

S. 407: A bill to amend the Trademark Act of 1946 to provide for the registration and protection of trademarks used in commerce, in order to carry out provisions of certain international conventions, and for other purposes (Rept. No. 107-46).

By Mr. HARKIN, from the Committee on Agriculture, Nutrition, and Forestry, without amendment:

S. 1246: An original bill to respond to the continuing economic crisis adversely affecting American agricultural producers.

EXECUTIVE REPORT OF COMMITTEE

The following executive report of committee was submitted:

By Mr. BINGAMAN for the Committee on Energy and Natural Resources.

*Dan R. Brouillette, of Louisiana, to be an Assistant Secretary of Energy (Congressional and Intergovernmental Affairs).

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. HATCH (for himself, Mr. SCHUMER, and Mr. DEWINE):

S. 1234. A bill to amend title 18, United States Code, to provide that certain sexual crimes against children are predicate crimes for the interception of communications, and for other purposes; to the Committee on the Judiciary.

By Mr. HATCH:

S. 1235. A bill to make clerical and other technical amendments to title 18, United States Code, and other laws relating to crime and criminal procedure; to the Committee on the Judiciary.

By Mrs. FEINSTEIN (for herself and Mr. HATCH):

S. 1236. A bill to reduce criminal gang activities; to the Committee on the Judiciary.

By Mr. INOUYE:

S. 1237. A bill to allow certain individuals of Japanese ancestry who were brought forcibly to the United States from countries in Latin America during World War II and were interned in the United States to be provided restitution under the Civil Liberties Act of 1988, and for other purposes; to the Committee on the Judiciary.

By Mr. WELLSTONE (for himself and Mr. DAYTON):

S. 1238. A bill to promote the engagement of young Americans in the democratic process through civic education in classrooms, in service learning programs, and in student leadership activities, of America's public schools; to the Committee on Health, Education, Labor, and Pensions.

By Mr. HAGEL (for himself, Mr. EN-SIGN, and Mr. LUGAR):

S. 1239. A bill to amend title XVIII of the Social Security Act to provide medicare beneficiaries with a drug discount card that ensures access to affordable outpatient prescription drugs; to the Committee on Finance.

By Mr. BENNETT:

S. 1240. A bill to provide for the acquisition of land and construction of an interagency administrative and visitor facility at the entrance to American Fork Canyon, Utah, and

for other purposes; to the Committee on Energy and Natural Resources.

By Mr. SPECTER:

S. 1241. A bill to amend the Fair Labor Standards Act of 1938 to permit certain youth to perform certain work with wood products; to the Committee on Health, Education, Labor, and Pensions.

By Mr. SCHUMER (for himself and Mr. ALLARD):

S. 1242. A bill to amend the Fair Credit Reporting Act to provide for disclosure of credit-scoring information by creditors and consumer reporting agencies; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. GRAHAM (for himself, Mr. MURKOWSKI, Mr. REID, Mr. NELSON of Florida, Mr. INHOFE, Mr. WARNER, and Mr. BURNS):

S. 1243. A bill to amend the Internal Revenue Code of 1986 to treat spaceports like airports under the exempt facility bond rules; to the Committee on Finance.

By Mr. KENNEDY (for himself, Ms. SNOWE, Mr. ROCKEFELLER, Mr. CHAFEE, Ms. COLLINS, Mr. DASCHLE, Mr. BAUCUS, Mr. BREAUX, Mr. TORRICELLI, Mrs. LINCOLN, Mr. GRAHAM, Mr. BINGAMAN, Mr. KERRY, Mrs. CLINTON, and Mr. CORZINE):

S. 1244. A bill to amend titles XIX and XXI of the Social Security Act to provide for FamilyCare coverage for parents of enrolled children, and for other purposes; to the Committee on Finance.

