

annuities, cash benefits, refunds, and allowances. An equal amount shall be contributed by the Department from the appropriations or fund used for payment of the salary of the participant. The Department shall deposit in the Fund the amounts deducted and withheld from basic salary and amounts contributed by the Department."

(b) Section 806(d) of the Foreign Service Act of 1980 (22 U.S.C. §4045) is amended by adding at the end thereof the following new paragraph:

"(5) Notwithstanding paragraph (1), a special contribution for past service as a Foreign Service criminal investigator/inspector of the Office of the Inspector General, Agency for International Development which would have been creditable toward retirement under either section 8336(c) or 8412(d) of title 5, and for which a special contribution has not been made shall be equal to the difference between the amount actually contributed pursuant to either section 4045 or 4071e of title 22 and the amount that should have been contributed pursuant to either section 8334 or 8422 of title 5."

(c) Section 812(a) of the Foreign Service Act of 1980 is amended by striking out the number "55" from paragraph (2) and inserting the number "57" in lieu thereof.

(d) Section 806(a)(6) of the Foreign Service Act of 1980 is amended by striking out "5545(a)(2)" and inserting "5545(c)(2)" in lieu thereof.

SECTION-BY-SECTION ANALYSIS

Section 806(a)(2)(A) the amendment authorizes the Agency for International Development (A.I.D.) to withhold from the salary of an Inspector General Foreign Service criminal investigator/inspector hired prior to January 1, 1984, an amount equal to that withheld from the salary of a civil service law enforcement officer hired prior to that date and contribute it to a retirement fund.

Section 806(a)(2)(B) the amendment authorizes A.I.D. to withhold from the salary of an Inspector General Foreign Service criminal investigator/inspector hired after January 1, 1984, or who elected to participate in the Foreign Pension System an amount equal to that withheld from the salary of a civil service law enforcement officer hired after January 1, 1984, or who elected to participate in the Federal Employees' Retirement System and contribute it to a retirement fund. This section also authorizes A.I.D. to contribute an equal amount from appropriations into the retirement fund.

Section 806(d)(5) the amendment authorizes a special contribution to be made by A.I.D. and the Inspector General Foreign Service criminal investigator/inspector into the retirement fund for past service that would have been creditable toward law enforcement retirement under the civil service the difference between the amount actually contributed and that which should have been contributed under the civil service law enforcement retirement system.

Section 812 the amendment will increase the mandatory retirement age of a Foreign Service criminal investigator/inspector from 55 to 57 years of age in order to make it equal to that of civil service law enforcement officers.

Section 806(a)(6) the amendment will include administratively uncontrollable overtime in the definition of basic pay for computing annuities of noncommissioned A.I.D. Foreign Service Inspector General Foreign Service criminal investigator/inspections.

U.S. AGENCY FOR INTERNATIONAL DEVELOPMENT,

August 5, 1992.

HON. DAN QUAYLE,
President of the Senate,
U.S. Senate, Washington, DC.

DEAR MR. PRESIDENT: I herewith transmit a bill to amend the Foreign Service Act of 1980 to allow additional deductions by the Agency for International Development (A.I.D.) from the salaries of Inspector General Foreign Service criminal investigators for retirement purposes, to increase the mandatory retirement age of Foreign Service criminal investigators from 55 to 57 years of age and to include Administratively Uncontrollable Overtime (AUO) as basic pay in computing the annuity of a noncommissioned Foreign Service criminal investigator.

On November 5, 1980, the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1981 (P.L. 101-513) amended Section 806(a)(6) of the Foreign Service Act of 1980 to make the computation of retirement benefits for A.I.D./Inspector General (IG) Foreign Service criminal investigators/inspectors the same as that of Civil Service criminal investigators. However, this legislation did not contain authority for A.K.D. to deduct the additional required contributions from the wages of those investigators/inspectors. This bill will provide A.I.D. with such authority.

In addition to making the computation of retirement of A.I.D./IG Foreign Service criminal investigators/inspectors equivalent to that of Civil Service criminal investigators, P.L. 101-513 made the mandatory retirement age for A.I.D. criminal investigators/inspectors age 55, the same as that for Civil Service law enforcement personnel. However, on November 5, 1980, the Federal Employees Pay Comparability Act (P.L. 101-509) was enacted and Section 409 of that Act increased the mandatory retirement age for Civil Service criminal investigators to age 57. However, Foreign Service criminal investigators were not included in that provision. This bill will correct the discrepancy and make the mandatory retirement for A.I.D. criminal investigators/inspectors at age 57.

Finally, the bill would correct an error in Section 806(a)(6) of the Foreign Service Act of 1980. This section was intended to include AUO in the definition of basic pay for computing annuities of the criminal investigators/inspectors. However, the reference to Title 5 Section 5545(a)(2) contained in Section 806(a)(6) refers to night pay. The correct reference is Title 5 Section 5545(c)(2). This bill will correct the error currently existing in Section 806(a)(6).

The technical amendment to the Foreign Service Act outlined above is required to implement the system authorized in the 1980 legislation, to make the mandatory retirement age for A.I.D./IG Foreign Service criminal investigators/inspectors equal to that of their Civil Service counterparts and to include AUO in the definition of basic pay in computing annuities for noncommissioned Foreign Service criminal investigators/inspectors. I urge prompt enactment of this bill, as the retirement system provided by P.L. 101-513 is currently in effect but cannot be implemented until the mechanisms for deducting the additional amounts are in place.

