more books, magazines, peri-  
9 odicals, films, video tapes, or other matter  
10 that contain any visual depiction, if—

11                           “(I) the producing of such visual  
12 depiction involves the use of a minor  
13 engaging in sexually explicit conduct;  
14 and

15                           “(II) such visual depiction is of  
16 such conduct; or

17                   “(ii) any book, magazine, periodical,  
18 film, videotape, computer disk, or any  
19 other material that contains 3 or more vis-  
20 ual depictions, if—

21                           “(I) the producing of each visual  
22 depiction involves the use of a minor  
23 engaging in sexually explicit conduct;  
24 and

1                   “(II) each visual depiction is of  
2                   such conduct; or

3                   “(B) knowingly possesses—

4                   “(i) 3 or more books, magazines, peri-  
5                   odicals, films, video tapes, or other matter  
6                   that contain any visual depiction that has  
7                   been mailed, or has been shipped or trans-  
8                   ported in interstate or foreign commerce,  
9                   or which was produced using materials  
10                  which have been mailed or so shipped or  
11                  transported, by any means including by  
12                  computer, if—

13                  “(I) the producing of such visual  
14                  depiction involves the use of a minor  
15                  engaging in sexually explicit conduct;  
16                  and

17                  “(II) such visual depiction is of  
18                  such conduct; or

19                  “(ii) any book, magazine, periodical,  
20                  film, videotape, computer disk, or any  
21                  other material that contains 3 or more vis-  
22                  ual depictions, if—

23                  “(I) the producing of each visual  
24                  depiction involves the use of a minor

1 engaging in sexually explicit conduct;  
2 and

3 “(II) each visual depiction is of  
4 such conduct;”.

5 **SEC. 105. CRIMINAL FORFEITURE FOR SOLICITATION OF**  
6 **MINORS AND INTERSTATE PROSTITUTION.**

7 Section 2253(a) of title 18, United States Code, is  
8 amended by inserting “, or who is convicted of an offense  
9 under section 2421, 2422, or 2423 of this title,” after  
10 “2252 of this chapter”.

11 **SEC. 106. PRETRIAL DETENTION OF CHILD SEX OFFEND-**  
12 **ERS.**

13 Section 3142(f)(1) of title 18, United States Code,  
14 is amended—

15 (1) by striking “or” at the end of each of sub-  
16 paragraphs (C) and (D); and

17 (2) by adding at the end the following:

18 “(E) an offense under chapter 109A, 110,  
19 or 117, involving child pornography or against  
20 a minor; or”.

21 **SEC. 107. INCREASED PRISON SENTENCES.**

22 Subsection (b) of section 2422 of title 18, United  
23 States Code, is amended by adding at the end the follow-  
24 ing: “If in the course of committing the offense under this  
25 subsection, the defendant used a computer to transmit a

1 communication to the minor, the minimum term of impris-  
 2 onment for the offense under this subsection is 3 years.”.

3 **SEC. 108. REPEAT OFFENDERS IN TRANSPORTATION OF-**  
 4 **FENSE.**

5 (a) **GENERALLY.**—Chapter 117 of title 18, United  
 6 States Code, is amended by adding at the end the follow-  
 7 ing:

8 **“§ 2425. Repeat offenders**

9 “(a) The maximum term of imprisonment for a viola-  
 10 tion of this chapter after a prior sex offense conviction  
 11 shall be twice the term otherwise provided by this chapter.

12 “(b) As used in this section, the term ‘prior sex of-  
 13 fense conviction’ means a conviction for an offense—

14 “(1) under this chapter or chapter 109A or  
 15 110; or

16 “(2) under State law for an offense consisting  
 17 of conduct that would have been an offense under a  
 18 chapter referred to in paragraph (1) if the conduct  
 19 had occurred within the special maritime and terri-  
 20 torial jurisdiction of the United States or in any  
 21 Territory or Possession of the United States.”.

22 (b) **CLERICAL AMENDMENT.**—The table of sections  
 23 at the beginning of chapter 117 of title 18, United States  
 24 Code, is amended by adding at the end the following new  
 25 item:

“2425. Repeat offenders.”.