By Mr. NICKLES:

S. 1245. A bill for the relief of Renato Rosetti; to the Committee on the Judiciary.

By Mr. HARKIN:

S. 1246. An original bill to respond to the continuing economic crisis adversely affecting American agricultural producers; from the Committee on Agriculture, Nutrition, and Forestry; placed on the calendar.

By Mr. KENNEDY:

S. 1247. A bill to establish a grant program to promote emotional and social development and school readiness; to the Committee on Health, Education, Labor, and Pensions.

By Mr. KERRY (for himself, Mr. CHAFEE, Mr. REED, Mr. JEFFORDS, Mr. SARBANES, Mr. LEAHY, Mr. WELLSTONE, Mr. DAYTON, Mrs. FEINSTEIN, Mr. LEVIN, Mr. SCHUMER, Mr. DURBIN, Ms. STABENOW, Mrs. BOXER, Mr. KENNEDY, Mr. CORZINE, and Mr. DODD):

S. 1248. A bill to establish a National Housing Trust Fund in the Treasury of the United States to provide for the development of decent, safe, and affordable, housing for low-income families, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. WELLSTONE (for himself, Mrs. MURRAY, Mr. SCHUMER, Mr. DODD, Mr. DAYTON, Mrs. CLINTON, and Mr. INOUYE):

S. 1249. A bill to promote the economic security and safety of victims of domestic and sexual violence, and for other purposes; to the Committee on Finance.

ADDITIONAL COSPONSORS

S. 88

At the request of Mr. ROCKEFELLER, the names of the Senator from Florida (Mr. NELSON) and the Senator from Mississippi (Mr. COCHRAN) were added as cosponsors of S. 88, a bill to amend the Internal Revenue Code of 1986 to provide an incentive to ensure that all Americans gain timely and equitable access to the Internet over current and future generations of broadband capability.

S. 122

At the request of Mr. CAMPBELL, the name of the Senator from Maine (Ms. SNOWE) was added as a cosponsor of S. 122, a bill to prohibit a State from determining that a ballot submitted by an absent uniformed services voter was improperly or fraudulently cast unless that State finds clear and convincing evidence of fraud, and for other purposes.

S. 159

At the request of Mrs. BOXER, the name of the Senator from Minnesota (Mr. DAYTON) was added as a cosponsor of S. 159, a bill to elevate the Environmental Protection Agency to a cabinet level department, to redesignate the Environmental Protection Agency as the Department of Environmental Protection Affairs, and for other purposes.

S. 258

At the request of Ms. SNOWE, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 258, a bill to amend title XVIII of the Social Security Act to provide for coverage under the medicare program of annual screening pap smear and screening pelvic exams.

S. 267

At the request of Mr. AKAKA, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 267, a bill to amend the Packers and Stockyards Act of 1921, to make it unlawful for any stockyard owner, market agency, or dealer to transfer or market nonambulatory livestock, and for other purposes.

S. 452

At the request of Mr. MURKOWSKI, the name of the Senator from Georgia (Mr. MILLER) was added as a cosponsor of S. 452, a bill to amend title XVIII of the Social Security Act to ensure that the Secretary of Health and Human Services provides appropriate guidance to physicians, providers of services, and ambulance providers that are attempting to properly submit claims under the medicare program to ensure that the Secretary does not target inadvertent billing errors.

S. 486

At the request of Mr. LEAHY, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 486, a bill to reduce the risk that innocent persons may be executed, and for other purposes.

S. 501

At the request of Mr. GRAHAM, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 501, a bill to amend titles IV and XX of the Social Security Act to restore funding for the Social Services Block Grant, to restore the ability of States to transfer up to 10 percent of TANF funds to carry out activities under such block grant, and to require an annual report on such activities by the Secretary of Health and Human Services.

S. 543

At the request of Mr. DEWINE, his name was added as a cosponsor of S.

543, a bill to provide for equal coverage of mental health benefits with respect to health insurance coverage unless comparable limitations are imposed on medical and surgical benefits.