The Office of Management and Budget advises that there is no objection from the standpoint of the Administration's Program to the presentation of this proposed legislation to Congress.

Sincerely,

RONALD W. ROSEKES

By Mr. LAUTENBERG (for himself and Ms. MIKULSKI):

S. 3276. A bill to reduce motor vehicle theft; to the Committee on the Judiciary.

ANTI-AUTO THEFT ACT

• Mr. LAUTENBERG. Mr. President, today I am introducing legislation, the Anti-Auto Theft Act, to address the national epidemic of motor vehicle theft.

The Anti-Auto Theft Act would make vehicles more resistant to theft, establish new criminal sanctions for carjacking, increase existing penalties for auto thieves, tighten controls on the export of stolen vehicles, support State and local initiatives to combat auto theft, reduce juvenile auto theft through mentoring relationships between law enforcement officers and children in high theft areas, and establish a voluntary national motor vehicle theft prevention program, for vehicle owners.

THE AUTO THEFT PROBLEM

Mr. President, the problem of auto theft has increased substantially in recent years. According to the uniform crime report, between 1984 and 1991 motor vehicle theft increased by 61 percent, to almost 1.7 million offenses per year. Around the country, there is an average of one motor vehicle theft every 19 seconds. The total value of stolen vehicles now exceeds \$8 billion annually.

The vehicle theft problem is particularly serious in my State of New Jersey. According to recent figures, Newark, NJ, has the highest rate of auto theft in the Nation. Several New Jersey cities also share the dubious distinction of being in the top 10. In addition, a large number of stolen cars are being exported from New Jersey's ports.

There are many dimensions to the vehicle theft problem, Mr. President. Perhaps the most disturbing is the emerging problem of violent carjackings. Increasingly, thieves are using violence and intimidation to force drivers to give up their cars. Many innocent people are losing their lives in the process. For others, an evening drive with an open widow is an experience now best avoided.

Random carjacking may be the most horrifying form of auto theft, Mr. President, but it is just the tip of the iceberg. Stealing cars has developed into a full-fledged industry, run by professionals. Many criminals routinely solicit orders for a particular part, and then go out and steal a car to get it. Others run chop shops, breaking down stolen cars and selling their parts on the black market.

The National Highway Traffic Safety Administration has reported estimates that between 10 and 16 percent of all thefts occur in order to sell the parts for profit. Others put that figure as high as 40 percent. In any case, it's a major problem. And one reason is that the market for stolen parts is enormous. Repair shops can save substantial sums by purchasing parts on the

ack market, and thieves often can deliver parts more quickly than legitimate manufacturers.

According to a report in the U.S. News & World Report, for example, undercover cops in California's San Fernando Valley offered stolen parts to 20 body shops; 12 agreed to buy them. An honest body shop owner may be unaware he's dealing in stolen parts, cause many are sold through regional networks that resemble a Turkish bazaar."

Beyond operating an extensive black market in stolen parts, professional car thieves also are in the exporting business. Again, the motivation is largely economic. Vehicles are in great demand overseas, where they may be worth three times more than in the United States.

Mr. President, another aspect of the theft problem is the rash of thefts by juveniles. Children, some not even teenagers, are stealing cars at an appalling rate. They start young—sometimes they're barely tall enough to see over the steering wheel. Unfortunately, it doesn't take long for them to become experts, able to enter and steal a car in seconds.

These young auto thieves pose a substantial threat to public safety. In Newark, for example, juvenile thieves routinely drive wildly around the streets late at night, wreaking havoc on other drivers and pedestrians. The results are often tragic, involving destruction of homes and property, serious injuries, and death.

Nearly, Mr. President, auto theft is a multidimensional problem that demands a multidimensional solution. The Anti-Auto Theft Act proposes several new approaches.

MAKING CARS MORE THEFT RESISTANT

First, the bill would make it physically more difficult for thieves to steal a motor vehicle. The legislation would make it unlawful to manufacture for sale, sell, lease, or import for any new car with a steering column that is not shielded in a manner that adequately prevents theft. In addition, the bill provides the National Highway Traffic Safety Administration with authority to prohibit manufacturers from incorporating other vehicle components, if the components would physically facilitate theft, and create an unreasonable risk of theft. NHTSA may waive these prohibitions if a vehicle includes an equally effective theft device.

Mr. President, whenever I have spoken to law enforcement officers who are fighting auto theft, I've heard the same message: We'll never eliminate auto theft unless auto manufacturers get serious about producing theft-resistant cars. More specifically, it is absolutely essential to protect vehicle steering columns from tampering. So long as a young kid can break into a steering column and hot wire a car in a matter of sec-

onds, not even an army of police officers will be able to stop auto theft.

Earlier this year, at my request, the National Highway Traffic Safety Administration prepared a report on auto theft resistance. The report confirms what these law enforcement officers have been telling me. According to NHTSA, providing new vehicles with hardened steering column collars "will significantly increase the time required to disable the locking mechanism for the ignition, steering wheel, and automatic transmission gear selector." NHTSA concluded that reinforcing steering columns should discourage theft. The report encouraged manufacturers to use hardened collars.

I've also heard from the insurance industry, which knows from experience how unprotected steering columns encourage auto thefts. Experts at State Farm Insurance Co., for example, are convinced that better protecting these columns from criminals would dramatically reduce vehicle theft.