1     **TITLE II—PUNISHING SEXUAL**  
2                     **PREDATORS**

3     **SEC. 201. SENTENCING ENHANCEMENT IN SECTION 2423**  
4                     **CASES.**

5             (a) IN GENERAL.—Pursuant to its authority under  
6 section 994(p) of title 28, United States Code, the United  
7 States Sentencing Commission shall review and amend the  
8 sentencing guidelines to provide a sentencing enhancement  
9 for any offense listed in section 2423 of title 18, United  
10 States Code.

11            (b) INSTRUCTION TO COMMISSION.—The Sentencing  
12 Commission shall ensure that the sentences, guidelines,  
13 and policy statements for offenders convicted of offenses  
14 described in subsection (a) are appropriately severe and  
15 reasonably consistent with other relevant directives and  
16 with other guidelines.

17     **SEC. 202. INCREASED PENALTIES FOR TRANSPORTATION**  
18                     **OF MINORS OR ASSUMED MINORS FOR ILLE-**  
19                     **GAL SEXUAL ACTIVITY AND RELATED**  
20                     **CRIMES.**

21            Section 2423 of title 18, United States Code, is  
22 amended to read as follows:

1 § **“2423. Transportation of minors and assumed mi-**  
2 **nors**

3 “(a) TRANSPORTATION WITH INTENT TO ENGAGE  
4 IN CRIMINAL SEXUAL ACTIVITY.—A person who know-  
5 ingly—

6 “(1) transports an individual who has not at-  
7 tained the age of 18 years; or

8 “(2) transports an individual, under the belief  
9 that the individual has not attained the age of 18  
10 years;

11 in interstate or foreign commerce, or in any Territory or  
12 Possession of the United States, with intent that the indi-  
13 vidual engage in prostitution, or in any sexual activity for  
14 which any person can be charged with a criminal offense,  
15 shall be fined under this title or imprisoned not more than  
16 15 years, or both.

17 “(b) TRAVEL WITH INTENT TO ENGAGE IN SEXUAL  
18 ACT WITH A JUVENILE.—A person who travels in inter-  
19 state commerce, or conspires to do so, or a United States  
20 citizen or an alien admitted for permanent residence in  
21 the United States who travels in foreign commerce, or con-  
22 spires to do so, for the purpose of engaging in any sexual  
23 act (as defined in section 2246) with another person who  
24 has not attained the age of 18 years, or whom the person  
25 believes has not attained the age of 18 years, that would  
26 be in violation of chapter 109A if the sexual act occurred

1 in the special maritime and territorial jurisdiction of the  
2 United States shall be fined under this title, imprisoned  
3 not more than 15 years, or both.”.

4 **SEC. 203. INCREASED PENALTIES FOR ABUSIVE SEXUAL**  
5 **CONTACT.**

6 Section 2244 of title 18, United States Code, is  
7 amended by adding at the end the following:

8 “(c) OFFENSES INVOLVING YOUNG CHILDREN.—If  
9 the sexual contact that violates this section is with an indi-  
10 vidual who has not attained the age of 12 years, the maxi-  
11 mum term of imprisonment that may be imposed for the  
12 offense shall be twice that otherwise provides in this sec-  
13 tion.”.

14 **SEC. 204. PUNISHMENT FOR REPEAT OFFENDERS.**

15 Section 2241 of title 18, United States Code, is  
16 amended by inserting after subsection (d) the following:

17 “(e) PUNISHMENT FOR REPEAT OFFENDERS.—(1)

18 Whoever has twice previously been convicted of a serious  
19 State or Federal sex crime and who—

20 “(A) violates this section; or

21 “(B) in a circumstance described in paragraph

22 (2) of this subsection, engages in conduct that would

23 have violated this section if the conduct had oc-

24 curred in the special maritime and territorial juris-

25 diction of the United States;

1 shall be imprisoned for life.

2 “(2) The circumstance referred to in paragraph (1)  
3 of this subsection is that—

4 “(A) the person engaging in such conduct trav-  
5 eled in interstate or foreign commerce or used the  
6 mail or any facility or means of interstate or foreign  
7 commerce in furtherance of the offense; or

8 “(B) such conduct occurs in or affects inter-  
9 state or foreign commerce and would have violated  
10 this section if the conduct had occurred in the spe-  
11 cial maritime and territorial jurisdiction of the  
12 United States.