S. 677

At the request of Mr. HATCH, the name of the Senator from Virginia (Mr. ALLEN) was added as a cosponsor of S. 677, a bill to amend the Internal Revenue Code of 1986 to repeal the required use of certain principal repayments on mortgage subsidy bond financing to redeem bonds, to modify the purchase price limitation under mortgage subsidy bond rules based on median family income, and for other purposes.

S. 775

At the request of Mrs. LINCOLN, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 775, a bill to amend title XVIII of the Social Security Act to permit expansion of medical residency training programs in geriatric medicine and to provide for reimbursement of care coordination and assessment services provided under the medicare program.

S. 781

At the request of Mr. AKAKA, the name of the Senator from Minnesota (Mr. DAYTON) was added as a cosponsor of S. 781, a bill to amend section 3702 of title 38, United States Code, to extend the authority for housing loans for members of the Selected Reserve.

S. 805

At the request of Mr. WELLSTONE, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 805, a bill to amend the Public Health Service Act to provide for research with respect to various forms of muscular dystrophy, including Duchenne, Becker, limb girdle, congenital, facioscapulohumeral, myotonic, oculopharyngeal, distal, and emery-dreifuss muscular dystrophies.

S. 808

At the request of Mr. BAUCUS, the name of the Senator from South Carolina (Mr. HOLLINGS) was added as a cosponsor of S. 808, a bill to amend the Internal Revenue Code of 1986 to repeal the occupational taxes relating to distilled spirits, wine, and beer.

S. 824

At the request of Mr. GRAHAM, the name of the Senator from New Jersey (Mr. TORRICELLI) was added as a cosponsor of S. 824, a bill to establish an informatics grant program for hospitals and skilled nursing facilities.

S. 838

At the request of Mr. DODD, the names of the Senator from New Mexico (Mr. BINGAMAN) and the Senator from Kansas (Mr. ROBERTS) were added as cosponsors of S. 838, a bill to amend the Federal Food, Drug, and Cosmetic Act to improve the safety and efficacy of pharmaceuticals for children.

S. 885

At the request of Mr. HUTCHINSON, the name of the Senator from Pennsylvania (Mr. SPECTER) was added as a co-

sponsor of S. 885, a bill to amend title XVIII of the Social Security Act to provide for national standardized payment amounts for inpatient hospital services furnished under the medicare program.

S. 979

At the request of Mr. DURBIN, the name of the Senator from Indiana (Mr. BAYH) was added as a cosponsor of S. 979, a bill to amend United States trade laws to address more effectively import crises, and for other purposes.

S. 992

At the request of Mr. NICKLES, the name of the Senator from Utah (Mr. HATCH) was added as a cosponsor of S. 992, a bill to amend the Internal Revenue Code of 1986 to repeal the provision taxing policy holder dividends of mutual life insurance companies and to repeal the policyholders surplus account provisions.

S. 994

At the request of Mr. SCHUMER, the name of the Senator from Alaska (Mr. MURKOWSKI) was added as a cosponsor of S. 994, a bill to amend the Iran and Libya Sanctions Act of 1996 to extend authorities under that Act.

S. 999

At the request of Mr. BINGAMAN, the names of the Senator from Illinois (Mr. DURBIN) and the Senator from Maine (Ms. SNOWE) were added as cosponsors of S. 999, a bill to amend title 10, United States Code, to provide for a Korea Defense Service Medal to be issued to members of the Armed Forces who participated in operations in Korea after the end of the Korean War.

S. 1009

At the request of Mrs. HUTCHISON, the name of the Senator from New Jersey (Mr. CORZINE) was added as a cosponsor of S. 1009, a bill to require the provision of information to parents and adults concerning bacterial meningitis and the availability of a vaccination with respect to such diseases.

S. 1022

At the request of Mr. WARNER, the name of the Senator from Illinois (Mr. FITZGERALD) was added as a cosponsor of S. 1022, a bill to amend the Internal Revenue Code of 1986 to allow Federal civilian and military retirees to pay health insurance premiums on a pretax basis and to allow a deduction for TRICARE supplemental premiums.