State Farm is conducting a study involving cars with unusually high rates of theft, 927 of which were equipped with reinforced steering columns. Based on average theft rates for these cars, 45 would have been expected to be stolen. Instead, only two were lost to theft. In fact, subsequent investigation revealed that one of the two thefts turned out to be a case of insurance fraud, and in the other instance the owner had left the keys in the car. In other words, the reinforced collars had yet to be defeated.

Keep in mind that these results were achieved with high theft vehicles, and in a high theft area, where thieves might be expected to have especially well-developed techniques for stealing cars.

Unfortunately, despite the obvious importance of protecting steering columns from thieves, too many newly-manufactured cars remain vulnerable. This is a source of great frustration to many in law enforcement and the insurance industry. Officials tell me that they have tried to work constructively with the auto industry to redress the problem. But while auto industry executives sometimes promise reforms, actual results have been disappointing.

Mr. President, let me emphasize that I am not accusing the auto industry of acting in bad faith. Industry executives are accountable to their shareholders, and properly are concerned about eliminating all unnecessary costs. It may not be in any one manufacturer's economic interest unilaterally to incur the additional costs associated with theft-resistant components. This bill would eliminate any risk of competitive disadvantage, and ensure an even playing field.

Mr. President, I am not claiming that reinforcing steering columns is the ultimate solution to auto theft. Clearly, there is no way to eliminate all thefts, and no single anti-theft device will be 100 percent effective. However, to reduce theft, we need not make

cars entirely theft-proof. We just need to make them more theft resistant.

The problem is that too many of today's steering columns are made-to-order for thieves, allowing them to steal a car in as little as 15 seconds. Reinforcing those columns will make theft much more difficult and time consuming, and that will mean a significant reduction in thefts. In addition, reinforced columns can completely thwart many of the young children who are stealing cars less for profit than for bragging rights.

Mr. President, I want to acknowledge that many manufacturers have taken steps to make many cars more theft resistant. They should be commended for these initiatives. Unfortunately, the industry's efforts have been uneven. Not all manufacturers have been equally responsible. And too often, theft protections are provided only for relatively expensive models of cars. Yet all car owners, not just those who can afford expensive models, deserve protection from theft.

The proposed theft resistance standards will not impose an unreasonable burden on the auto industry or consumers. Many vehicles will not have to be modified to conform with the bill's requirements. Responsible manufacturers already are producing steering columns that are adequately protected. And many cars with vulnerable columns already come equipped with anti-theft devices, which would make the cars eligible for a waiver under the bill.

From the consumer's perspective, reducing vehicle theft will reduce the costs of auto insurance, perhaps significantly. Also, to the extent that law enforcement officers are freed to pursue other types of crimes, all citizens will be more secure.

TIGHTENING PENALTIES ON AUTO THIEVES

The second major element of my bill is the establishment of a new Federal crime of carjacking. Those who use force or intimidation to take a vehicle would be subject to imprisonment for up to 15 years. If a firearm is used, the maximum penalty would be 20 years.

Mr. President, law enforcement officials have expressed the fear that carjacking could spread rapidly around the country as criminals commit so-called copycat crimes. Preventing such a plague must be a high priority and is in the national interest. Under the circumstances, it is important that Federal resources be made available to help in the battle.

The bill also would increase existing penalties for certain auto theft-related offenses. Maximum terms for those convicted of importing or exporting stolen vehicles, possessing a stolen vehicle that has been transported interstate, or transporting a stolen vehicle interstate, would be doubled from 5 to 10 years.

TIGHTENING EXPORT CONTROLS

The bill also would tighten controls on the export of stolen automobiles.

Mr. President, one of the reasons why the auto theft epidemic has hit New

Jersey so hard is that organized rings of car thieves are stealing vehicles for export to foreign countries, through New Jersey's ports. A similar problem is occurring in many areas near port facilities.

Exporting is motivated largely by a great demand for vehicles in a wide variety of overseas locations. These include Central and South America, the Caribbean, Western Europe, the Middle East, and Africa. As I noted earlier, prices for cars abroad may be three times higher than in the United States.

The scope of the international trade in stolen vehicles is astonishing; 200,000 stolen cars a year may be shipped abroad, some experts believe. According to the FBI, one in five vehicles on the docks waiting for Customs clearance in some Caribbean countries show clear signs of having been stolen and shipped from the United States. For vehicles worth over \$15,000, the rate is nearly four out of five. It's an outrageous situation and must not be tolerated.

To cut down on exports of stolen cars, we need to beef up efforts by the Customs Service to interdict these cars as they leave the country. Last year, I secured \$500,000 for an enhanced interdiction effort in New Jersey's ports. And Congress must ensure that Customs efforts around the country are provided with adequate resources.

This bill will strengthen the law in this area, and close a loophole that auto thieves are using to evade Customs inspection. Under existing regulations, a person exporting a used vehicle must report the vehicle's identification number to Customs within 3 days prior to shipment. However, an exporter can evade this requirement by claiming that the vehicle is being exported for personal use.

This bill would codify the reporting requirement, and eliminate the personal use loophole. It also would require Customs to conduct spot checks of automobiles being exported, to ensure that the reported identification numbers match the numbers on the vehicles being shipped. This provision is based on similar legislation introduced in the House of Representatives by Congressman CHARLES SCHUMER.

SUPPORTING STATE AND LOCAL ANTI-AUTO THEFT PROGRAMS

The next major component of the Anti-Auto Theft Act would establish a new program to provide support to State and local anti-auto theft efforts.