13 “(f) SERIOUS STATE OR FEDERAL SEX CRIME.—For  
14 the purposes of subsections (e) and (f), the term serious  
15 State or Federal sex crime means a State or Federal of-  
16 fense for conduct which—

17 “(i) is an offense under this section or section  
18 2242 of this title; or

19 “(ii) would have been an offense under either of  
20 such sections if the offense had occurred in the spe-  
21 cial maritime or territorial jurisdiction of the United  
22 States.”.

23 **SEC. 205. REPEAT OFFENDERS IN SEXUAL ABUSE CASES.**

24 Section 2247 of title 18, United States Code, is  
25 amended to read as follows:

1 **“§ 2247. Repeat offenders**

2       “(a) The maximum term of imprisonment for a viola-  
3 tion of this chapter after a prior sex offense conviction  
4 shall be twice the term otherwise provided by this chapter.

5       “(b) As used in this section, the term ‘prior sex of-  
6 fense conviction’ has the meaning given that term in sec-  
7 tion 2425.”.

8 **SEC. 206. CIVIL REMEDY FOR PERSONAL INJURIES RE-**  
9                   **SULTING FROM CERTAIN SEX CRIMES**  
10                   **AGAINST CHILDREN.**

11       Section 2255 of title 18, United States Code, is  
12 amended by striking “2251 or 2252” and inserting  
13 “2241(c), 2243, 2251, 2252, 2421, 2422, or 2423”.

14 **SEC. 207. ELIMINATION OF REDUNDANCY AND AMBIGU-**  
15                   **ITIES.**

16       (a) REDUNDANCY.—Section 2243(a) of title 18,  
17 United States Code, is amended by striking “crosses a  
18 State line with intent to engage in a sexual act with a  
19 person who has not attained the age of 12 years, or”.

20       (b) MAKING CONSISTENT LANGUAGE ON AGE DIF-  
21 FERENTIAL.—Section 2241(c) of title 18, United States  
22 Code, is amended by striking “younger than that person”  
23 and inserting “younger than the person so engaging”.

24       (c) DEFINITION OF STATE.—Section 2246 of title 18,  
25 United States Code, is amended—

1 (1) in paragraph (5), by striking the period and  
2 inserting a semicolon; and

3 (2) by adding a new paragraph as follows:

4 “(6) the term ‘State’ means a State of the  
5 United States, the District of Columbia, and any  
6 commonwealth, possession, or territory of the United  
7 States.”.

8 **TITLE III—FEDERAL INVESTIGA-**  
9 **TIONS OF SEX CRIMES**  
10 **AGAINST CHILDREN AND SE-**  
11 **RIAL KILLERS**

12 **SEC. 301. ADMINISTRATIVE SUBPOENAS.**

13 (a) IN GENERAL.—Chapter 203 of title 18, United  
14 States Code, is amended by adding at the end the follow-  
15 ing:

16 **“§ 3064. Administrative subpoenas**

17 “(a) AUTHORIZATION OF USE.—In an investigation  
18 of an alleged violation of section 2241(c), 2243, 2421,  
19 2422, or 2423 of this title where a victim is an individual  
20 who has not attained the age of 18 years, the Attorney  
21 General may subpoena witnesses, compel the production  
22 of any records (including books, papers, documents,  
23 electronic data, and other tangible things which constitute  
24 or contain evidence) which the Attorney General finds rel-  
25 evant or material to the investigation. The attendance of

1 witnesses and the production of records may be required  
2 from any place in any State or in any territory or other  
3 place subject to the jurisdiction of the United States at  
4 any designated place of hearing, except that a witness  
5 shall not be required to appear at any hearing more than  
6 500 miles distant from the place where the witness was  
7 served with a subpoena. Witnesses summoned under this  
8 section shall be paid the same fees and commissions that  
9 are paid witnesses in the courts of the United States.

