

The customer-owned pipe issue merits some further discussion. The three organizations responsible for ensuring pipeline safety have identified customer-owned natural gas service lines as a major cause for concern: The National Transportation Safety Board, the Department of Transportation, and the National Association of State Pipeline Safety Representatives. I support and agree with the views of all of these organizations on this matter.

The National Transportation Safety Board addressed this issue in its report entitled "Kansas Power and Light Company Natural Gas Accidents September 16, 1988 to March 29, 1989" [NTSB/PAR-90/01]. The report says,

The actions of both the KCC (Kansas Corporation Commission) and of RSPA (the Research and Special Programs Administration of DOT, the federal organization responsible for pipeline safety) recognized that to attain reasonable public safety, specific tests must be performed on buried gas pipelines without regard to ownership and that gas customers generally cannot be expected to recognize or to perform these tests.

In a January 24 letter to me and to several members of the Public Works Committee, the NTSB said:

According to testimony given at the Safety Board's public hearing on the KPL accidents, local plumbers would not be adversely affected by requiring gas operators to periodically survey for gas leaks and for corrosion in all buried customer-owned pipe between the gas main and the building being served. Plumbers and other local contractors generally do not perform or offer to perform such services; rather they respond to customers' repair requests after the customers or others have detected the odor of leaking gas. Furthermore, a plumber in the Kansas City area testified that residents who owned a segment of the buried pipe generally refused to protect their lines from corrosion because they did not understand why such protection was needed and because other plumbers told them that corrosion protection was not required. Whether or not it is the supplying gas company that repairs or replaces the customer's pipe, the Safety Board believes the gas company should be required to perform the leak and corrosion tests on buried customer-owned piping that transports gas to buildings. Usually only the gas company has the equipment and qualified people needed to perform such tests. When hazards are detected, the gas company should be required to discontinue gas service until the hazards have been eliminated.

As the Secretary of Transportation said in his May 14, 1991, letter to the Speaker of the House transmitting DOT's proposed pipeline safety legislation, "Within the last several years, gas explosions have destroyed homes and killed and injured residents in Kansas and Missouri. The explosions were due to deteriorated gas lines located in the homeowners' yards. These accidents might have been averted had the distribution company provided necessary maintenance for the lines." I completely agree with the Secretary's assessment.

The Secretary has repeated in numerous letters to the many parties who have expressed interest in the customer-owned pipe provisions, "We at RSPA [DOT] are concerned about the safety of customer-owned gas piping and are examining ways of assuring greater oversight of these pipelines." I support these efforts, and I expect them to accelerate after this bill passes.

Subsection (c) of section 115 does not expand, limit, or change the definition of "transportation of gas" in section 2(3) of the Natural Gas Pipeline Safety Act. Rather, it requires that the Department of Transportation, the States, the pipeline operators and the customers will take whatever action is necessary to address this important safety issue.

The smart pig provisions also merit some elaboration. The Secretary must require periodic inspection by a smart pig or by an equally effective method. In determining whether alternatives provide an equivalent degree of safety to that provided by smart pigs, the Secretary should place the greatest weight on the comparative predictive capability.

In sum, the bill continues the steady congressional effort to improve the safety of our pipelines, and I urge the House to pass it.

Mr. SHUSTER. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. MINETA. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. SPEAKER pro tempore. The question is on the motion offered by the gentleman from California [Mr. MINETA] that the House suspend the rules and concur in the Senate amendments to the House amendments to the Senate bill, S. 1583.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended, and the Senate amendments to the House amendments were concurred in.

A motion to reconsider was laid on the table.

#### GENERAL LEAVE

Mr. MINETA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the Senate amendments just concurred in.

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

There was no objection.

#### ANTI-CAR-THEFT ACT OF 1992

Mr. SCHUMER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4542) to prevent and deter auto theft, as amended.

The Clerk read as follows:

H.R. 4542

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 "Anti Car Theft Act of 1992".

#### TITLE I—TOUGHER LAW ENFORCEMENT AGAINST AUTO THEFT

Subtitle A—Enhanced Penalties for Auto Theft

#### SEC. 101. FEDERAL PENALTIES FOR ARMED ROBBERIES OF AUTOS.

(a) IN GENERAL.—Chapter 103 of title 18, United States Code, is amended by adding at the end the following:

"§ 2119. Motor vehicles

"Whoever, possessing a firearm as defined in section 921 of this title, takes a motor ve-

hicle that has been transported, shipped, or received in interstate or foreign commerce from the person or presence of another by force and violence or by intimidation, or attempts to do so, shall—

"(1) be fined under this title or imprisoned not more than 15 years, or both,

"(2) if serious bodily injury (as defined in section 1365 of this title) results, be fined under this title or imprisoned not more than 25 years, or both, and

"(3) if death results, be fined under this title or imprisoned for any number of years up to life, or both."

(b) FEDERAL COOPERATION TO PREVENT "CARJACKING" AND MOTOR VEHICLE THEFT.—In view of the increase of motor vehicle theft with its growing threat to human life and to the economic well-being of the Nation, the Attorney General, acting through the Federal Bureau of Investigation and the United States Attorneys, are urged to work with State and local officials to investigate car thefts, including violations of section 2119 of title 18, United States Code, for armed carjacking, and as appropriate and consistent with prosecutorial discretion, prosecute persons who allegedly violate such law and other relevant Federal statutes.

(c) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 103 of title 18, United States Code, is amended by adding at the end the following new item:

"2119. Motor vehicles."

#### SEC. 102. IMPORTATION AND EXPORTATION.

Section 553(a) of title 18, United States Code, is amended by striking "fined not more than \$15,000 or imprisoned not more than five years" and inserting "fined under this title or imprisoned not more than 10 years".

#### SEC. 103. TRAFFICKING IN STOLEN VEHICLES.

Each of sections 2312 and 2313(a) of title 18, United States Code, are amended by striking "fined not more than \$5,000 or imprisoned not more than five years" and inserting "fined under this title or imprisoned not more than 10 years".

#### SEC. 104. CIVIL AND CRIMINAL FORFEITURE.

(a) CIVIL FORFEITURE.—Section 981(a)(1) of title 18, United States Code, is amended by adding after subparagraph (E) the following:

"(F) Any property, real or personal, which represents or is traceable to the gross proceeds obtained, directly or indirectly, from a violation of—

"(i) section 511 (altering or removing motor vehicle identification numbers);

"(ii) section 553 (importing or exporting stolen motor vehicles);

"(iii) section 2119 (armed robbery of automobiles);

"(iv) section 2132 (transporting stolen motor vehicles in interstate commerce); or

"(v) section 2313 (possessing or selling a stolen motor vehicle that has moved in interstate commerce)."

(b) CRIMINAL FORFEITURE.—Section 982(a) of title 18, United States Code, is amended by adding after paragraph (4) the following:

"(5) The court, in imposing sentence on a person convicted of a violation or conspiracy to violate—

"(A) section 511 (altering or removing motor vehicle identification numbers);

"(B) section 553 (importing or exporting stolen motor vehicles);

"(C) section 2119 (armed robbery of automobiles);

"(D) section 2132 (transporting stolen motor vehicles in interstate commerce); or

"(E) section 2313 (possessing or selling a stolen motor vehicle that has moved in interstate commerce);

shall order that the person forfeit to the United States any property, real or personal,

which represents or is traceable to the gross proceeds obtained, directly or indirectly, as a result of such violation."

#### SEC. 105. CHOP SHOPS.

(a) AMENDMENT.—Chapter 113 of title 18, United States Code, is amended by adding at the end the following:

"§ 2322. Chop shops.

"(a) IN GENERAL.—

"(1) UNLAWFUL ACTION.—Any person who knowingly owns, operates, maintains, or controls a chop shop or conducts operations in a chop shop shall be punished by a fine under this title or by imprisonment for not more than 15 years, or both. If a conviction of a person under this paragraph is for a violation committed after the first conviction of such person under this paragraph, the maximum punishment shall be doubled with respect to any fine and imprisonment.

"(2) INJUNCTIONS.—The Attorney General shall, as appropriate, in the case of any person who violates paragraph (1), commence a civil action for permanent or temporary injunction to restrain such violation."

"(b) DEFINITION.—For purposes of this section, the term 'chop shop' means any building, lot, facility, or other structure or premise where one or more persons engage in receiving, concealing, destroying, disassembling, dismantling, reassembling, or storing any passenger motor vehicle or passenger motor vehicle part which has been unlawfully obtained in order to alter, counterfeit, deface, destroy, disguise, falsify, forge, obliterate, or remove the identity, including the vehicle identification number or derivative thereof, of such vehicle or vehicle part and to distribute, sell, or dispose of such vehicle or vehicle part in interstate or foreign commerce."

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 113 of title 18, United States Code, is amended by adding at the end the following new item:

"2322. Chop shops."

#### Subtitle B—Targeted Law Enforcement

##### SEC. 130. GRANT AUTHORIZATION.

(a) PURPOSE.—The purpose of this subtitle is to supplement the provisions of the Edward Byrne Memorial State and Local Law Enforcement Assistance Program to help the States to curb motor vehicle thefts and the related violence.

(b) GRANTS.—The Director of the Bureau of Justice Assistance shall make grants to Anti Car Theft Committees submitting applications in compliance with the requirements of this subtitle.

##### SEC. 131. APPLICATION.

(a) SUBMISSION.—To be eligible to receive a grant under this subtitle, a chief executive of an Anti Car Theft Committee shall submit an application to the Director of the Bureau of Justice Assistance.

(b) CONTENT.—The application submitted under subsection (a) shall include the following:

(1) A statement that the applicant Anti Car Theft Committee is either a State agency or an agency of a unit of local government.

(2) A statement that the applicant Anti Car Theft Committee is or will be financed in part (A) by a fee on motor vehicles registered by the State or possessed or insured within the State (and that such fee is not less than \$1 per vehicle), or (B) in the same manner and to the same extent as is a similar program financed and implemented in a State like Michigan.

(3) An assurance that Federal funds received under a grant under this subtitle shall be used to supplement and not supplant non-Federal funds that would otherwise be available for activities funded under such grant.

