

## HR 2146

Two Strikes and You're Out Child Protection Act

**Congress:** 107 (2001–2003, Ended)

**Chamber:** House

**Policy Area:** Crime and Law Enforcement

**Introduced:** Jun 13, 2001

**Current Status:** Received in the Senate and Read twice and referred to the Committee on the Judiciary.

**Latest Action:** Received in the Senate and Read twice and referred to the Committee on the Judiciary. (Mar 15, 2002)

**Official Text:** <https://www.congress.gov/bill/107th-congress/house-bill/2146>

### Sponsor

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**Name:** Rep. Green, Mark [R-WI-8]

**Party:** Republican • **State:** WI • **Chamber:** House

Cosponsors (31 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Calvert, Ken [R-CA-43]	R · CA		Jun 13, 2001
Rep. Cramer, Robert E. (Bud), Jr. [D-AL-5]	D · AL		Jun 13, 2001
Rep. Duncan, John J., Jr. [R-TN-2]	R · TN		Jun 13, 2001
Rep. English, Phil [R-PA-21]	R · PA		Jun 13, 2001
Rep. Frost, Martin [D-TX-24]	D · TX		Jun 13, 2001
Rep. Gilchrest, Wayne T. [R-MD-1]	R · MD		Jun 13, 2001
Rep. Hart, Melissa A. [R-PA-4]	R · PA		Jun 13, 2001
Rep. Hayworth, J. D. [R-AZ-6]	R · AZ		Jun 13, 2001
Rep. Jones, Walter B., Jr. [R-NC-3]	R · NC		Jun 13, 2001
Rep. Kelly, Sue W. [R-NY-19]	R · NY		Jun 13, 2001
Rep. Lipinski, William O. [D-IL-3]	D · IL		Jun 13, 2001
Rep. Miller, Gary G. [R-CA-41]	R · CA		Jun 13, 2001
Rep. Nethercutt, George R., Jr. [R-WA-5]	R · WA		Jun 13, 2001
Rep. Ney, Robert W. [R-OH-18]	R · OH		Jun 13, 2001
Rep. Oxley, Michael G. [R-OH-4]	R · OH		Jun 13, 2001
Rep. Petri, Thomas E. [R-WI-6]	R · WI		Jun 13, 2001
Rep. Pitts, Joseph R. [R-PA-16]	R · PA		Jun 13, 2001
Rep. Royce, Edward R. [R-CA-39]	R · CA		Jun 13, 2001
Rep. Sessions, Pete [R-TX-5]	R · TX		Jun 13, 2001
Rep. Shimkus, John [R-IL-20]	R · IL		Jun 13, 2001
Rep. Shows, Ronnie [D-MS-4]	D · MS		Jun 13, 2001
Rep. Smith, Christopher H. [R-NJ-4]	R · NJ		Jun 13, 2001
Rep. Sweeney, John E. [R-NY-22]	R · NY		Jun 13, 2001
Rep. Terry, Lee [R-NE-2]	R · NE		Jun 13, 2001
Rep. Watkins, Wes [R-OK-3]	R · OK		Jun 13, 2001
Rep. Ryun, Jim [R-KS-2]	R · KS		Sep 24, 2001
Rep. Simmons, Rob [R-CT-2]	R · CT		Oct 10, 2001
Rep. Chabot, Steve [R-OH-1]	R · OH		Feb 27, 2002
Rep. Keller, Ric [R-FL-8]	R · FL		Feb 27, 2002
Rep. Grucci, Felix J., Jr. [R-NY-1]	R · NY		Mar 12, 2002
Rep. Lucas, Ken [D-KY-4]	D · KY		Mar 12, 2002

Committee Activity

Committee	Chamber	Activity	Date
Judiciary Committee	House	Reported by	Aug 2, 2001
Judiciary Committee	Senate	Referred To	Mar 15, 2002

Subjects & Policy Tags

Policy Area:

Crime and Law Enforcement

Related Bills

Bill	Relationship	Last Action
107 HRES 366	Procedurally related	Mar 14, 2002: Motion to reconsider laid on the table Agreed to without objection.

Summary (as of Mar 14, 2002)

Two Strikes and You're Out Child Protection Act - Amends the Federal criminal code to provide for mandatory life imprisonment of a person convicted of a Federal sex offense in which a minor is the victim if the person has a prior sex conviction in which a minor was the victim, unless a death sentence is imposed.

Defines: (1) "Federal sex offense" to include specified offenses relating to sexual abuse, buying or selling of children, and interstate transportation of minors involving prostitution or sexual activity constituting a State sex offense; (2) "State sex offense" as one that would be a Federal sex offense if it involved interstate or foreign commerce or the use of mail or if the conduct occurred in any U.S. commonwealth, territory, possession, or special maritime and territorial jurisdiction, in a Federal prison or building, on Federal land, or in Indian country; (3) "prior sex conviction" as a conviction for which the sentence was imposed before the conduct occurred constituting the subsequent offense; and (4) "minor" as an individual who has not attained age 17.