10       “(b) SERVICE.—A subpoena issued under this section  
11 may be served by any person designated in the subpoena  
12 to serve it. Service upon a natural person may be made  
13 by personal delivery of the subpoena to that person or by  
14 certified mail with return receipt requested. Service may  
15 be made upon a domestic or foreign corporation or upon  
16 a partnership or other unincorporated association which  
17 is subject to suit under a common name, by delivering the  
18 subpoena to an officer, to a managing or general agent,  
19 or any other agent authorized by appointment or by law  
20 to receive service of process. The affidavit of the person  
21 serving the subpoena entered on a true copy thereof by  
22 the person serving it shall be proof of service.

23       “(c) ENFORCEMENT.—In the case of contumacy by  
24 or the refusal to obey a subpoena issued to any person  
25 under this section, the Attorney General may invoke the

1 aid of any court of the United States within the jurisdic-  
2 tion of which the investigation is carried on, or of which  
3 the person is an inhabitant or in which the person carries  
4 on business or may be found, to compel compliance with  
5 the subpoena. The court may issue an order requiring the  
6 subpoenaed person to appear before the Attorney General  
7 to produce records, if so ordered, or to give testimony re-  
8 garding the matter under investigation. Any failure to  
9 obey the order of the court may be punished by the court  
10 as contempt thereof. All process in any such case may be  
11 served in any judicial district in which such person may  
12 be found.”.

13 (b) CLERICAL AMENDMENT.—The table of sections  
14 at the beginning of chapter 203 of title 18, United States  
15 Code, is amended by adding at the end the following new  
16 item:

“3064. Administrative subpoenas.”.

17 **SEC. 302. KIDNAPPING.**

18 (a) 24-HOUR RULE.—Section 1201(b) of title 18,  
19 United States Code, is amended by adding at the end the  
20 following: “However, the fact that the presumption under  
21 this section has not yet taken effect does not preclude a  
22 Federal investigation of a possible violation of this section  
23 before the twenty-four hour period has ended.”.

24 (b) JURISDICTIONAL ELEMENTS.—Section 1201(a)  
25 of title 18, United States Code, is amended—

1 (1) by striking “or” at the end of paragraph  
2 (4); and

3 (2) by adding after paragraph (5) the following:

4 “(6) the mail or any facility or means of inter-  
5 state or foreign commerce is used in furtherance of  
6 the offense; or

7 “(7) the offense affects interstate or foreign  
8 commerce, or would do so if the offense were con-  
9 summated;”.

10 (c) CLARIFICATION OF ELEMENT OF OFFENSE.—

11 Section 1201(a) of title 18, United States Code, is amend-  
12 ed by inserting “, regardless of whether such person was  
13 alive when transported across a State boundary provided  
14 the person was alive when the transportation began” be-  
15 fore the semicolon at the end of paragraph (1);

16 **SEC. 303. MURDER.**

17 (a) NEW OFFENSE OF CROSSING STATE LINES WITH  
18 INTENT TO COMMIT MURDER.—Chapter 51 of title 18,  
19 United States Code, is amended by adding at the end the  
20 following:

21 **“§ 1123. Crossing State lines with intent to commit**  
22 **murder**

23 “(a) Whoever travels across a State line or enters or  
24 leaves Indian country with the intent to engage in conduct  
25 that constitutes murder in the first degree (as defined in

1 section 1111) shall be punished by imprisonment for life,  
2 and if death results, may be punished by death.

3 “(b) No prosecution for any offense described in this  
4 section shall be undertaken by the United States except  
5 on written certification of the Attorney General or the  
6 highest ranking subordinate of the Attorney General with  
7 responsibility for criminal prosecutions that, in the judg-  
8 ment of the certifying official, the conduct intended to be  
9 engaged in was a serial killing. A certification under this  
10 subsection shall not be reviewable in any court.

11 “(c) As used in this section—

12 “(1) the term ‘State’ means a State of the  
13 United States and also includes the District of Co-  
14 lumbia, and any commonwealth, territory, or posses-  
15 sion of the United States; and

16 “(2) the term ‘serial killing’ means one in a se-  
17 ries of 3 or more killings during separate criminal  
18 episodes, at least one of which is committed in the  
19 United States having common characteristics that  
20 suggest the reasonable possibility the killings were  
21 committed by the same actor or actors.”.