Mr. President, the NHTSA report I mentioned earlier indicates that State and local authorities can adopt a variety of approaches to deal with auto theft. Teams of police officers from several jurisdictions can work together to identify and apprehend thieves. Teams of prosecutors can be established to ensure that these thieves are brought to justice. Public awareness campaigns can educate residents about preventive measures, and encourage citizens to provide law enforcement of-

ficials with valuable tips to help in the crackdown.

These kind of initiatives can make a real difference. In New Jersey, local law enforcement officials in Essex and Union Counties have banded together to mount a coordinated assault on the problem, and preliminary results are impressive. Arrests for auto theft have increased substantially. And while auto theft remains a problem, there has been real progress.

Unfortunately, State and local efforts like these can be costly. Even where auto theft is rampant, many municipalities simply are unable to devote the resources needed. In fact, many of the areas hit hardest by auto theft are those with the fewest resources to fight back.

This bill would help, by establishing a grant program designed to target resources where the needs are greatest, and where local officials have developed quality antitheft action plans. Funds could be used for a broad range of antitheft activities, from law enforcement task forces to prevention and public awareness initiatives. The program would encourage the development and testing of new approaches to reducing thefts, which would provide national benefits. It would be authorized annually at \$25 million.

FIGHTING JUVENILE AUTO THEFT THROUGH MENTORING

The next element of the Anti-Auto Theft Act is designed as a more long-term approach to address the problem of juvenile auto theft. These provisions are based on legislation I introduced earlier as S. 3086, the Juvenile Mentoring Program Act, or JUMP.

JUMP would provide resources to local education agencies and nonprofit groups for the implementation of mentoring programs linking law enforcement officers and other responsible adults with children in high crime areas. Recipients could use funds to hire mentoring coordinators and support staff, to recruit, screen, and train adult mentors, and to reimburse mentors for their reasonable incidental expenses.

Mr. President, I personally have been involved in mentoring programs, and I know how valuable they can be. They're not a cure-all, nothing is. However, if we can link law enforcement officers and other caring adults with children in high crime areas, we should be able to direct many of these young people away from auto theft and other crimes, and lead them toward better and more socially constructive lives.

MOTOR VEHICLE THEFT PREVENTION ACT

Finally, Mr. President, the Anti-Auto Theft Act includes provisions based on legislation I introduced last year, the Motor Vehicle Theft Prevention Act, which has been incorporated into the pending conference report on the crime bill.

The Motor Vehicle Theft Prevention Act would authorize a voluntary vehicle theft prevention program. The legislation is based on programs operating

in various jurisdictions around the country, typically called combat auto theft [CAT] or help end auto theft [HEAT].

Under these programs, a vehicle owner may voluntarily sign a form stating that his or her vehicle is not normally operated during certain hours, typically between 1 a.m. and 5 a.m. Decals are then affixed to the vehicle. If a law enforcement officer later sees the vehicle being driven during the specified hours, the decals provide grounds for establishing the reasonable suspicion necessary under the Constitution to stop the vehicle and make appropriate inquiries.

It's a simple, inexpensive and innovative concept. And by all indications it's been extraordinarily successful.

In New York City, where this idea first originated, well over 70,000 vehicles participate in the program. In 1990, only 60 were stolen. Cars without decals were about 65 times more likely to be lost to theft.

The success of the program in New York has led to similar success stories around the country. Over 75 jurisdictions have adopted the program, including Dallas, Houston, Philadelphia, St. Louis, St. Paul, and San Diego. New Jersey and New York have programs that operate on a statewide basis. The idea has even been adopted in England, Canada, and Australia.

As a testament to the program's effectiveness, several insurance companies have voluntarily reduced the insurance rates for vehicles that participate in the program.

The Motor Vehicle Theft Prevention Act directs the Attorney General to develop a uniform design for decals and consent forms, so that the program can be taken nationwide. Participation will be entirely voluntary on the part of States, localities, and individual vehicle owners.

There are several benefits of establishing a national program. First, it will increase the use of this approach, by increasing its visibility and making it more practical and economical for jurisdictions to participate. Although the idea is spreading rapidly, many local officials remain unfamiliar with the program. At the same time, many officials, particularly those in small towns, are interested in the program, but do not believe it is cost effective to develop and produce a decal when only a small number may be needed. A uniform decal design would encourage mass production of the decals and consent forms, which would enable many more municipalities, particularly smaller towns, to participate.

The second primary benefit of establishing a national framework for the program is that it will help law enforcement officials apprehend thieves who drive stolen cars across State or city lines. Currently, if a car is stolen in one town and driven into another, law enforcement officials in the second town may be unfamiliar with the decals used in the first town and may not

in a position to lawfully stop the car. A uniform design will eliminate his problem.

Mr. President, some have asked how a program like this works, since professional auto thieves should be able, with some work, to scratch off the decals. Most officials I have talked with believe that the program works because time is of the essence to auto thieves, who typically will enter a car and drive away in a matter of seconds. Many cars are stolen in exposed areas, such as shopping center parking lots. So thieves feel they cannot afford the time to get into a car, climb into the back seat, and scratch off two decals. Also, most decals are manufactured so as to be very difficult to dispose of, and they leave a mark even if they are scratched off.

The bottom line, in any case, is that the program works. The results speak for themselves. And under this bill, if State or local officials are skeptical about the program's likely effectiveness in their jurisdiction, they are free not to participate.