(4) A statement that the resources of the applicant Anti Car Theft Committee will be devoted entirely to combating motor vehicle theft, including any or all of the following:

(A) Financing law enforcement officers or investigators whose duties are entirely or primarily related to investigating cases of motor vehicle theft or of trafficking in stolen motor vehicles or motor vehicle parts.

(B) Financing prosecutors whose duties are entirely or primarily related to prosecuting cases of motor vehicle theft or of trafficking in stolen motor vehicles or motor vehicle parts.

(C) Motor vehicle theft prevention programs, including vehicle identification number etching programs, programs implemented by law enforcement agencies and designed to enable the electronic tracking of stolen automobiles, and programs designed to prevent the export of stolen vehicles.

(5) A description of the budget for the applicant Anti Car Theft Committee for the fiscal year for which a grant is sought.

##### SEC. 132. AWARD OF GRANTS.

(a) IN GENERAL.—The Director shall allocate to each State a proportion of the total funds available under this subtitle that is equal to the proportion of the number of motor vehicles registered in such State to the total number of motor vehicles registered in the United States. The Director shall ensure that all applicant States have an opportunity to receive grants from an available appropriation. Any State that has not met the requirements described in section 203 of this Act shall be excluded from any allocation under this subsection.

(b) GRANT AMOUNTS.—If one Anti Car Theft Committee within a State submits an application in compliance with section 131, the Director shall award to such Anti Car Theft Committee a grant equal to the total amount of funds allocated to such State under this section. In no case shall the Anti Car Theft Committee receive a grant that is more than 50 percent of the preaward budget for such Anti Car Theft Committee.

(c) MULTIPLE COMMITTEES.—If two or more Anti Car Theft Committees within a State submit applications in compliance with section 131, the Director shall award to such Anti Car Theft Committees grants that in sum are equal to the total amount of funds allocated to such State under this section. In no case shall an Anti Car Theft Committee receive a grant that is more than 60 percent of the preaward budget for such Anti Car Theft Committee. The Director shall allocate funds among two or more Anti Car Theft Committees with a State according to the proportion of the preaward budget of each Anti Car Theft Committee to the total preaward budget for all grant recipient Anti Car Theft Committees within such State.

(d) RENEWAL OF GRANTS.—Subject to the availability of funds, a grant under this subtitle may be renewed for up to 2 additional years after the first fiscal year during which the recipient receives an initial grant under this subtitle if the Director determines that the funds made available to the recipient during the previous year were used in the manner required under the approved application.

##### SEC. 133. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated \$10,000,000 to carry out this subtitle for each of the fiscal years 1993, 1994, and 1995.

#### Subtitle C—Report Regarding State Motor Vehicle Titling Programs to Combat Motor Vehicle Thefts and Fraud

##### SEC. 140. ESTABLISHMENT OF TASK FORCE.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—The Secretary of Transportation and the Attorney General of the United States, working together, shall, as

soon as practicable after the date of the enactment of this Act but not later than 180 days after such date, establish a task force to study problems which relate to motor vehicle titling, vehicle registration, and controls over motor vehicle salvage which may affect the motor vehicle theft problem. The study shall include an examination of the extent to which the absence of uniformity and integration in State laws regulating vehicle titling and registration and salvage of used vehicles allows enterprising criminals to find the weakest link to "wash" the stolen character of the vehicles. It shall also consider the adoption of a title brand on all certificates of title indicating that the applicable vehicle was previously issued a title brand or a title signifying "rebuilt", "reconstructed", or "flood".

(2) REPORT.—The task force shall prepare a report containing the results of such study and shall submit such report to the President and the Congress and to the chief executive officer of each State not later than 12 months after the task force is established, together with appropriate recommendations to solve these problems.

(b) MEMBERSHIP.—The task force shall consist of—

(1) the Secretary of Transportation, or the Secretary's delegate;

(2) the Attorney General of the United States, or the Attorney General's delegate;

(3) the Secretary of Commerce, or the Secretary's delegate;

(4) the Secretary of the Treasury, or the Secretary's delegate;

(5) at least 3 representatives, to be designated by the Attorney General of the United States;

(6) at least 5 representatives of State motor vehicle departments, to be designated by the Secretary of Transportation; and

(7) at least 1 representative, to be designated by the Secretary of Transportation, from each of the following groups:

(A) Motor vehicle manufacturers.

(B) Motor vehicle dealers and distributors.

(C) Motor vehicle dismantlers, recyclers, and salvage dealers.

(D) Motor vehicle repair and body shop operators.

(E) Motor vehicle scrap processors.

(F) Insurers of Motor vehicles.

(G) State law enforcement officials.

(H) Local law enforcement officials.

(I) The American Association of Motor Vehicle Administrators.

(J) The National Insurance Crime Bureau.

(K) The National Committee on Traffic Laws and Ordinances.

(c) REIMBURSEMENT.—

(1) SALARY.—The members of the task force shall serve without pay.

(2) TRAVEL EXPENSES.—While away from their residences or regular places of business in performance of services for the Federal Government, members of the task force shall be allowed travel expenses, including per diem in lieu of subsistence, in the same manner as persons employed intermittently in the Federal Government service are allowed expenses under section 5703 of title 5, United States Code.

(3) CHAIR.—The Secretary of Transportation, or the Secretary's delegate, shall serve as chairman of the task force. The task force may also invite representatives of the Governors and State legislators to participate.

(d) REPORT.—

(1) BASIS.—The report required by subsection (a)(2) shall be made after a meaningful consultative process and review of existing laws, practices, studies, and recommendations regarding the problems specified in subsection (a)(1).

(2) **CONTENT.**—The report shall specify the key aspects of motor vehicle antitheft measures necessary to prevent the disposition or use of stolen motor vehicles, or the major components of motor vehicles, and to prevent insurance and other fraud based upon false reports of stolen motor vehicles. The report shall indicate any of the antitheft measures for which national uniformity would be crucial in order for the measure to be adequately effective. The report shall recommend viable ways of obtaining any national uniformity which is necessary.

(3) **RECOMMENDATIONS.**—The report also shall include other recommendations for legislative or administrative action at the State level or at the Federal level, and recommendations for industry and public actions.

## TITLE II—AUTOMOBILE TITLE FRAUD

### SEC. 201. DEFINITIONS.

For purposes of this title:

(1) The term "automobile" has the meaning given such term by section 501(1) of the Motor Vehicle Information and Cost Savings Act (15 U.S.C. 2001(1)).

(2) The term "certificate of title" means a document issued by a State evidencing ownership of an automobile.

(3) The term "insurance carrier" means an individual, corporation, or other entity which is engaged in the business of underwriting automobile insurance.

(4) The term "junk automobile" means any automobile which is incapable of operation on roads or highways and which has no value except as a source of parts or scrap.

(5) The term "junk yard" means any individual, corporation, or other entity which is engaged in the business of acquiring or owning junk automobiles for resale, either in their entirety or as spare parts, for rebuilding or restoration, or for crushing.

(6) The term "operator" means a person or entity authorized or designated as the operator of the information system pursuant to section 202(a)(2) or if no such person or entity is authorized, the Secretary.

(7) The term "salvage automobile" means any automobile which is damaged by collision, fire, flood, accident, trespass, or other occurrence to the extent that its fair salvage value plus the cost of repairing the automobile for legal operation on roads or highways would exceed the fair market value of the automobile immediately prior to the occurrence causing its damage.

(8) The term "salvage yard" means any individual, corporation, or other entity which is engaged in the business of acquiring or owning salvage automobiles for resale, either in their entirety or as spare parts, or for rebuilding or restoration, or for crushing.

(9) The term "Secretary" means the Secretary of Transportation.

(10) The term "State" means any State of the United States or the District of Columbia.

### SEC. 202. NATIONAL MOTOR VEHICLE TITLE INFORMATION SYSTEM.

#### (a) INFORMATION SYSTEM.—

(1) **ESTABLISHMENT.**—Not later than January 1996, the Secretary, in cooperation with the States, shall establish an information system (in this title referred to as the "National Motor Vehicle Title Information System") which will enable States and others to gain instant and reliable access to information maintained by other States pertaining to the titling of automobiles, unless the Secretary determines that an existing information system meets the requirements of subsections (b) and (c) of this section and will enable the Secretary to implement this title as early as possible and designates, in consultation with the Attorney General of the United States, such system as the informa-

tion system for purposes of this title. In establishing the system, the Secretary, working with the Attorney General of the United States and the States, shall ascertain the extent to which title and related information to be included in the system will be adequate, timely, reliable, uniform, and capable of aiding in efforts to prevent the introduction or reintroduction into interstate commerce of stolen vehicles or parts.

(2) **OPERATION.**—The Secretary may authorize the operation of the information system established or designated under paragraph (1) by contract through an agreement with a State or States, or by redesignating, after consultation with the States, a third party which represents the interests of the States.

(3) **FEEES.**—Operation of the information system established or designated under paragraph (1) shall be paid for by a system of user fees and should be self-sufficient and not be dependent on Federal funds. The amount of fees collected and retained subject to annual appropriation Acts, by the operator pursuant to this paragraph, not including fees collected by the operator and passed on to a State or other entity providing information to the operator, shall not exceed the costs of operating the system.

(b) **MINIMUM FUNCTIONAL CAPABILITIES.**—The information system established or designated under subsection (a)(1) shall, at a minimum, enable a user of the system instantly and reliably to determine—

(1) the validity and status of a document purporting to be a certification of title,

(2) whether an automobile bearing a known vehicle identification number is titled in a particular State,

(3) whether an automobile known to be titled in a particular State is or has been a junk vehicle or a salvage vehicle,

(4) for an automobile known to be titled in a particular State, the odometer reading information, as required in section 408 of the Motor Vehicle Information and Cost Savings Act (15 U.S.C. 1988), of such vehicle on the date its certificate of title was issued and such later odometer information, if noted by the State, and

(5) whether an automobile bearing a known vehicle identification number has been reported as a junk vehicle or a salvage vehicle pursuant to section 204.

#### (c) AVAILABILITY OF INFORMATION.—

(1) **TO STATE.**—Upon request of a participating State, the operator makes available to such State information in the information system pertaining to any automobile.

(2) **TO LAW ENFORCEMENT.**—Upon request of a Federal, State, or local law enforcement official, the operator makes available to such official information in the information system pertaining to a particular automobile, salvage yard, or junk yard.