Directs the judge, in each case in which a life sentence is imposed, to make and transmit to the Administrative Office of the United States Courts findings regarding: (1) the applicable range under the Federal sentencing guidelines if the statutory minimum life sentence had not applied; (2) the sentence that the court would have imposed on the defendant if the statutory minimum life sentence had not applied, in light of the nature and circumstances of the offense, the defendant's history and characteristics, and specified other factors; (3) the race, gender, age, and ethnicity of the victim and defendant; (4) the reason for the Government's decision to prosecute this defendant in Federal court instead of deferring to prosecution in State or tribal court and the criteria used to make that decision in this and other cases; and (5) the projected cost to the Government of the life sentence. Directs: (1) the Government attorney to state on the record such information as the court deems necessary to make such findings regarding the decision to prosecute in Federal court and the projected cost to the Government of the life sentence; and (2) the Administrative Office to annually compile and report all such findings to Congress.

## Actions Timeline

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- **Mar 15, 2002:** Received in the Senate and Read twice and referred to the Committee on the Judiciary.
- **Mar 14, 2002:** Rule H. Res. 366 passed House.
- **Mar 14, 2002:** Considered under the provisions of rule H. Res. 366. (consideration: CR H913-926)
- **Mar 14, 2002:** Rule provides for consideration of H.R. 2146 with 1 hour of general debate. Previous question shall be considered as ordered without intervening motions except motion to recommit with or without instructions. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on the Judiciary now printed in the bill. Measure will be considered read. Specified amendments are in order.
- **Mar 14, 2002:** House resolved itself into the Committee of the Whole House on the state of the Union pursuant to H. Res. 366 and Rule XXIII.
- **Mar 14, 2002:** GENERAL DEBATE - The Committee of the Whole proceeded with one hour of general debate on H.R. 2146.
- **Mar 14, 2002:** The Speaker designated the Honorable Lee Terry to act as Chairman of the Committee.
- **Mar 14, 2002:** RESERVATION OF POINT OF ORDER - Mr. Sensenbrenner reserved a point of order against the Jackson-Lee amendment.
- **Mar 14, 2002:** VOTE POSTPONED - At the conclusion of debate on the Conyers amendment, the Chair put the question on adoption of the amendment and by voice vote, announced that the ayes had prevailed. Mr. Sensenbrenner objected to the voice vote based upon the absence of a quorum and the Chair postponed further proceedings on the question of adoption of the amendment until later in the legislative day.
- **Mar 14, 2002:** RESERVATION OF POINT OF ORDER - Mr. Sensenbrenner reserved a point of order against the Jackson-Lee amendment. Subsequently, the point of order was withdrawn.
- **Mar 14, 2002:** UNFINISHED BUSINESS - The Chair announced that the unfinished business was the question of adoption of the Conyers amendment which had been debated earlier and on which further proceedings had been postponed.
- **Mar 14, 2002:** The House rose from the Committee of the Whole House on the state of the Union to report H.R. 2146.
- **Mar 14, 2002:** The previous question was ordered pursuant to the rule.
- **Mar 14, 2002:** The House adopted the amendment in the nature of a substitute as agreed to by the Committee of the Whole House on the state of the Union.
- **Mar 14, 2002:** Passed/agreed to in House: On passage Passed by the Yeas and Nays: 382 - 34 (Roll no. 64).
- **Mar 14, 2002:** On passage Passed by the Yeas and Nays: 382 - 34 (Roll no. 64).
- **Mar 14, 2002:** Motion to reconsider laid on the table Agreed to without objection.
- **Mar 12, 2002:** Reported (Amended) by the Committee on Judiciary. H. Rept. 107-373.(text of measure as reported in House: CR 3/14/2002 H918)
- **Mar 12, 2002:** Reported (Amended) by the Committee on Judiciary. H. Rept. 107-373. (text of measure as reported in House: CR 3/14/2002 H918)
- **Mar 12, 2002:** Placed on the Union Calendar, Calendar No. 216.
- **Mar 12, 2002:** Rules Committee Resolution H. Res. 366 Reported to House. Rule provides for consideration of H.R. 2146 with 1 hour of general debate. Previous question shall be considered as ordered without intervening motions except motion to recommit with or without instructions. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on the Judiciary now printed in the bill. Measure will be considered read. Specified amendments are in order.
- **Mar 6, 2002:** Committee Consideration and Mark-up Session Held.
- **Mar 6, 2002:** Ordered to be Reported (Amended) by Voice Vote.
- **Feb 27, 2002:** Committee Consideration and Mark-up Session Held.
- **Aug 2, 2001:** Subcommittee Consideration and Mark-up Session Held.
- **Aug 2, 2001:** Forwarded by Subcommittee to Full Committee (Amended) by Voice Vote.
- **Jul 31, 2001:** Subcommittee Hearings Held.
- **Jun 19, 2001:** Referred to the Subcommittee on Crime.
- **Jun 13, 2001:** Introduced in House
- **Jun 13, 2001:** Introduced in House
- **Jun 13, 2001:** Referred to the House Committee on the Judiciary.