I would also note, Mr. President, that this type of program is entirely consistent with the Constitution's fourth amendment protections against unreasonable searches and seizures. Under all established constitutional law, the police may stop a vehicle if an officer has a "reasonable suspicion" of criminal activity. Under this bill, a law enforcement officer will be allowed to stop a car only if the car is being operated under conditions that create such reasonable suspicion. It is also important to again emphasize that participation in the program is entirely voluntary.

CONCLUSION

In sum, Mr. President, the Anti-Auto Theft Act offers an effective, multi-dimensional approach to the auto theft problem. I urge my colleagues to support the bill, and ask unanimous consent that a copy of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 3276

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-Auto Theft Act".

TITLE I—MOTOR VEHICLE THEFT RESISTANCE

SECTION 101. SHORT TITLE.

This title may be cited as the "Motor Vehicle Theft Resistance Act".

SECTION 102. PURPOSE.

The purpose of this title is to reduce motor vehicle theft by ensuring that motor vehicles do not contain components, such as reinforced steering columns, that could create an unreasonable risk of such vehicles' theft.

SECTION 103. THEFT VULNERABLE VEHICLE COMPONENTS.

(a) **REQUIREMENTS.**—No person shall knowingly manufacture for sale, sell, lease, offer for sale or lease, deliver for introduction in

interstate commerce, or import into the United States for sale any new motor vehicle which incorporates—

(1) any steering column that is not shielded in a manner that adequately prevents theft, in accordance with regulations promulgated under this title, or

(2) any other component or design feature specifically identified in regulations promulgated under this title that, if included as a part of a motor vehicle, would physically facilitate the vehicle's theft and create an unreasonable risk of such theft.

(b) **WAIVER.**—The Secretary of Transportation may waive any of the requirements contained in subsection (a) for any line or lines of motor vehicles which are equipped as standard equipment with an anti-theft device which the Secretary determines is likely to be as effective in reducing and deterring motor vehicle theft as compliance with the requirements of subsection (a). The granting of waivers under this subsection shall be made in accordance with section 805 of the Motor Vehicle Information and Cost Savings Act, provided that there shall be no limit on the number of lines for which a manufacturer may receive a waiver.

(c) PROHIBITION ON CERTAIN IMPORTS.—

(1) **IN GENERAL.**—Except as provided under paragraph (2), any motor vehicle not in compliance with subsection (a) shall be refused entry into the United States.

(2) **EXEMPTION.**—The Secretary of the Treasury, by regulation, may provide an exemption from paragraph (1), and the provisions of subsection (a) relating to importers, if the Secretary determines that such exemption is in the public interest.

SECTION 104. ENFORCEMENT PROVISIONS.

(a) **CIVIL PENALTIES.**—Whoever violates section 103 may be assessed a civil penalty of—

(1) not more than \$1,000 for the first such violation;

(2) not less than \$3,000 or more than \$5,000 for the second such violation; or

(3) not less than \$7,000 or more than \$25,000 for each subsequent violation.

(b) **ACTION OF PENALTY.**—Any civil penalty under subsection (a) shall be assessed by the Secretary of Transportation and collected in a civil action brought by the Attorney General of the United States. Any such civil 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.

(c) **DEDUCTION.**—The amount of a civil penalty, when 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) **VIOLATION.**—For purposes of this section a separate violation shall be found for each individual vehicle that is unlawfully sold, leased, offered for sale or lease, delivered, or imported in violation of section 103.

SECTION 105. SCOPE OF REGULATIONS.

(a) **EFFECTIVE DATES.**—Not later than December 31, 1993, the National Highway Traffic Safety Administration shall promulgate regulations to implement this title. The regulations shall establish an effective date or effective dates for the requirements in section 103 in a manner that provides motor vehicle manufacturers, dealers, and importers, and other affected persons with sufficient time to comply with the requirements.

(b) **EXPORT EXCEPTION.**—Such regulations shall not apply to any vehicle which is intended solely for export (and is so labeled or tagged on the vehicle or equipment itself and on the outside of the container, if any) and which is exported.

TITLE II—TOUGHER LAW ENFORCEMENT AGAINST AUTOMOBILE THEFT

SECTION 201. FEDERAL PENALTIES FOR CARJACKING.

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

"§ 2119. Carjacking

"(a) Whoever, by force and violence, or by intimidation, takes or attempts to take a motor vehicle, that has been transported, shipped, or received in interstate or foreign commerce, from the person or presence of another, shall be fined under this title, or imprisoned not more than 15 years, or both.

"(b) Whoever, in committing, or in attempting to commit an offense defined in this section, assaults any person, or puts in jeopardy the life of any person by the use of a dangerous weapon or device, shall be fined under this title, or imprisoned not more than 20 years, or both."

(b) **TECHNICAL 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. Carjacking."

SECTION 202. IMPORTATION AND EXPORTATION.

Section 563(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".

SECTION 203. TRAFFICKING IN STOLEN VEHICLES.

Each of sections 2312 and 2313(a) of title 18, United States Code, is 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".

TITLE III—EXPORT OF STOLEN MOTOR VEHICLES

SECTION 201. RANDOM CUSTOMS INSPECTIONS FOR STOLEN MOTOR VEHICLES BEING EXPORTED.

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

"SECTION 646A. RANDOM CUSTOMS INSPECTIONS FOR STOLEN MOTOR VEHICLES BEING EXPORTED.