(3) **TO PROSPECTIVE PURCHASERS.**—Upon request of a prospective purchaser of an automobile, including an auction company or an entity that is in the business of purchasing used automobiles, the operator makes available to such prospective purchaser information in the information system pertaining to such automobile.

(4) **TO INSURANCE CARRIERS.**—Upon request of a prospective or current insurer of an automobile, the operator makes available to such prospective or current insurer information in the information system pertaining to such automobile.

(5) **PRIVACY.**—Notwithstanding any provision of paragraphs (1) through (4), the operator shall release no information other than what is necessary to reasonably satisfy the requirements of subsection (b). In no event shall the operator collect an individual's social security number or enable users of the

information system to obtain an individual's address or social security number.

### SEC. 203. STATE PARTICIPATION IN THE NATIONAL MOTOR VEHICLE TITLE INFORMATION SYSTEM.

#### (a) REQUIREMENTS.—

(1) **INFORMATION SHARING.**—Each State shall make titling information maintained by such State available for use in establishing the National Motor Vehicle Title Information System established under section 202.

(2) **TITLE VERIFICATION.**—Each State shall establish a practice of performing an instant title verification check before issuing a certificate of title to an individual or entity claiming to have purchased an automobile from an individual or entity in another State. Such instant title verification check shall consist of—

(A) communicating to the operator the vehicle identification number of the vehicle for which the certificate of title is sought, the name of the State which issued the most recent certificate of title pertaining to the vehicle, and the name of the individual or entity to whom such certificate was issued; and

(B) affording the operator an opportunity to communicate to the participating State the results of a search of the information.

#### (b) GRANTS TO STATES.—

(1) **REVIEW OF STATE SYSTEMS.**—Not later than January 1, 1994, the Secretary, in cooperation with the States, shall—

(A) conduct a review of systems used by the States to compile and maintain information concerning the titling of automobiles, and

(B) determine, for each State, the cost of making titling information maintained by such State available to the operator of the National Motor Vehicle Title Information System for the purpose of meeting the requirements of subsection (b).

(2) **AWARD OF GRANTS.**—The Secretary may award grants to participating States to be used in making titling information maintained by such States available to the operator of the National Motor Vehicle Title Information System if—

(A) for any State that is a recipient of such a grant, the grant does not exceed—

(1) 25 percent of the cost of making titling information maintained by such State available to the operator of the National Motor Vehicle Title Information System as determined by the Secretary under subsection (d)(1)(B); or

(ii) \$300,000;

whichever is lower; and

(B) the Secretary determined that such grants are fair, reasonable, and necessary for the establishment of the National Motor Vehicle Title Information System under section 202(a)(1).

(c) **REPORT TO CONGRESS.**—No later than January 1, 1997, the Secretary shall report to Congress which States have met the requirements imposed by section 203. If any State has not met these requirements, the Secretary shall describe the impediments that have resulted in the State's failure to meet the requirements.

### SEC. 204. REPORTING.

#### (a) OPERATORS OF JUNK OR SALVAGE YARD.—

(1) **INVENTORY REPORT.**—Beginning at a time determined by the Secretary, but no earlier than 3 months prior to the establishment of the National Motor Vehicle Title Information System, any person or entity in the business of operating an automobile junk yard or automobile salvage yard shall file a monthly report with the operator. Such report shall contain an inventory of all junk vehicles or salvage vehicles obtained by the junk yard or salvage yard during the preceding month. Such inventory shall contain the

vehicle identification number of each vehicle obtained, the date on which it was obtained, the name of the person or entity from whom the reporter obtained the vehicle, and a statement of whether the vehicle was crushed or otherwise disposed of for sale or other purposes.

(2) APPLICATION.—Paragraph (1) shall not apply to—

(A) persons or entities that are required by State law to report the acquisition of junk vehicles or salvage vehicles to State or local authorities if such authorities make such information available to the operator, or

(B) any person who is issued a verification under section 607 of the Motor Vehicle Information and Cost Savings Act stating that the vehicle or parts from such vehicle are not reported as stolen.

(b) INSURANCE CARRIERS.—Beginning at a time determined by the Secretary, but no earlier than 3 months prior to the establishment of the National Motor Vehicle Title Information System, any person or entity engaged in the business of an insurance carrier shall file, directly or through a designated agent, a monthly report with the operator. Such report shall contain an inventory of all vehicles of the current model year or any of the 4 preceding model years which such carrier has, during the preceding month, obtained possession of and determined to be salvage or junk vehicles. Such inventory shall contain the vehicle identification number of each vehicle obtained, the date on which it was obtained, the name of the person or entity from whom the reporter obtained the vehicle, and the owner of the vehicle at the time of the filing of the report.

(c) ENFORCEMENT PROVISIONS.—

(1) PENALTY AMOUNT.—Whoever violates this section may be assessed a civil penalty of not to exceed \$1,000 for each violation.

(2) PENALTY PROCEDURE.—Any such penalty shall be assessed by the Secretary and collected in a civil action brought by the Attorney General of the United States. Any such penalty may be compromised by the Secretary. In determining the amount of such penalty, or the amount agreed upon in compromise, the appropriateness of such penalty to the size of the business of the person charged and the gravity of the violation shall be considered. The amount of such penalty, finally determined, or the amount agreed upon in compromise, may be deducted from any sums owed by the United States to the person charged.

(d) PROCEDURES AND PRACTICES.—The Secretary shall establish by rule procedures and practices to facilitate reporting in the least burdensome and costly fashion.

**TITLE III—AMENDMENTS ON THEFT PREVENTION REGARDING "CHOP SHOP" RELATED THEFTS**

**SEC. 301. DEFINITIONS.**

(a) CARS, SPECIALTY VEHICLES, AND LIGHT-DUTY TRUCKS.—Section 601(1) of the Motor Vehicle Information and Cost Savings Act (15 U.S.C. 2021(1)) is amended to read as follows:

"(1) The term 'passenger motor vehicle' includes any multipurpose passenger vehicle and light-duty truck that is rated at 6,000 pounds gross vehicle weight or less."

(b) CHOP SHOP DEFINITION.—Section 601 of the Motor Vehicle Information and Cost Savings Act (15 U.S.C. 2021) is amended by adding at the end the following:

"(1) The term 'chop shop' means any building, lot, facility, or other structure or premise where one or more persons engage in receiving, concealing, destroying, disassembling, dismantling, reassembling, or storing any passenger motor vehicle or passenger motor vehicle part which has been unlawfully obtained in order to alter, counterfeit,

deface, destroy, disguise, falsify, forge, obliterate, or remove the identity, including the vehicle identification number or derivative thereof, of such vehicle or vehicle part and to distribute, sell, or dispose of such vehicle or vehicle part in interstate or foreign commerce."

(c) MAJOR REPLACEMENT PART.—Section 601(8) (15 U.S.C. 2021(8)) is amended to read as follows:

"(8) The term 'major replacement part' means any major part—

"(A) which is not installed in or on a motor vehicle at the time of its delivery to the first purchaser and the equitable or legal title to which has not been transferred to any first purchaser, or

"(B) which is a customized or modified version of an original major part in or on a completed motor vehicle after the manufacture of such vehicle but before the time of its delivery to the first purchaser."

**SEC. 302. THEFT PREVENTION STANDARD.**

Section 602 of the Motor Vehicle Information and Cost Savings Act (15 U.S.C. 2022) is amended—

(1) by amending subsection (d)(1) to read as follows:

"(d)(1) In the case of major parts installed by the motor vehicle manufacturer, the standard under this section may not require any part to have more than a single identification," and

(2) by adding at the end the following:

"(f)(1) Within 2 years after the date of the enactment of the Anti-Car Theft Act of 1992, the Secretary shall promulgate a vehicle theft standard which conforms to the requirements of this title and which applies with respect to the covered major parts which are installed by all foreign and domestic manufacturers into passenger motor vehicles (other than light-duty trucks) in not to exceed one-half of the lines not designated under section 603 as high theft lines. Such rule shall be effective for model years applicable to such passenger motor vehicles as provided in subsection (c)(4) of this section.

"(2) Within 3 years after the rule under paragraph (1) is promulgated, the Secretary, based on the Attorney General's finding under paragraph (3), shall designate all the remaining such lines of such passenger motor vehicles (other than light-duty trucks) and apply such standard to such lines in conformance with the requirements of this title. Such rule shall also apply to the major replacement parts for the major parts described in this paragraph. Such rule shall be effective, for model years applicable to such passenger motor vehicles as provided in subsection (c)(4) of this section.

"(3) The Attorney General shall make a finding prior to the Secretary's initiation and promulgation of a rule under paragraph (2) that the rule shall be promulgated unless the Attorney General finds, based upon the information collected and analyzed under section 615 and such other information as the Attorney General may develop (after notice and after a public hearing), that requiring such additional parts marking for all of the applicable passenger motor vehicles would not substantially inhibit chop shop operations and vehicle thefts. The Attorney General shall also take into account as part of the record additional costs, effectiveness, competition, and available alternatives factors. The Attorney General shall transmit the finding and the record upon which the finding is based to the Secretary. Such finding and record shall be a part of the Secretary's rulemaking record.

"(4) The Attorney General of the United States shall by December 31, 1999, determine, after notice and a public hearing, whether one or both rules promulgated under this

subsection have been an effective means to substantially inhibit the operation of chop shops and vehicle theft, taking into account the additional cost, competition, and available alternatives. The Attorney General shall base his determination on information collected and analyzed under section 615, the 3-year and 6-year reports issued by the Secretary under this title, and such other information as he may develop and include in the public record. He shall take into consideration the effectiveness, extent of use, and the extent to which civil and criminal penalties under section 610(b) of this title and 18 U.S.C. 2322 regarding chop shops have been effective in substantially inhibiting chop shop operations and vehicle theft. The Attorney General shall promptly transmit his finding to the Secretary. If the determination is that one or both rules have not been an effective means to substantially inhibit chop shop operations and vehicle theft, the Secretary shall within 180 days after receipt of such finding terminate by order 1 or both of the rules promulgated under this subsection effective the next model year following the issuance of such order.