S. 1037

At the request of Mrs. HUTCHISON, the names of the Senator from Illinois (Mr. DURBIN) and the Senator from Minnesota (Mr. DAYTON) were added as cosponsors of S. 1037, a bill to amend title 10, United States Code, to authorize disability retirement to be granted posthumously for members of the Armed Forces who die in the line of duty while on active duty, and for other purposes.

S. 1040

At the request of Mr. SHELBY, the name of the Senator from Idaho (Mr. CRAIG) was added as a cosponsor of S.

1040, a bill to promote freedom, fairness, and economic opportunity for families by reducing the power and reach of the Federal establishment.

S. 1042

At the request of Mr. INOUYE, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 1042, a bill to amend title 38, United States Code, to improve benefits for Filipino veterans of World War II, and for other purposes.

S. 1087

At the request of Mr. NICKLES, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 1087, a bill to amend the Internal Revenue Code of 1986 to provide a shorter recovery period of the depreciation of certain leasehold improvements.

S. 1116

At the request of Mr. INOUYE, the name of the Senator from Indiana (Mr. LUGAR) was added as a cosponsor of S. 1116, a bill to amend the Foreign Assistance Act of 1961 to provide increased foreign assistance for tuberculosis prevention, treatment, and control.

S. 1169

At the request of Mr. FEINGOLD, the names of the Senator from Georgia (Mr. MILLER) and the Senator from Rhode Island (Mr. CHAFEE) were added as cosponsors of S. 1169, a bill to streamline the regulatory processes applicable to home health agencies under the medicare program under title XVIII of the Social Security Act and the medicaid program under title XIX of such Act, and for other purposes.

S. 1200

At the request of Mr. NELSON of Florida, his name was added as a cosponsor of S. 1200, a bill to direct the Secretaries of the military departments to conduct a review of military service records to determine whether certain Jewish American war veterans, including those previously those previously awarded the Distinguished Service Cross, Navy Cross, or Air Force Cross, should be awarded the Medal of Honor.

S. 1203

At the request of Mr. SCHUMER, the name of the Senator from Minnesota (Mr. DAYTON) was added as a cosponsor of S. 1203, a bill to amend title 38, United States Code, to provide housing loan benefits for the purchase of residential cooperative apartment units.

S. 1206

At the request of Mr. VOINOVICH, the name of the Senator from Virginia (Mr. WARNER) was added as a cosponsor of S. 1206, a bill to reauthorize the Appalachian Regional Development Act of 1965, and for other purposes.

S. 1226

At the request of Mr. CAMPBELL, the name of the Senator from Colorado (Mr. ALLARD) was added as a cosponsor of S. 1226, a bill to require the display of the POW/MIA flag at the World War II memorial, the Korean War Veterans

Memorial, and the Vietnam Veterans Memorial.

S. CON. RES. 3

At the request of Mr. FEINGOLD, the name of the Senator from Minnesota (Mr. DAYTON) was added as a cosponsor of S. Con. Res. 3, a concurrent resolution expressing the sense of Congress that a commemorative postage stamp should be issued in honor of the U.S.S. Wisconsin and all those who served aboard her.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. HATCH (for himself, Mr. SCHUMER, and Mr. DEWINE):

S. 1234. A bill to amend title 18, United States Code, to provide that certain sexual crimes against children are predicate crimes for the interception of communications, and for other purposes; to the Committee on the Judiciary.

Mr. HATCH. Mr. President, the Internet has dramatically changed the lives of the American people. The way in which we work, live, play, and learn has been forever changed. The benefits this new technology has brought to us are truly innumerable. Unfortunately, however, the technology has also created some fearful problems. In particular, the Internet is fast becoming an increasingly popular means by which criminals pursue their nefarious activities.