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

"SECTION 646B. EXPORT REPORTING REQUIREMENT.

"The Commissioner of Customs shall require all persons or entities exporting used motor vehicles, including motor vehicles 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 motor vehicle and proof of ownership of such motor vehicle. The Commissioner shall check all vehicle identification numbers obtained under this section against the information in the National Crime Information Center to determine whether any motor vehicle intended for export 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."

TITLE IV—AUTO THEFT TASK FORCE GRANTS

SECTION 401. GRANT AUTHORIZATION.

The Director of the Bureau of Justice Assistance shall make grants to Auto Theft Task Forces submitting applications in compliance with the requirements of this title.

SEC. 502. APPLICATION.

(a) **SUBMISSION.**—To be eligible to receive a grant under this title, a chief executive of an Auto Theft Task Force shall submit an application to the Director in such form and accompanied by such materials as the Director may require.

(b) **CONTENT.**—Such application shall include the following:

(1) A statement that the applicant Auto Theft Task Force is either a State agency or an agency of a unit of local government, or a group of such agencies.

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

(3) A statement that the resources of the applicant Auto Theft Task Force 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.

(D) Training programs regarding vehicle theft for law enforcement officials.

(E) Public education programs, to increase public awareness about vehicle theft and measures to prevent such theft.

(F) Purchase of equipment, such as mobile data terminals for installation in patrol cars, to enhance the effectiveness of law enforcement efforts to address vehicle theft.

(4) A description of the budget for the applicant Auto Theft Task Force for the fiscal year for which a grant is sought.

SEC. 502. AWARD OF GRANTS.

(a) **IN GENERAL.**—The Director shall select grantees on a competitive basis, based on the following selection criteria:

(1) the quality of the applicant's plan for addressing motor vehicle theft; and

(2) the severity of the motor vehicle theft problem in the geographical areas to be covered in the plan.

(b) **RENEWAL OF GRANTS.**—Subject to the availability of funds, a grant under this title 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. 503. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated \$25,000,000 for each fiscal year to carry out this title.

TITLE V—REDUCING JUVENILE AUTO THEFT THROUGH MENTORING PROGRAMS**SEC. 501. JUVENILE MENTORING.**

The Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5601 et seq.) is amended by adding at the end the following new title:

"TITLE V—JUVENILE MENTORING PROGRAM (JUMP) ACT OF 1992**SEC. 501. SHORT TITLE.**

"This title may be cited as the 'Juvenile Mentoring Program Act of 1992' or the 'JUMP Act'.

SEC. 502. AUTHORITY TO MAKE GRANTS.

"(a) **IN GENERAL.**—The Administrator of the Office of Juvenile Justice and Delinquency Prevention shall make grants to local educational agencies and nonprofit organizations to implement mentoring programs under this title.

"(b) **ELIGIBLE MENTORING PROGRAM.**—A mentoring program funded under this title shall be a program, or a new component or enhancement of an existing program, providing assistance to eligible children—

"(1) designed to link children in high crime areas with adult law enforcement officers and other responsible adults; and

"(2) intended to achieve one or more of the following goals:

"(A) Provide general guidance to eligible children.

"(B) Promote personal and social responsibility among such children.

"(C) Discourage their use of illegal drugs, violence and dangerous weapons, and other criminal activity.

"(D) Enhance eligible children's ability to function effectively in, and benefit from, elementary and secondary education.

"(E) Discourage involvement in gangs.

"(F) Encourage eligible children's participation in community service.

"(c) **REGULATIONS.**—

"(1) **IN GENERAL.**—The Administrator, after consultation with the Secretary of Health and Human Services and the Secretary of Education, shall promulgate regulations to implement this title.

"(2) **SCREENING MENTORS.**—The Administrator shall develop and distribute to program participants specific model guidelines for the screening of prospective program mentors.

SEC. 503. APPLICATIONS.

"(a) **IN GENERAL.**—To be eligible to receive a grant under this title, a local educational agency or nonprofit organization shall submit an application containing the information specified in subsection (b) to the Administrator at such time, in such form, and accompanied by such additional information as the Administrator may reasonably require.

"(b) **CONTENTS OF APPLICATION.**—

"(1) **CONTENT OF PLAN.**—All applications for grants shall include a specific plan for implementing a mentoring program, including—

"(A) the method by which mentors and mentees will be recruited;

"(B) the method by which prospective mentors will be screened;

"(C) the training that will be provided to mentors; and

"(D) the resources, if any, that will be dedicated to providing participating youth with opportunities for job training or post-secondary education.

"(2) **COMMUNITY INVOLVEMENT.**—All applications shall describe the extent to which parents, teachers, community-based organizations, and the local community have participated in the design and implementation of the mentoring plan.

"(c) **SELECTION CRITERIA.**—The Administrator shall select grant recipients based on the following:

"(1) **QUALITY OF PLAN.**—The quality of the mentoring plan, including—

"(A) the resources, if any, that will be dedicated to providing participating youth with opportunities for job training or post-secondary education; and

"(B) the degree to which parents, teachers, community-based organizations, and the local community participate in the design and implementation of the mentoring plan.

"(2) **EFFECTIVE IMPLEMENTATION.**—The capability of the applicant to effectively implement the mentoring plan.

SEC. 504. USE OF FUNDS.