"(5) The Attorney General shall make a separate determination by December 31, 1999, after notice and a public hearing, as to whether the antitheft devices for which an exemption under section 605 is authorized are an effective substitute for parts marking in substantially inhibiting vehicle theft, taking into account the additional cost, competition, and available alternatives. If the Attorney General determines that such antitheft devices are an effective substitute for parts marking in substantially inhibiting vehicle theft, the Secretary shall continue to grant exemptions under section 605 at the level authorized prior to the date of the enactment of the Anti-Car Theft Act of 1992 or at the level authorized for model year 2000, as determined by the Attorney General. Nothing in this paragraph affects exemptions granted in model year 2000 or earlier to any manufacturer.

"(6) The Secretary and the Attorney General shall keep the appropriate legislative committees of Congress with jurisdiction over this Act and 18 U.S.C. 2322 informed about the actions taken or planned under this subsection.

"(g) The Secretary is authorized to periodically redetermine and establish by rule the median theft rate under subsection (a)(1), but not more than every 2 years."

**SEC. 303. DESIGNATION OF HIGH THEFT VEHICLE LINES AND PARTS.**

Section 603 of the Motor Vehicle Information and Cost Savings Act (15 U.S.C. 2023) is amended—

(1) by striking in subsection (a)(1)(A) "in which the final standard is promulgated" and inserting in lieu thereof "in which the Anti-Car Theft Act of 1992 is enacted";

(2) by striking out paragraph (3) of subsection (a) and by redesignating paragraphs (4) and (5) as paragraphs (3) and (4), respectively;

(3) by striking "or (3)" in redesignated paragraphs (3) and (4) of subsection (a);

(4) by adding at the end of subsection (a) (as amended by paragraph (2)) the following:

"(5) Any motor vehicle line subject, on the date of enactment of the Anti-Car Theft Act of 1992, to parts marking requirements under section 602 and this section shall continue to be subject to such requirements unless such motor vehicle line becomes exempt from such requirements under section 605," and

(5) by striking paragraph (4) of subsection (b) and redesignating paragraph (5) as paragraph (4).

**SEC. 304. LIMITED EXEMPTION FOR NEW VEHICLES EQUIPPED WITH EFFECTIVE ANTI-THEFT AS ORIGINAL EQUIPMENT.**

(a) CONTINUING CURRENT LAW.—The second sentence of section 605(a)(2) of the Motor Vehicle Information and Cost Savings Act (15 U.S.C. 2025(a)(2)) is amended by inserting "through model year 1996" after "model year".

(b) MODEL YEARS AFTER MODEL YEAR 1996.—Section 605(a)(2) of the Motor Vehicle Information and Cost Savings Act (15 U.S.C. 2025(a)(2)) is amended by adding at the end the following: "For model year 1997 through model year 2000, the Secretary may grant such an exemption for not more than 1 additional line of any manufacturer and such exemption shall not affect the validity of the exemption of any line previously exempted under this paragraph. For model years subsequent to 2000, the number of lines for which the Secretary may grant such an exemption (if any) shall be determined by the Attorney General under section 602(f)(5)."

**SEC. 305. PROHIBITED ACTS.**

(a) RULES.—Section 610(a)(2) of the Motor Vehicle Information and Cost Savings Act (as so redesignated by section 306 of this Act) is amended by inserting "or Attorney General" after "Secretary".

(b) CHOP SHOPS.—Section 610 of the Motor Vehicle Information and Cost Savings Act (as so redesignated by section 306 of this Act) (15 U.S.C. 2027) is amended by adding at the end the following:

"(c)(1) It shall be unlawful for any person to knowingly own, operate, maintain, or control a chop shop or conduct operations in a chop shop of any kind or transport by any means any passenger motor vehicle or passenger motor vehicle part to or from a chop shop.

"(2) The Secretary shall, as appropriate and in consultation with the Attorney General, in the case of any person who violates paragraph (1), commence a civil action for permanent or temporary injunction to restrain such violation or the Secretary shall assess and recover a civil penalty of not more than \$100,000 per day for each such violation, or both."

**SEC. 306. VERIFICATION.**

(a) IN GENERAL.—Title VI of the Motor Vehicle Information and Cost Savings Act is amended by redesignating sections 607 through 614 as sections 610 through 617, respectively; by striking in section 602(e) "and 612" and inserting "and 615", and by inserting after section 606 the following:

**"VERIFICATION OF VEHICLE AS LEGAL SALVAGE OR JUNK VEHICLE**

"SEC. 607. (a) Any person engaged in business as an insurance carrier to sell comprehensive insurance coverage for motor vehicles shall, if such carrier obtains possession of and transfers a junk motor vehicle or a salvage motor vehicle—

"(1) verify, in accordance with procedures established by rule under section 609 by the Attorney General and in consultation with the Secretary of Transportation, whether that motor vehicle is reported as stolen, and

"(2) provide verification to whomever such carrier transfers or sells any such salvage or junk motor vehicle identifying the vehicle identification number or derivative thereof of such vehicle and verifying that such vehicle has not been reported as stolen or, if reported as stolen, that such insurance carrier has recovered the vehicle and has proper legal title to the vehicle.

For purposes of paragraph (2), the term 'vehicle identification number' means a unique identification number assigned to a passenger motor vehicle by a manufacturer in compliance with applicable regulations or a

derivative thereof. Nothing in this paragraph shall be construed to prohibit such carrier from transferring a motor vehicle if, within a reasonable period of time during normal business operations (as determined by the Attorney General under section 609 of this title) using reasonable efforts, such carrier has not received a determination under section 609 that the vehicle has not been reported as stolen or to otherwise determine whether such vehicle has been reported as stolen, except that such carrier shall provide a written certification of such lack of determination.

"(b) The Attorney General, in consultation with the Secretary, shall promulgate such regulations as are needed to ensure that verification performed and provided by insurance carriers under subsection (a)(2) is uniform, effective, and resistant to fraudulent use."

(b) EFFECTIVE DATE.—The regulations required by section 607(b) of the Motor Vehicle Information and Cost Savings Act shall be promulgated within 6 months after the date of the enactment of this subsection. The amendment made by subsection (a) shall take effect within 3 months after such regulations are promulgated, but not before the system in section 609 of the Motor Vehicle Information and Cost Savings Act is operational.

(c) PARTS.—Title VI of such Act, as amended by subsection (a), is amended by inserting after section 607 the following new section:

**"PARTS**

"SEC. 608. (a) No person engaged in the business of salvaging, dismantling, recycling, or repairing passenger motor vehicles shall knowingly sell or distribute in commerce or transfer or install a major part marked with an identification number without—

"(1) first determining, through a procedure established by rule by the Attorney General in consultation with the Secretary of Transportation under section 609 that such major part has not been reported as stolen; and

"(2) providing the purchaser or transferee with a verification identifying the vehicle identification number or derivative thereof of such major part, and verifying that such major part has not been reported as stolen.

"(b) The Attorney General, in consultation with the Secretary of Transportation, shall promulgate such regulations as are needed to ensure that verifications provided by persons under subsection (a)(2) are uniform, effective, and resistant to fraudulent use.

"(c) Subsection (a) shall not apply to a person who is the manufacturer of the major part, who has purchased the major part directly from the manufacturer, who has received a verification from an insurance carrier pursuant to section 607 that the motor vehicle from which such major part is derived has not been reported as stolen, or that such carrier has failed, in accordance with section 607, to determine whether such vehicle has been stolen. Such person shall be required to provide such verification to any person to whom such vehicle, or any major part of such vehicle, is thereafter transferred or sold in commerce. The Attorney General shall promulgate regulations to implement this section."

(d) EFFECTIVE DATE.—The amendment made by subsection (c) shall be effective on the date that the system required by section 609 is established.

(e) NATIONAL STOLEN AUTO PART INFORMATION SYSTEM.—Title VI of such Act, as amended by subsection (c), is amended by inserting after section 606 the following new section:

**"NATIONAL STOLEN AUTO PART INFORMATION SYSTEM**

"SEC. 609. (a) The Attorney General shall, within 9 months of the date of the enactment of the Anti Car Theft Act of 1992, maintain in the National Crime Information Center an information system containing the identification numbers of stolen passenger motor vehicles and stolen passenger motor vehicle parts. The Attorney General shall also consult with State and local law enforcement agencies in the establishment of such system. The Attorney General shall also consult with the National Crime Information Center Policy Advisory Board to ensure the security of the information in such system and that such system will not compromise the security of stolen vehicle and vehicle parts information in such information system.

"(b) The Attorney General shall specify procedures by rule by which individuals or entities seeking to transfer a vehicle or vehicle parts may obtain a determination whether a part is listed in the system as stolen. If the Attorney General determines that the National Crime Information Center is not able to perform the functions of the information system required under subsection (a), the Attorney General shall enter into an agreement for the operation of such a system separate from the National Crime Information Center.

"(c) The information system under subsection (a) shall, at a minimum, include the following information pertaining to each passenger motor vehicle reported to a law enforcement authority as stolen and not recovered:

"(1) The vehicle identification number of such passenger motor vehicle.

"(2) The make and model year of such passenger motor vehicle.

"(3) The date on which the passenger motor vehicle was reported as stolen.

"(4) The location of the law enforcement authority that received the reports of the passenger motor vehicle's theft.

"(5) If the passenger motor vehicle at the time of its theft contained parts bearing identification numbers or the derivative thereof different from the vehicle identification number of the stolen passenger motor vehicle, the identification numbers of such parts.

**"(d) ADVISORY COMMITTEE.—**

"(1) IN GENERAL.—The National Stolen Auto Part Information System to be maintained under subsection (a) is to be developed by the Attorney General with the advice and recommendation of the advisory committee established under paragraph (2).

"(2) ESTABLISHMENT.—Not later than 60 days after the date of the enactment of this Act, the Attorney General shall establish in the Department of Justice and appoint an advisory committee with respect to the National Stolen Auto Part Information System to be maintained under subsection (a).

"(3) MEMBERSHIP.—The advisory committee established under paragraph (2) shall be composed of 10 members as follows:

"(A) The Attorney General shall serve as the chairperson of the advisory committee.

"(B) The Secretary of Transportation.

"(C) One individual appointed by the Attorney General who is qualified to represent the interests of the law enforcement community at the State level.

"(D) One individual appointed by the Attorney General who is qualified to represent the interests of the law enforcement community at the local level.