22 (b) CLERICAL AMENDMENT.—The table of sections  
23 at the beginning of chapter 51 of title 18, United States  
24 Code, is amended by adding at the end the following new  
25 item:

“1123. Crossing State lines with intent to commit murder.”.

1 **SEC. 304. MORGAN P. HARDIMAN CHILD ABDUCTION AND**  
2 **SERIAL MURDER INVESTIGATIVE RE-**  
3 **SOURCES CENTER.**

4 (a) ESTABLISHMENT.—Not later than 90 days after  
5 the date of the enactment of this Act, the Attorney Gen-  
6 eral shall establish a Child Abduction and Serial Murder  
7 Investigative Resources Center to be known as the “Mor-  
8 gan P. Hardiman Child Abduction and Serial Murder In-  
9 vestigative Resources Center” (hereinafter in this section  
10 referred to as the “CASMIRC”).

11 (b) PURPOSE.—The purpose of this section is to es-  
12 tablish a Federal Bureau of Investigation Child Abduction  
13 and Serial Murder Investigative Resources Center man-  
14 aged by the FBI’s Critical Incident Response Group’s Na-  
15 tional Center for the Analysis of Violent Crime (NCAVC)  
16 and multidisciplinary resource teams in FBI field offices  
17 to provide investigative support through the coordination  
18 and provision of Federal law enforcement resources, train-  
19 ing, and application of other multidisciplinary expertise,  
20 to assist Federal, State, and local authorities in matters  
21 involving child abductions, mysterious disappearance of  
22 children, child homicide, and serial murder across the  
23 country. The CASMIRC shall be co-located with the  
24 NCAVC.

25 (c) DUTIES OF THE CASMIRC.—The CASMIRC  
26 shall perform such duties as the Attorney General deems

1 appropriate to carry out the purposes of the CASMIRC,  
2 including but not limited to—

3 (1) identifying, developing, researching, acquir-  
4 ing, and refining multidisciplinary information and  
5 specialities to provide for the most current expertise  
6 available to advance investigative knowledge and  
7 practices used in child abduction, mysterious dis-  
8 appearance of children, child homicide, and serial  
9 murder investigations;

10 (2) providing advice and coordinating the appli-  
11 cation of current and emerging technical, forensic,  
12 and other Federal assistance to Federal, State, and  
13 local authorities in child abduction, mysterious dis-  
14 appearances of children, child homicide, and serial  
15 murder investigations;

16 (3) providing investigative support, research  
17 findings, and violent crime analysis to Federal,  
18 State, and local authorities in child abduction, mys-  
19 terious disappearances of children, child homicide,  
20 and serial murder investigations;

21 (4) providing, if requested by a Federal, State,  
22 or local law enforcement agency, on site consultation  
23 and advice in child abduction, mysterious disappear-  
24 ances of children, child homicide and serial murder  
25 investigations;

1           (5) coordinating the application of resources of  
2           pertinent Federal law enforcement agencies, and  
3           other Federal entities including, but not limited to,  
4           the United States Customs Service, the Secret Service,  
5           the Postal Inspection Service, and the United  
6           States Marshals Service, as appropriate, and with  
7           the concurrence of the agency head to support Federal,  
8           State, and local law enforcement involved in  
9           child abduction, mysterious disappearance of a child,  
10          child homicide, and serial murder investigations;

11          (6) conducting ongoing research related to child  
12          abductions, mysterious disappearances of children,  
13          child homicides, and serial murder, including identification  
14          and investigative application of current and  
15          emerging technologies, identification of investigative  
16          searching technologies and methods for physically locating  
17          abducted children, investigative use of offender behavioral  
18          assessment and analysis concepts, gathering statistics and  
19          information necessary for case identification, trend analysis,  
20          and case linkages to advance the investigative effectiveness  
21          of outstanding abducted children cases, develop investigative  
22          systems to identify and track serious serial offenders that  
23          repeatedly victimize children for comparison to unsolved  
24          cases, and other investigative re-

1 search pertinent to child abduction, mysterious dis-  
2 appearance of a child, child homicide, and serial  
3 murder covered in this section;