"(a) **ELIGIBLE USES.**—Grants awarded pursuant to this title shall be used to implement mentoring programs, including—

"(1) hiring of mentoring coordinators and support staff;

"(2) recruitment, screening, and training of adult mentors;

"(3) reimbursement of mentors for reasonable incidental expenditures directly associated with mentoring; and

"(4) such other purposes as the Administrator may reasonably prescribe by regulation.

"(b) **PROHIBITED USES.**—Grants awarded pursuant to this title shall not be used—

"(1) to directly compensate mentors, except as provided pursuant to subsection (a)(3);

"(2) to obtain educational or other materials or equipment which would otherwise be used in the ordinary course of the grantee's operations; or

"(3) for any other purpose reasonably prohibited by the Administrator pursuant to regulation.

SEC. 505. REPORTS.

"(a) **IN GENERAL.**—The Administrator shall require grantees to provide periodic reports that include information on the obligation and expenditure of grant funds, and the progress made by the grantee in implementing the mentoring plan described in section 503.

"(b) **REPORTS.**—Not later than 4 years after the date of enactment of this title, and periodically thereafter, the Administrator shall submit a report to Congress evaluating the program established under this title.

SEC. 506. MONITORING.

"The Administrator shall audit and monitor the programs funded under this title to assure that assistance provided under this title is administered in accordance with its provisions.

SEC. 507. DEFINITIONS.

"For purposes of this title—

"(1) the term 'Administrator' means the Administrator of the Office of Juvenile Justice and Delinquency Prevention;

"(2) the term 'eligible children' means individuals who live in high crime areas, as shall be reasonably defined by the Administrator pursuant to regulations, and who are less than 18 years of age and older than a minimum age established by the Administrator by regulation;

"(3) the term 'law enforcement officer' means any employee of a Federal, State, or local law enforcement agency who is engaged in law enforcement or crime prevention;

"(4) the term 'local educational agency' means any local agency as defined in section 196 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 3361); and

"(5) the term 'nonprofit organization' means an organization described in section 501(c)(3) of the Internal Revenue Code of 1966 that is exempt from taxation under section 501(a) of the Internal Revenue Code of 1966.

SEC. 508. AUTHORIZATION OF APPROPRIATIONS.

"There are authorized to be appropriated \$50,000,000 for each fiscal year to carry out the purposes of this title."

TITLE VI—MOTOR VEHICLE THEFT PREVENTION**SEC. 501. SHORT TITLE.**

This title may be cited as the "Motor Vehicle Theft Prevention Act".

SEC. 502. MOTOR VEHICLE THEFT PREVENTION PROGRAM.

(a) **IN GENERAL.**—Not later than 180 days after the date of enactment of this section, the Attorney General shall develop, in cooperation with the States, a national voluntary motor vehicle theft prevention pro-

gram (in this section referred to as the "program") under which—

(1) the owner of a motor vehicle may voluntarily sign a consent form with a participating State or locality in which the motor vehicle owner—

(A) states that the vehicle is not normally operated under certain specified conditions; and

(B) agrees to—

(1) display program decals or devices on the owner's vehicle; and

(2) permit law enforcement officials in any State to stop the motor vehicle and take reasonable steps to determine whether the vehicle is being operated by or with the permission of the owner, if the vehicle is being operated under the specified conditions; and

(3) participating States and localities authorize law enforcement officials in the State or locality to stop motor vehicles displaying program decals or devices under specified conditions and take reasonable steps to determine whether the vehicle is being operated by or with the permission of the owner.

(b) UNIFORM DECAL OR DEVICE DESIGNS.—

(1) IN GENERAL.—The motor vehicle theft prevention program developed pursuant to this section shall include a uniform design or designs for decals or other devices to be displayed by motor vehicles participating in the program.

(2) TYPE OF DESIGN.—The uniform design shall—

(A) be highly visible; and

(B) explicitly state that the motor vehicle to which it is affixed may be stopped under the specified conditions without additional grounds for establishing a reasonable suspicion that the vehicle is being operated unlawfully.

(c) VOLUNTARY CONSENT FORM.—The voluntary consent form used to enroll in the program shall—

(1) clearly state that participation in the program is voluntary;

(2) clearly explain that participation in the program means that, if the participating vehicle is being operated under the specified conditions, law enforcement officials may stop the vehicle and take reasonable steps to determine whether it is being operated by or with the consent of the owner, even if the law enforcement officials have no other basis for believing that the vehicle is being operated unlawfully;

(3) include an express statement that the vehicle is not normally operated under the specified conditions and that the operation of the vehicle under those conditions would provide sufficient grounds for a prudent law enforcement officer to reasonably believe that the vehicle was not being operated by or with the consent of the owner; and

(4) include any additional information that the Attorney General may reasonably require.

(d) SPECIFIED CONDITIONS UNDER WHICH STOPS MAY BE AUTHORIZED.—

(1) IN GENERAL.—The Attorney General shall promulgate rules establishing the conditions under which participating motor vehicles may be authorized to be stopped under this section. These conditions may not be based on race, creed, color, national origin, gender, or age. These conditions may include—

(A) the operation of the vehicle during certain hours of the day; or

(B) the operation of the vehicle under other circumstances that would provide a sufficient basis for establishing a reasonable suspicion that the vehicle was not being operated by the owner, or with the consent of the owner.

(2) MORE THAN ONE SET OF CONDITIONS.—The Attorney General may establish more than

one set of conditions under which participating motor vehicles may be stopped. If more than one set of conditions is established, a separate consent form and a separate design for program decals or devices shall be established for each set of conditions. The Attorney General may choose to satisfy the requirement of a separate design for program decals or devices under this paragraph by the use of a design color that is clearly distinguishable from other design colors.