"(E) One individual appointed by the Attorney General who is qualified to represent the interests of the automotive recycling industry.

"(F) One individual appointed by the Attorney General who is qualified to represent the interests of automotive repair industry.

"(G) One individual appointed by the Attorney General who is qualified to represent the interests of automotive rebuilders industry.

"(H) One individual appointed by the Attorney General who is qualified to represent the interests of automotive parts suppliers industry.

"(I) One individual appointed by the Attorney General who is qualified to represent the interests of the insurance industry.

"(J) One individual appointed by the Attorney General who is qualified to represent the interests of consumers.

"(4) DUTIES.—The advisory committee established under paragraph (2) shall make recommendations regarding—

"(A) the development and implementation of the National Stolen Auto Part Information System, and

"(B) the development and implementation of a verification system as required by section 607.

"(5) REPORT.—Not later than 6 months after the date of the enactment of the Anti Car Theft Act of 1992, the advisory committee established under paragraph (2) shall submit to the Attorney General, the Secretary of Transportation, and the Congress a report containing the committee's recommendations."

"(e) Upon request by an insurance carrier, a person lawfully selling or distributing in interstate commerce passenger motor vehicle parts, or an individual or enterprise engaged in the business of repairing passenger motor vehicles, the Attorney General, or the entity or entities designated by the Attorney General, shall immediately provide such insurance carrier or person with a determination as to whether the information system under subsection (a) contains a record of a passenger motor vehicle or a passenger motor vehicle part bearing a particular vehicle identification number or derivative thereof having been reported stolen. The Attorney General may require such verification as the Attorney General deems appropriate to ensure that the request is legitimate and will not compromise the security of the system.

"(f) There are authorized to be appropriated such sums as may be necessary to carry out this section. The information system established under subsection (a) shall be effective as provided in the rules promulgated by the Attorney General."

(e) STUDY.—Section 617 of the Motor Vehicle Information and Cost Savings Act (as so redesignated) is amended in subsection (a)(1) by striking "after the date of the enactment of this title" and in subsection (b)(1) by striking "after the promulgation of the standard required by this title" and inserting in each place "after the date of the enactment of the Anti Car Theft Act of 1992".

#### TITLE IV—EXPORT OF STOLEN AUTOMOBILES

##### SEC. 461. RANDOM CUSTOMS INSPECTIONS FOR STOLEN AUTOMOBILES BEING EXPORTED.

Part VI of title IV of the Tariff Act of 1930 is amended by inserting after section 646 the following new sections:

##### "SEC. 646A. RANDOM CUSTOMS INSPECTIONS FOR STOLEN AUTOMOBILES BEING EXPORTED.

"The Commissioner of Customs shall direct customs officers to conduct at random inspections of automobiles, and of shipping containers that may contain automobiles that are being exported, for purposes of determining whether such automobiles were stolen.

##### "SEC. 646B. EXPORT REPORTING REQUIREMENT.

"The Commissioner of Customs shall require all persons or entities exporting used automobiles, including automobiles exported for personal use, by air or ship to provide to the Customs Service, at least 72 hours before the export, the vehicle identification number of each such automobile and proof of ownership of such automobile. The Commissioner shall establish specific criteria for randomly selecting used automobiles scheduled to be exported, consistent with the risk of stolen automobiles being exported and shall check the vehicle identification number of each automobile selected pursuant to such criteria against the information in the National Crime Information Center to determine whether such automobile has been reported stolen. At the request of the Director of the Federal Bureau of Investigation, the Commissioner shall make available to the Director all vehicle identification numbers obtained under this section."

##### SEC. 462. PILOT STUDY AUTHORIZING UTILITY OF NONDESTRUCTIVE EXAMINATION SYSTEM.

The Secretary of the Treasury, acting through the Commissioner of Customs, shall conduct a pilot study of the utility of a non-destructive examination system to be used for inspection of containers that may contain automobiles leaving the country for the purpose of determining whether such automobiles have been stolen.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York [Mr. SCHUMER] will be recognized for 20 minutes, and the gentleman from Wisconsin [Mr. SENSENBRENNER] will be recognized for 20 minutes.

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

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Mr. SCHUMER. Mr. Speaker, I yield 10 minutes of my time to the gentleman from Michigan [Mr. DINGELL] chairman of the Committee on Energy and Commerce and ask unanimous consent that he be allowed to control that time.

The SPEAKER pro tempore. (Mr. MCDERMOTT). Is there objection to the request of the gentleman from New York?

There was no objection.

We have been hearing all year that Congress does not work, Congress cannot solve problems. Well, the Congress can work, and this bill is the proof. Our constituents have a problem, a costly, frustrating, and often violent problem—auto theft. I could read you the statistics, but I'm sure you don't need them—like me, you have been hearing loud and clear from back home that people are fed up with auto theft.

Auto theft has been on cruise control for too long—it's time to put on the brakes. The only contact criminals should have with our cars is to make the license plates for them.

The good news is that there are solutions. These solutions are not ideological, they do not require a lot of rhetoric or posturing. They do require that everybody work together—law enforcement, auto manufacturers, repair shops, and insurers.

That is what Congress can and should do—identify a problem, find practical,

effective solutions, and show legislative leadership in getting all the parties to work together in implementing these solutions. That is what we did with the cable bill earlier this evening, and that is what we have done with this bill. This bill will keep car owners, not car thieves, in the driver's seat.

We start with tough law enforcement. Our constituents are being terrorized by an insidious new form of car theft called carjacking. This bill makes armed carjacking a Federal crime and stiffens sentences for other auto-theft related offenses.

But we cannot have a police officer on every corner, so the bill goes beyond that. Experts in law enforcement know why people steal cars. Mostly, they do it for profit: to resell the car, to export it, or—and this is the most common—to chop it up and sell the parts. Knowing how thieves profit, we can squeeze out that profit and stop the crime at its source. The new, professional car thief is a high-speed racer, running laps around law enforcement. This bill gives law enforcement the tools it needs to catch him.

This bill does that by requiring that major car parts be marked with ID numbers, and that insurance companies and repair shops use these ID numbers to avoid buying and selling stolen parts. We may not realize it, but many of us have probably had stolen parts put into our cars by repair shops. If we can stop that kind of transaction—where a stolen part enters the stream of legitimate commerce as a repair part—we can make a tremendous dent in auto theft.

The problem is not that repair shops deliberately seek out stolen parts to use. The problem is that they have no way of knowing whether a used part has been stolen. This bill would make it the repair shops' responsibility not to sell stolen parts by giving them access—through a simple, toll-free telephone call—to the FBI database of stolen car ID numbers. Before a repair shop installs a used part, it would have to check to make sure that the part is not stolen.

The bill takes the profit out of car theft in other ways as well. It will help State motor vehicle departments coordinate with each other so thieves cannot get phony or washed titles for stolen cars. It will also beef up customs supervision of outgoing cars, so thieves cannot export stolen cars.

I have worked closely with many of my colleagues on this bill. First and foremost, I want to thank and commend my colleague from Wisconsin, JIM SENSENBRENNER, the ranking member of the Crime Subcommittee. We introduced this bill together 7 months ago, after the hearings our subcommittee held on auto theft. Since then we have worked together to bring the bill through the Judiciary Committee and to the floor. I would also like to recognize the contributions of Chairpersons BROOKS, ROSTENKOWSKI, ROE, GIBBONS, MINETA, and COLLINS.

Finally, a great deal of the credit for this bill goes to Chairman DINGELL, and I commend him for it. Although we had our differences about the relative merits of different approaches to fighting auto theft, but the final product incorporates, I believe, much of the best of what all of us had to offer. The basic parts marking program remains intact, and will have a real chance to show its effectiveness. Chairman DINGELL has argued powerfully that strategies other than parts marking should also be tried, and the bill provides for that by retaining a limited exemption for cars with parts marking devices. The interplay and the debate between the Judiciary Committee and the Energy and Commerce Committee has been fruitful, and the bill that emerged is a strong one. It is a bill that will have a real impact on a serious problem, and I urge my colleagues to support it.

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

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

Mr. SENSENBRENNER. Mr. Speaker, the gentleman from New York [Mr. SCHUMER], chairman of our subcommittee, has adequately described this bill. It is a compromise from the bill which he and I originally introduced, and basically the compromise phases in the vehicle identification numbering system which we believe is the guts of this bill.

While much attention in the public has been drawn to the fact that this bill makes armed carjacking a Federal crime, the guts of this bill is to deter car theft by putting the vehicle identification numbers on the major parts which are resold to chop shops, and hopefully using that to deter the market for these parts from stolen cars. With the phase-in, and a determination by the Attorney General on December 31, 1993, we believe we have reached a broad bipartisan agreement to allow this bill to be placed on the suspension calendar. This is a practical alternative to the problem of armed carjacking as well as to the problem of car theft which causes about 88 percent of the premiums for the comprehensive part of every person's auto insurance.

I hope we can speedily enact this bill, and the other body will adopt it so that we can come back with an accomplishment in the 102d Congress.

Mr. Speaker, I yield such time as he may consume to the gentleman from Minnesota [Mr. RAMSTAD].

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

Mr. RAMSTAD. Mr. Speaker, I thank the gentleman for yielding me the time. As a member of the Crime Subcommittee, I want to commend Chairman SCHUMER and ranking member SENSENBRENNER for their bipartisan effort on this legislation.

The threat of carjacking has put fear in the hearts and minds of all law-abid-

ing Americans. People are outraged and terrified by the heinous carjacking epidemic currently upon us.

How can any civilized nation tolerate the brutal killing of a mother dragged 2 miles to her death, while desperately trying to reach for her infant child inside her commandeered car?

How can any civilized people tolerate such despicable, outrageous criminal acts? They cannot and they will not.

The American people should not have to tolerate this crime wave of carjackings. They want Congress to act now to pass this important legislation which imposes a 25-year prison term for anyone convicted of this crime.

Let the message be crystal clear to would-be carjackers: this crime will not be tolerated. Let these thugs know: If you do this crime, you will do the time.

As a cosponsor of this important legislation, I urge my colleagues to vote for the Anti-Car Theft Act of 1992.

Mr. SENSENBRENNER. Mr. Speaker, I yield such time as he may consume to the gentleman from New York [Mr. GREEN].