4 (7) working under the Federal Bureau of Inves-  
5 tigation's NCAVC in coordination with the National  
6 Center For Missing and Exploited Children  
7 (NCMEC) and the Office of Juvenile Justice and  
8 Delinquency Prevention (OJJDP) to provide appro-  
9 priate training to Federal, State, and local law en-  
10 forcement in matters regarding child abductions,  
11 mysterious disappearances of children, child homi-  
12 cides; and

13 (8) establishing a centralized repository based  
14 upon case data reflecting child abductions, mysteri-  
15 ous disappearances of children, child homicides and  
16 serial murder submitted by State and local agencies,  
17 and an automated system for the efficient collection,  
18 retrieval, analysis, and reporting of information re-  
19 garding CASMIRC investigative resources, research,  
20 and requests for and provision of investigative sup-  
21 port services.

22 (d) APPOINTMENT OF PERSONNEL TO THE  
23 CASMIRC.—

24 (1) SELECTION OF MEMBERS OF THE CASMIRC  
25 AND PARTICIPATING STATE AND LOCAL LAW EN-

1       FORCEMENT PERSONNEL.—The Director of the Fed-  
2       eral Bureau of Investigation shall appoint the mem-  
3       bers of the CASMIRC. The CASMIRC shall be  
4       staffed with FBI personnel and other necessary per-  
5       sonnel selected for their expertise that would enable  
6       them to assist in the research, data collection, and  
7       analysis, and provision of investigative support in  
8       child abduction, mysterious disappearance of chil-  
9       dren, child homicide and serial murder investiga-  
10      tions. The Director may, with concurrence of the ap-  
11      propriate State or local agency, also appoint State  
12      and local law enforcement personnel to work with  
13      the CASMIRC.

14           (2) STATUS.—Each member of the CASMIRC  
15      (and each individual from any State or local law en-  
16      forcement agency appointed to work with the  
17      CASMIRC) shall remain as an employee of that  
18      member's or individual's respective agency for all  
19      purposes (including the purpose of performance re-  
20      view), and service with the CASMIRC shall be with-  
21      out interruption or loss of civil service privilege or  
22      status and shall be on a nonreimbursable basis, ex-  
23      cept where appropriate to reimburse State and local  
24      law enforcement for overtime costs for an individual  
25      appointed to work with the resource team. Addition-

1 ally, reimbursement of travel and per diem expenses  
2 will occur for State and local law enforcement par-  
3 ticipation in resident fellowship programs at the  
4 NCAVC when offered.

5 (3) TRAINING.—CASMIRC personnel, under  
6 the guidance of the Federal Bureau of Investiga-  
7 tion’s National Center for the Analysis of Violent  
8 Crime and in consultation with the NCMEC, shall  
9 develop a specialized course of instruction devoted to  
10 training members of the CASMIRC consistent with  
11 the purpose of this section. The CASMIRC shall also  
12 work with the NCMEC and OJJDP to develop a  
13 course of instruction for State and local law enforce-  
14 ment personnel to facilitate the dissemination of the  
15 most current multidisciplinary expertise in the inves-  
16 tigation of child abductions, mysterious disappear-  
17 ances of children, child homicides, and serial murder  
18 of children.

19 (e) REPORT TO CONGRESS.—One year after the es-  
20 tablishment of the CASMIRC, the Attorney General shall  
21 provide a report to Congress that describes the goals and  
22 activities of the CASMIRC. The report shall also contain  
23 information regarding the number and qualifications of  
24 the members appointed to the CASMIRC, provision for  
25 equipment, administrative support, and office space for

1 the CASMIRC, and projected resource needs for the  
2 CASMIRC.

3 (f) AUTHORIZATION OF APPROPRIATION.—There are  
4 authorized to be appropriated to carry out this section  
5 such sums as may be necessary for fiscal year 1999 and  
6 each of the two succeeding fiscal years.

7 (g) CONFORMING REPEAL.—Subtitle C of title XVII  
8 of the Violent Crime Control and Law Enforcement Act  
9 of 1994 (42 U.S.C. 5776a et seq.).

○