(3) NO NEW CONDITIONS WITHOUT CONSENT.—After the program has begun, the conditions under which a vehicle may be stopped if affixed with a certain decal or device design may not be expanded without the consent of the owner.

(4) LIMITED PARTICIPATION BY STATES AND LOCALITIES.—A State or locality need not authorize the stopping of motor vehicles under all sets of conditions specified under the program in order to participate in the program.

(e) MOTOR VEHICLES FOR HIRE.—

(1) NOTIFICATION TO LESSEES.—Any person who is in the business of renting or leasing motor vehicles and who rents or leases a motor vehicle on which a program decal or device is affixed shall, prior to transferring possession of the vehicle, notify the person to whom the motor vehicle is rented or leased about the program.

(2) TYPE OF NOTICE.—The notice required by this subsection shall—

(A) be in writing;

(B) be in a prominent format to be determined by the Attorney General; and

(C) explain the possibility that if the motor vehicle is operated under the specified conditions, the vehicle may be stopped by law enforcement officials even if the officials have no other basis for believing that the vehicle is being operated unlawfully.

(3) FINE FOR FAILURE TO PROVIDE NOTICE.—Failure to provide proper notice under this subsection shall be punishable by a fine not to exceed \$5,000.

(f) NOTIFICATION OF POLICE.—As a condition of participating in the program, a State or locality must agree to take reasonable steps to ensure that law enforcement officials throughout the State or locality are familiar with the program, and with the conditions under which motor vehicles may be stopped under the program.

(g) REGULATIONS.—The Attorney General shall promulgate regulations to implement this section.

(h) AUTHORIZATION OF APPROPRIATIONS.—There are authorized such sums as are necessary to carry out this section.

SEC. 588. ALTERING OR REMOVING MOTOR VEHICLE IDENTIFICATION NUMBERS.

(a) BASIC OFFENSE.—Subsection (a) of section 511 of title 18, United States Code, is amended to read as follows:

"(a) Whoever knowingly removes, obliterates, tampers with, or alters an identification number for a motor vehicle, or motor vehicle part, or a decal or device affixed to a motor vehicle pursuant to the Motor Vehicle Theft Prevention Act, shall be fined under this title or imprisoned not more than five years, or both."

(b) EXCEPTED PERSONS.—Paragraph (2) of section 511(b) of title 18, United States Code, is amended by—

(1) striking "and" after the semicolon in subparagraph (B);

(2) striking the period at the end of subparagraph (C) and inserting "; and"; and

(3) adding at the end thereof the following:

"(D) a person who removes, obliterates, tampers with, or alters a decal or device affixed to a motor vehicle pursuant to the Motor Vehicle Theft Prevention Act, if that person is the owner of the motor vehicle, or is authorized to remove, obliterate, tamper with, or alter the decal or device by—

"(i) the owner or his authorized agent;

"(ii) applicable State or local law; or

"(iii) regulations promulgated by the Attorney General to implement the Motor Vehicle Theft Prevention Act."

(c) DEFINITION.—Section 511 of title 18, United States Code, is amended by adding at the end thereof the following:

"(d) For purposes of subsection (a) of this section, the term 'tampers with' includes covering a program decal or device affixed to a motor vehicle pursuant to the Motor Vehicle Theft Prevention Act for the purpose of obstructing its visibility."

(d) UNAUTHORIZED APPLICATION OF A DECAL OR DEVICE.—

(1) IN GENERAL.—Chapter 26 of title 18, United States Code, is amended by adding after section 511 the following new section:

"511A. Unauthorized application of theft prevention decal or device

"(a) Whoever affixes to a motor vehicle a theft prevention decal or other device, or a replica thereof, unless authorized to do so pursuant to the Motor Vehicle Theft Prevention Act, shall be punished by a fine not to exceed \$1,000.

"(b) For purposes of this section, the term 'theft prevention decal or device' means a decal or other device designed in accordance with a uniform design for such devices developed pursuant to the Motor Vehicle Theft Prevention Act."

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 26 of title 18, United States Code, is amended by adding immediately after the item for section 511 the following:

"511A. Unauthorized application of theft prevention decal or device." e

By Mr. SANFORD:

S. 3277. A bill to permit the Secretary of Health and Human Services to grant waivers to States to provide coverage under State health care delivery programs to individuals who are otherwise eligible for benefits under title XVIII of the Social Security Act or eligible to enroll under State plans for medical assistance under title XIX of such act; to the Committee on Finance.

STATE HEALTH CARE REFORM INCENTIVE ACT

Mr. SANFORD. Mr. President, I am today introducing legislation to help States develop their own health care reform. This is legislation that was introduced in the House before the August recess by a good friend and colleague from North Carolina, MARTIN LANCASTER.

The State Health Care Reform Incentive Act of 1992 is not at all intended to slow down efforts at the Federal level to achieve national health care reform, but I do not believe States should be held back from developing their own reform if they wish, without waiting for Washington to act.

Almost 1 year ago I challenged a group of Southern State legislators to develop their own reform. A growing number of States are seeking to do this. The legislation I am introducing today is simply intended to make this a little easier for those States.

Health care costs are escalating out of control. The cost of an average hospital stay in North Carolina 10 years ago was \$1,000. Today it averages \$7,000, and that cost is much higher in other States. The per capita health care cost