Mr. GREEN of New York. Mr. Speaker, I thank the gentleman for yielding time to me.

Mr. Speaker, as the sponsor of the original legislation enacted by the Congress some years ago to require the placement of vehicle identification numbers on auto parts in addition to the dashboard and the engine, I rise to support H.R. 4542.

My bill, which Congress ultimately enacted in modified form, originally required vehicle identification numbers on major parts. Unfortunately, because of auto industry opposition, the bill got modified as it proceeded through the committee process, and the result was that only a minority of major auto parts now carry vehicle identification numbers. Thus the system has been far less effective than it should be.

This bill will, over time, end the loopholes that were driven into the legislation I sponsored. It will thus make the vehicle identification number system a far more effective device for dealing with the theft of cars to deliver them to chop shops, which cannibalize stolen cars to supply the parts market, and thus victimize consumers, legitimate parts manufacturers and recyclers, and legitimate repair shops alike.

Mr. SENSENBRENNER. Mr. Speaker, I yield such time as he may consume to the gentleman from Michigan [Mr. UPTON].

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

Mr. UPTON. Mr. Speaker, I just want to commend all of the parties here for their hard work to get a compromise so we could bring such a bill to the floor at 5 in the morning, or maybe 6.

I am pleased to rise today in support of H.R. 4542, the Anti-Car Theft Act of 1992. The events of recent weeks have underscored the need for legislation

which firmly addresses the problem of auto theft and its associated violence.

This bill contains tough Federal penalties for those thugs who prey on the innocent through carjackings. This problem is particularly acute here in Washington, and the added jurisdiction given to Federal authorities under this legislation should have a major impact on this terrible crime.

This bill also seeks to deter thefts committed solely for individual car parts. This bill encourages the marking of individual parts. Chop shops are lucrative operations these days, and this bill will help the police put them out of business.

The bill also encourages the continued installation of anti-theft devices. The study commissioned by this legislation will provide the Secretary of Transportation and the Attorney General with a mechanism by which parts marking and anti-theft technologies can be fairly evaluated to determine their effectiveness.

Car theft is a crime which costs American drivers and consumers hundreds of millions of dollars each year—and this is only the cost in property. The costs of the increasing violence associated with car theft, of course, cannot be measured in dollars.

The Committees on Energy and Commerce, the Judiciary, and Ways and Means have worked diligently to bring this legislation to the floor. I would like to particularly thank Dave Finnegan and Bruce Gwinn of Mr. DINGELL's and Mrs. COLLINS' staff, and Doug Bennett and Hugh Halpern of our minority staff for their efforts.

This bill is a positive step toward bringing the problem of car theft under control. I urge my colleagues to support this legislation.

Mr. SENSENBRENNER. Mr. Speaker, I yield back the balance of my time.

Mr. DINGELL. Mr. Speaker, I yield myself 3 minutes.

Mr. Speaker, I rise in support of the substitute amendment offered by the gentleman from New York, [Mr. SCHUMER] on H.R. 4542 the Anti-Car Theft Act of 1992. He has been a vigorous leader in seeking to curb the increasing threat of thefts.

At the outset I want to express my appreciation for the cooperative efforts of the gentleman in working out this agreement on legislation which is of great significance to the Committee on the Judiciary and to the Committee on Energy and Commerce, and ever which our committees share jurisdiction, particularly with regard to the provisions in titles I, II, and III.

I also want to express my appreciation for the hard work of the gentleman from Illinois [Mrs. COLLINS], who chairs the Subcommittee on Commerce, Consumer Protection, and Competitiveness, and that of the ranking minority member, Mr. ALEX MCMEILAN. Their staffs also participated in this effort and they are to be commended for their patience, cooperation, and substantive input. In addition, I

want to express appreciation to Representative UPTON and other members of our committee for their help.

Mr. Speaker, I think that this compromise is a reasonable one. It will help to deal with the problem of car theft. It seeks to balance burdens on all of the affected industries and, in particular, it seeks to deal effectively with the concerns expressed by small businesses and auto makers. I believe it is workable and fair, and I expect the Attorney General and the Secretary of Transportation to implement this legislation in a way that is going to assure reasonableness and fairness, and will avoid economic harm or disruption to these industries and their employees.

I urge support for the amended bill.

Mr. Speaker, the amendment adopts the provisions of the bill as reported by our committee on September 22, 1992, on H.R. 4542 with a number of changes to reflect the concerns expressed by Mr. SCHUMER. I am pleased that we have agreed to toughen the penalties against carjacking as contained in the Commerce Committee version and to address the problem of motor vehicle title fraud among the States.

In title III regarding motor vehicle parts labeling designed to deter auto theft and chop shop operations:

First, the bill allows two additional rulemakings to provide for additional parts marking of passenger cars and specialty vehicles, but not light duty trucks. The first rulemaking will take place 2 years after enactment and will be by the Secretary of Transportation. The second rulemaking will take place after a finding by the Attorney General that parts marking substantially inhibits illegal chop shop operations and reduces auto theft and which must occur before the rulemaking is started. That rulemaking will take place 3 years after the first rule is promulgated. At this point, I want to make it clear that the timeframes of 2 years to 3 years are expected to be adhered to firmly. I also expect the Attorney General and the Secretary to be fair in their determinations and rules.

Second, the bill provides a sunset provision whereby the Attorney General can determine whether or not the two rulemakings just mentioned should continue to apply to the applicable vehicles or should be terminated in whole or in part. The Attorney General must make the determination by December 31, 1999. The amendment spells out the information he is to use. Again, I expect the Attorney General to be fair and not biased in this matter.

Third, the legislation continues the present exemptions under section 605(a) for antitheft devices and a manufacturer may add two car lines annually for 3 model years and then one additional car line annually for 4 more model years. It again provides for a particular determination by the Attorney General concerning the continuance of this exemption either at the

two car line level or at the one car line level.

Fourth, the amendment adopts clarifying provisions adopted by our committee relative to requirements of action by insurance carriers, salvage yard operators, and auto body repair shops. These industries and small businesses, along with automobile manufacturers and law enforcement personnel would be making valued contributions to deter auto theft. These verification provisions are an important part of this legislation. They were specifically developed by our committee in recognition of legitimate concerns of small businesses. Clearly, the Justice Department and the Transportation Department must implement these in a manner that will do no economic harm to these people. Verification procedures and measures must be effective and reasonable. It must protect future purchases.

Section 607(b) of the bill provides that, "The Attorney General, in consultation with the Secretary, shall promulgate such regulations as are needed to ensure the verification performed and provided by insurance carriers under subsection (a)(2) is uniform, effective, and resistant to fraudulent use."

Through this provision, I expect that the Attorney General would give special attention to the requirement that verification procedures performed by insurance carriers meet a standard of effectiveness. The effectiveness of the stolen part information system established in section 609 should be of prime concern to the Attorney General in promulgating the section 607(b) regulations. I understand, for example, that in some cases vehicles may have parts with different VIN numbers. The Attorney General should consider the extent of this problem and provide reasonable solutions where appropriate.

Mr. Speaker, I believe these changes are sound and helpful. Again, I want to commend Mr. SCHUMER for his efforts and I also want to commend his able staff.

I urge adoption of the amendment.

Mr. Speaker, I yield 3 minutes to the gentlewoman from Illinois [Mrs. COLLINS], chairman of the subcommittee.

(Mrs. COLLINS of Illinois asked and was given permission to revise and extend her remarks.)

Mrs. COLLINS of Illinois. Mr. Speaker, I thank the gentleman for yielding me the time.

Mr. Speaker, I rise in strong support of H.R. 4542, the Anti-Car Theft Act of 1992.

I want to commend the gentleman from New York (Mr. SCHUMER) for his leadership on the issue of car theft. I also want to commend the chairman of the Energy and Commerce Committee [Mr. DINGELL] for his hard work to improve the workings of the bill during its sequential referral to our committee.

I am a cosponsor of this legislation, and the Subcommittee on Commerce,

Consumer Protection, and Competitiveness, which I chair, shares jurisdiction over the bill. I want, therefore, to thank the gentleman from North Carolina [Mr. MCMILLAN], who is the ranking minority member of our subcommittee for his contributions to this important legislation.

The bill we are considering is a compromise between H.R. 4542, as reported by the Committee on Energy and Commerce, and the version reported by the Judiciary Committee.

As a cosponsor of H.R. 4542, I strongly support its provisions to make carjacking a Federal crime, and to make it more difficult for car thieves to sell stolen automobiles. Our subcommittee has responsibility for the current Motor Vehicle Theft Prevention Program. When the Judiciary Committee completed its consideration of this bill, our committee had less than 2 weeks under the sequential referral to act. We immediately held a hearing on the bill, and just 1 week later the committee reported it out with some modifications. Incidentally, at the hearing, on September 10, I think all of our Members and witnesses shared my concerns that we take action against this growing problem across this Nation.

In Chicago alone, over 50,000 cars were stolen in 1990 and in New York City the figure was about 150,000. Total losses are estimated to have been \$8 billion—costs which are borne by all consumers in the automobile insurance rates they pay.

In the past several months, the public has become alarmingly aware that car theft is more than an economic crime; it has become a human tragedy.

The first time I heard of a carjacking was about 3 or 4 years ago when a young couple met with violence just off an exit ramp of the Eisenhower Expressway in my district.

The most shocking case involved a young mother, who was dragged 2 miles to her death during a carjacking in Savage, MD, and whose baby was literally thrown from the car. This has absolutely galvanized public opinion and outcry that this Congress act now to address this awesome despicable crime.

This bill would make carjacking a Federal crime with tough penalties, including a sentence of up to life in prison if carjacking results in death. It would also make it illegal to operate a chop shop. Under this bill, the Secretary of Transportation is given authority to seek an injunction against the operation of a chop shop. More importantly, anyone convicted of knowingly operating a chop shop would be subject to not only a fine, but to a 15-year prison term.

Further, H.R. 4542 would create a much stronger, and more effective, parts marking program than that which is now in operation. Currently half of all passenger automobiles are subject to the parts marking requirement.



H.R. 4542 would immediately expand the number of vehicles subject to parts marking by including specialty vehicles, such as minivans, sport utility vehicles, and light trucks. Two years later, the number of vehicles required to be marked would be expanded to include the first 25 percent of the car lines that fall below the median theft rate threshold.

Three years after that, the least 25 percent of the car lines below the theft rate threshold would be subject to parts marking, unless the Attorney General determined the program was ineffective. Current authority, to exempt certain car lines on which auto theft devices are installed would be continued.

Finally, this bill would require that insurance companies verify that junk or salvage vehicles are not reported as stolen, before they sell such vehicles to salvage firms or anyone else. Such verification would be passed on to the purchaser. Similarly, if a salvage firm sells a salvage vehicle that it has not obtained from an insurance company, the same kind of verifications would have to be made and passed on to the purchaser.

Mr. Speaker, I believe this bill will inhibit chop shop operations which are one important reason car thefts in our country have skyrocketed. It also establishes strong penalties that should help reduce car theft, as well as provisions to promote uniform vehicle titling at the State level that should help law enforcement officials investigate car theft.

I urge my colleagues to vote for this bill.

Mr. DINGELL. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. SCHUMER. Mr. Speaker, I once again want to thank the gentleman from Wisconsin [Mr. SENSENBRENNER] for his help on this, and the gentleman from Michigan, [Mr. DINGELL] for his generosity and ability to sit down and compromise, as well as the gentleman from Illinois [Mrs. COLLINS], as well as the gentleman from New York and the gentleman from Michigan. I think this is a bill that will be a notable accomplishment of this Congress.

Mr. HOYER. Mr. Speaker, I rise today in strong support of H.R. 4542, the Anti-Car Theft Act of 1992. I would like to thank and commend the chairman of the Judiciary Subcommittee on Crime, Mr. SCHUMER, and chairman BROOKS and DINGELL, for working so diligently to bring this timely legislation to the floor.

I doubt there are very many people in this area who have not heard about the young mother dragged to her death by carjackers. This senseless tragedy is but one of the many which has been occurring with increasing regularity across the country. The callous disregard for life under which criminals now operate calls for the strongest possible response. Carjacking, the taking of a vehicle by force, has reached epidemic proportions in many urban areas and is now permeating suburban

enclaves usually viewed as safe havens from violent crime.

We have an opportunity, to play an active role in decreasing a rash of senseless violent crimes. FBI Director William Sessions has said that carjacking is "a violent crime that deserves the full attention of the FBI." We have a responsibility as federal legislators to assist in this effort and H.R. 4542, contains provisions that will achieve this goal.

By creating a new federal offense of armed carjacking and imposing stiffer penalties, thugs may think twice about stealing a car. If not, they will at least pay a high price for their actions.

Carjacking is not just an impulsive, joyriding crime, but is oftentimes motivated by profit. Titles I, through III of the bill, contain provisions that will significantly reduce the profitability for car thieves and chop shop operators.

I am pleased however, that this compromise agreement relieves some of the regulatory burden from the shoulders of the automotive aftermarket industry. As legitimate small businesses they should not be penalized for those who participate in criminal activities.

Mr. Speaker, we can no longer afford to allow car thieves who are perpetrating their crimes with increasing violence to profit financially or escape harsh punishment. This legislation is critical, it is timely and we owe it to our constituents to take an active role in combating this latest rash of violent crime.

Mrs. LOWERY of New York. Mr. Speaker, I rise in strong support of H.R. 4542, the Anti-Car Theft Act.

I am sure that I am not the only Representative that has received a constituent phone call from someone whose car was recently ripped off. Our constituents are angry at this wave of crime and they want something done about it now.

This legislation is absolutely critical if we are to strike back against the auto thieves and the carjackers. Last year, more than 1.7 million cars valued at \$8 billion were stolen in the United States. In addition, the recent rash of carjacking endangers the lives of all Americans who own cars. In many cases, auto thieves have gotten away with murder.

The bill we have before us will make substantial progress in deterring auto theft. It will require new automobiles to have their parts marked with identification numbers. This simple move will enable law enforcement agencies to quickly trace stolen car parts.

The legislation will also make carjacking a Federal offense punishable by up to 15 years in jail. If bodily harm accompanies the carjacking, then the mandatory sentence is increased to 25 years in jail. And if the carjackers cause the death of the victim, the legislation will lock them up and throw away the key. This is a tough response to what has become a national problem. With brutal attacks occurring in broad daylight throughout the cities of America, this action is overdue.

Our constituents are demanding action and action is what we have before us. I understand that the other body is expected to act once this bill is approved by the House. That being the case, I urge my constituents to support its speedy adoption.

Mr. FAZIO. Mr. Speaker, I rise in support of H.R. 4542, the Anti-Car Theft Act.

Auto theft is no longer confined to youngsters out looking for a vehicle for joyriding. It has evolved into carjacking—a version of auto

theft that involves armed robbery of a vehicle while the driver is present—an extremely lucrative business in this country. Carjacking has become a high-growth industry that includes both professional thieves and parts shops that deal in stolen auto parts, merchandise which can be worth up to 4 times as much as the car, itself. And the crime is becoming more and more linked to violence—to severe beatings, and even murder.

Every 22 seconds, an auto theft takes place. In 1991, 1.5 million vehicles were stolen here in the United States—55 percent more than in 1983. Auto theft accounts for almost half of the total property lost to crime each year, and up to 88 percent of comprehensive car insurance premiums are a result of car theft. And the numbers continue to grow. Auto theft has become too easy and too profitable and presents a growing threat to both our property and—more important—to our physical safety.

But, H.R. 4542 responds to our need to deal with this menace by making carjacking a Federal offense. Its provisions also include increasing Federal sentences for auto theft; providing start-up funding for computerized crosslinking of State motor vehicle departments so that States can crosscheck vehicle ownership; establishing a grant program, funded by individual automobile taxes and fees, so that State and local governments can set up anti-car theft programs in their communities; and tightening the Customs Service's supervision of exported automobiles.

Our neighborhoods and communities are no longer safe. We are afraid to stop at stop-lights, to frequent fast-food outlets, to leave our cars in garages and in shopping mall parking lots, and even to stop for gas. Women are scared to walk to their cars after dark, and families are being victimized in front of their homes and in their driveways.

Americans are sick of talking about crime. They want action, and we here in Congress have a responsibility to deliver it to them. H.R. 4542 meets this carjacking epidemic head on by increasing the risk for the perpetrators and minimizing the profitability for all involved. I urge my colleagues on both sides of the aisle to support its passage.

Ms. NORTON. Mr. Speaker, I rise in strong support of H.R. 4542, the Anti-Car Theft Act of 1992, which I cosponsored because it offers a comprehensive approach to deterring a vicious, new auto theft crime. The recent, highly publicized, tragic carjackings in the Washington metropolitan area have my constituents frightened to drive their cars. The rate of carjacking has escalated to an average of one car per day in the Washington area, which has people wondering, when they will become the next victim. In addition to the emotional cost of this epidemic, District residents must also bear the burden of higher insurance rates because of high theft rates. One report indicates that as much as 88 percent of an automobile owner's comprehensive insurance premium is attributable to theft claims.

I support the recent compromises that have made this critically needed bill possible, and I appreciate the efforts during these last days of the session to wrap up legislation that is both effective for law enforcement purposes and agreeable to automobile manufacturers.

With good reason, H.R. 4542 makes armed carjacking a Federal offense punishable by imprisonment for up to 15 years. These thefts

often cross State lines, and, indeed, to do an effective job, law enforcement agencies have had to work regionally and nationally, rather than just locally. Our local police agencies are now working with FBI agents on a newly formed car-theft task force, and the U.S. attorney's office has created a regional computerized database of suspects and carjacked vehicles. Carjacking is a classic case for Federal intervention.

H.R. 4542 will greatly strengthen local efforts. This bill requires automobile manufacturers to place vehicle identification numbers on major automobile parts of high theft rate vehicles, and requires repair shops to check the identification numbers with a National Stolen Auto Part Information System. In order to combat vehicle title fraud, H.R. 4542 establishes a National Vehicle Information System. H.R. 4542 also directs the Customs Service to spot check export containers for stolen vehicles.

This legislation will take away much of the profit incentive for reckless car thieves, many of whom have dramatically escalated the risk of simply owning or driving a car. I strongly urge my colleagues to support H.R. 4542.

Mr. ANDREWS of Texas. Mr. Chairman: I rise in strong support of H.R. 4542, the Anti-Car Theft Act.

Very little attention has been given to the problem of crime and its solutions in this election year, despite the fact that 76 percent of Americans identify it as an issue that is very important for the Presidential candidates to address.

While we were fighting a war in the deserts of Saudi Arabia, Americans were losing the war on our streets against crime. In 1990, a violent crime was reported once every 17 seconds in the U.S., a quarter of all American households reported being victimized by crime, and over \$16 billion was lost by American citizens to property crime.

The U.S. Federal Government must take a lead in marshalling the forces in the war against crime as we did in the war against Iraq—providing badly needed funds to States and localities to increase law enforcement, for beefing up the overburdened parole system, and to construct additional prison facilities to keep hardened criminals off of the streets and to provide a real deterrent to crime.

I commend my colleagues in the Judiciary Committee for H.R. 4542, the Anti-Car Theft Act. This bill proposes an ingenious plan to end the single greatest type of property crime in the United States—auto theft—in a simple, effective and inexpensive manner.

Auto theft accounts for over half of the total cost of all property crimes committed in the United States—between \$8-9 billion a year—but only presents car thieves with a 1 in 50 chance of serving any jail time.

The Schumer-Sensenbrenner proposal gets to the heart of the matter: make stealing cars less profitable by drying up the market for stolen auto parts.

A car's parts are worth four times more than the whole car. Mark the parts with the vehicle ID number and you take the profit—and the incentive—right out of car theft.

H.R. 4542, as amended, requires that a vehicle ID number be inscribed on major auto parts of 75 percent of all car models in 2 years and establishes an information clearinghouse so that thieves will be caught selling stolen parts to repair shops.

Such a marking program will be effective—both as a deterrent for auto theft and as a tool for law enforcement to use in recovering stolen vehicles.

At a cost of less than \$5 per vehicle to mark car parts, we cannot afford to do without this key weapon in auto theft.

I urge my colleagues to support the passage amended version of H.R. 4542 under suspension of the rules to require the marking of auto parts—nothing less will take the profit out of stealing cars.

Mr. CLEMENT. Mr. Speaker, several grisly car-jackings here in the Nation's Capital earlier this month have propelled H.R. 4542 to a vote in this House. Car theft hits close to home, in my home district and the district of every member here.

Our colleague from New York, Mr. SCHUMER, deserves to be congratulated for his leadership on this issue. He has worked long and hard on this legislation. His proposal for a computerized national motor vehicle title information system recognizes that most car thefts are not for joy-riding, but for profit. They are fodder for chop shops.

We face the modern day equivalent of cattle-rustling. Car parts, like cow parts, are easier to transport on the hoof. Stolen parts are valuable only when a chop shop tacks them onto a car that's been junked. The newly rebuilt car is then resold to an unknowing consumer—at a price four or five times what it is worth. That leaves plenty of profit for the chop shop and the thief. This is a double-edged crime. The consumer is not only defrauded, but also made—albeit unwittingly—to pay the carjacker's salary.

I have seen how title-washing occurs. I recently distributed to members two copies of real certificates of title. One was issued by the State of Mississippi in September 1991. It plainly indicates that the vehicle was salvaged. I also distributed a certificate issued in November—just a few weeks later—by the State of Texas. The VIN on each certificate is identical. It's the same car. But the Texas title is clean as a whistle. To the consumer there is no indication that the car is salvaged or rebuilt and the consumer pays dearly for the absence of that information. This has got to stop—now.

This salvage fraud scam is estimated to cost consumers \$3 billion a year. In addition, consumers who unknowingly purchase junk vehicles face heightened risks of death or serious injury in accidents.

H.R. 4542 recognizes these lapses in State motor vehicle titling procedures that make it easy for chop shops and their customers to wash the salvage history off a vehicle's title. The bill establishes a task force to study this problem. Especially since it will take years before the new title information system is operational, I would prefer to cut the chop shops down to size—now—using information and other resources that already exist.

When the new Congress meets, I intend to introduce legislation to require nationally uniform title procedures so that a salvage or rebuilt brand means the same thing from one State to another. Unlike the current practice, every State immediately would have to repeat another State's junk brand when it issues a new title for these vehicles. This bill attacks this problem now using information that is already available in every case. This approach already has the support of members, of the Committees on Public Works, Energy and

Commerce and Judiciary, as well as the motor vehicle administrators, law enforcement officials and the automotive industry.

Mr. Speaker, I urge my colleagues to support H.R. 4542.

Mr. GOSS. Mr. Speaker, I don't need to draw your attention to violent crime across this country, because my colleagues and I have confronted it right here in our Nation's Capitol. Members of Congress and their staff are certainly not immune to the senseless murders, rapes and beatings, the armed robberies and carjackings, that claim the lives of tens of thousands of Americans every year. Today, this heightened awareness leads us to consider the Anti-Car theft Act of 1992, an admirable piece of legislation designed to deter auto theft crime. The rash of car thefts across this country is disturbing for several reasons—the increasing incidence of armed car theft, and the fact that 62 percent of all persons arrested for this offense were under 21 years of age. This is a deadly combination that will certainly not end with the passage of one piece of legislation. In fact I am very disturbed that today's debate is limited to only one relatively small aspect of the whole problem. There is a virulent epidemic of crime and lawlessness sweeping this Nation. It's brutal, it's real, it's starting with younger and younger individuals and United States citizens are frightened. Every day we read of another beating or slaying and know that behind those headlines, there are many more unreported incidents. Law enforcement cannot keep our street, our businesses, our homes, free from crime because we are not giving them the tools to do their job. We have got to reexamine the priority we place on tough crime legislation. We need a comprehensive approach, empowering our police forces, streamlining our judicial process and protecting victims with the same vigor that we use to protect criminals. The statistics are staggering: The 1991 violent crime rate was 4 percent higher than the 1990 rate, 24 percent above the 1987 rate, and 33 percent above the 1982 figure. It's a frightening trend. We have spent our days wasting time and money with partisan bickering and bureaucratic shuffling, when across this country, American citizens live in fear. The get-tough-on-crime Congress must face up to the fact that this session has not yielded one comprehensive piece of legislation that could make a real difference for the American people. We must renew the fight against crime in the next Congress. The facts are indisputable, the violent crime wave is getting worse and we must take aggressive action soon. It's a matter of life or death—literally. Surely, we can protect our people as well as, or better, than our cars. I can always get another car. But I can never replace a loved-one lost to a violent crime. We need tough anticrime legislation that punishes criminals and restores decency. The other way—the liberal way—doesn't work. The proof is everywhere.

Mr. SCHUMER. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York [Mr. SCHUMER] that the House suspend the rules and pass the bill, H.R. 4542, as amended.

The question was taken; and (two-thirds having voted in favor thereof)

the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

□ 0600

#### GENERAL LEAVE

Mr. SCHUMER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on H.R. 4542, the bill just passed.

The SPEAKER pro tempore (Mr. McDERMOTT). Is there objection to the request of the gentleman from New York?

There was no objection.

#### CONFERENCE REPORT ON H.R. 4016, COMMUNITY ENVIRONMENTAL RESPONSE FACILITATION ACT

Mr. SWIFT. Mr. Speaker, I move to suspend the rules and agree to the conference report on the bill (H.R. 4016) to amend the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 to require the Federal Government, before termination of Federal activities on any real property owned by the Government, to identify real property where no hazardous substance was stored, released, or disposed of.

The Clerk read the title of the bill.

(For conference report and statement, see proceedings of the House of October 3, 1992, at page H 11181.)

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Washington [Mr. SWIFT] will be recognized for 20 minutes, and the gentleman from Pennsylvania [Mr. RITTER] will be recognized for 20 minutes.

The Chair recognizes the gentleman from Washington [Mr. SWIFT]

#### GENERAL LEAVE

Mr. SWIFT. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remark, and include extraneous material, on H.R. 4016, the bill now under consideration.

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

There was no objection.

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

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

Mr. SWIFT. Mr. Speaker, today the House considers the conference report on H.R. 4016, the Community Environmental Response Facilitation Act. This bill was introduced by the Honorable LEON PANETTA of California to address troubling situations that are occurring with increasing regularity as more Federal facilities are closed due to budget constraints. One need not look far to see the economic pain that results when a DOE plant or a military base closes. Such closures will become more numerous as the Department of

Defense builds down, the Nuclear Energy Program is downsized, and the budget deficit further constricts the breadth of Government activities.

The problem is twofold. First, as Federal facilities close, communities nearby are subjected to economic dislocation. The land, however, can be used for economic development. But in response, State, and local governments are focusing economic growth efforts on redevelopment of property within the closed facility.

This approach is constructive, and should be pursued. However, it leads to the second problem, which is that many Federal facilities slated for closure are contaminated by hazardous substances or petroleum products, and require environmental response actions.

Thus, we are faced with a dilemma: closed or soon-to-be closed Federal facilities could supply inexpensive land for future development; but environmental and public health concerns brought on by preexisting contamination must be addressed before that can happen.

H.R. 4016 steps into the breach to provide a sensible mechanism to allow State and local government to pursue economic growth measures where Federal facilities have closed their doors. It amends the comprehensive environmental Response, Compensation and Liability Act [CERCLA] to expedite the identification of uncontaminated Federal land so it can be transferred for non-Federal uses.

This bill sets up a process within CERCLA by which Federal agencies with jurisdiction over property slated for closure can evaluate and identify uncontaminated property within a facility. When this is done, the agency involved shall seek concurrence in the identification from regulatory officials. For properties listed on the national priorities list [N.P.L.], concurrence must be rendered by the EPA Administrator; for properties not on the NPL, concurrence must be given by the appropriate State official. Once concurrence is given, or deemed given, the property may be transferred and redeveloped for the benefit of the community.

H.R. 4016 does one other thing. Perhaps most importantly, the bill provides that any cleanup action found necessary after the date such property is transferred shall remain the responsibility of the U.S. Government.

This is a sensible, bipartisan, good-Government bill. It is procommunity and proenvironment. It protects the integrity of the environmental statutes while providing a vehicle for responding to economic problems in communities.

I appreciate and commend the constructive efforts of the ranking member of the subcommittee and his staff in crafting a work product that addresses a critical issue in a timely fashion. I also wish to commend the good work of the sponsor, Mr. PANETTA, and

thank him for his assistance in this process. In addition, the other body has shared in a bicameral commitment to addressing this issue; their work has been excellent. This is a timely, well-thought-out conference report for which I urge my colleagues' strong support.

Mr. Speaker, I reserve the balance of my time.

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

Mr. Speaker, I rise in support of the conference report on H.R. 4016, a bill to amend the Comprehensive Environmental Response, Compensation and Liability Act—or CERCLA—better known as superfund.

Mr. Speaker, this legislation is a good example of bipartisan cooperation in clearly identifying a problem and tailoring legislation to address the specific issue. I believe this demonstrates that Congress can tackle tough environmental issues in a more thoughtful fashion when we do not force everything into huge, megabills. And I want to thank my good friend, the gentleman from Washington [Mr. SWIFT], for his leadership in moving this legislation, originally introduced by the gentleman from California, Mr. PANETTA.

The goal of this legislation is to break the logjam at closing government facilities to free up clean property for productive use. Expeditious property transfers are particularly important for the people in the communities near these facilities. Many communities frequently see the best hope for economic survival in quickly converting the closed facility to productive new uses.

This legislation seeks to speed up the transfer of property that is not contaminated by clarifying the process of distinguishing uncontaminated land from areas of contamination. The conference report contains provisions from the Senate bill that establish special procedures and timetables for military bases closed under the various base closure laws.

The conference report contains important language indicating that this legislation is not meant to duplicate efforts already undertaken by the Department of Defense or other agencies. To the extent possible, the determination of whether a parcel is clean and ready for transfer, can and should be based on existing studies.

Mr. Speaker, I would note that much more needs to be done if this country is to balance budgetary concerns, the needs of local communities, and the need for a clean environment.

Studies indicate that under existing law, the Nation may spend between \$750 billion to \$1.2 trillion over the next 30 years in cleaning up contaminated sites. I am afraid that much of this cost will go for lawyers or overly prescriptive programs which certainly jack up the cost of cleanup and may actually slow the pace of cleanup.