Perhaps no criminal activity is as nefarious as sex crimes directed at children. And alarmingly, the Internet has proved to be a boon for these sexual predators. Before the Internet, these deranged individuals operated in the open, lurking near parks or schools in an effort to lure children. Now they are able, with almost absolute anonymity and from the security of their homes, to reach our children over the Internet.

The result is frightening. According to State and local law enforcement officials, the Internet has brought an explosion in sexual predator and child pornography activity. Since 1995, the FBI alone has investigated more than 4,900 cases involving persons traveling interstate for the purpose of engaging in illicit sexual relationships with minors and persons involved with the manufacture, dissemination and possession of child pornography.

According to the Bureau, computers have rapidly become one of the most prevalent communications devices with which pedophiles and other sexual predators share sexually explicit photographic images of minors and identify and recruit children for sexually illicit relationships.

This fact is not lost on the public. When asked about cyber-crime, a majority of Americans pointed to child pornography as their biggest concern. The Pew Internet & American Life Report Survey found that 92 percent of Americans are concerned about child pornography. Americans are rightly concerned that the Internet does not

become a haven for those who would commit these horrific crimes.

The Anti-Sexual Predator Act of 2001, which I am introducing today, provides much-needed tools to investigators tracking sexual predators and child pornographers. The legislation will be particularly useful to investigators tracking sexual predators.

Although in many cases much of the initial relationship between these sexual predators and their child victims takes place online, the predators will ultimately seek to have personal contact with the child. Thus, the communications will move first to the telephone, and then to face to face meetings. The telephone calls between the perpetrators and the victims therefore represent a dangerous step in the lurking of the child. And the more access the sexual predator is allowed to the child victim, the greater the chance that the predator will succeed in convincing the child to continue the "relationship" and agree to personal meetings.

As the laws stand today, investigators do not have access to the Federal wiretap statutes to investigate these predators. Absent this authority, law enforcement officers, upon discovery of the on-line relationship, are left to attempt to gain information about the relationship from an often uncooperative or resentful child who believes that he or she is "in love" with the perpetrator. Providing wiretap authority not only will aid law enforcement's efforts to obtain evidence of these crimes, it will also help them stop these crimes before the predator makes physical contact with the child.

The Anti-Sexual Predator Act of 2001 will add three predicate offenses to the Federal wiretap statute. This addition will enable law enforcement to intercept wire and oral communications relating to child pornography materials, the coercion and enticement of individuals to travel interstate to engage in sexual activity, the transportation of minors for the purpose of engaging in sexual activity.

To be sure, law enforcement will still need to obtain authority from a court in order to obtain a wiretap, and the court will authorize the wiretap only if the government meets the strict statutory guidelines laid out in Title III. Thus, this legislation does nothing to undermine the legitimate expectations of privacy of law-abiding American citizens.

This legislation fills a gap in our arsenal against child pornographers and sexual predators. I know we all share this goal, and I urge my colleagues to join me in expeditiously acting on this important legislation. I ask unanimous consent that the text 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. 1234

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-Sexual Predator Act of 2001".

SEC. 2. AUTHORIZATION OF INTERCEPTION OF COMMUNICATIONS IN THE INVESTIGATION OF SEXUAL CRIMES AGAINST CHILDREN.

(a) CHILD PORNOGRAPHY.—Section 2516(1)(c) of title 18, United States Code, is amended by inserting "section 2252A (relating to material constituting or containing child pornography)," after "2252 (sexual exploitation of children)".

(b) TRANSPORTATION FOR ILLEGAL SEXUAL ACTIVITY.—Section 2516(1) of title 18, United States Code, is amended—

(1) by redesignating paragraph (p), as so redesignated by section 434(2) of the Antiterrorism and Effective Death Penalty Act of 1996 (Public Law 104-132; 110 Stat. 1274), as paragraph (q);

(2) by striking paragraph (p), as so redesignated by section 201(3) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (division C of Public Law 104-208; 110 Stat. 3009-565); and

(3) by inserting after paragraph (o) the following:

"(p) a violation of section 2422 (relating to coercion and enticement) or section 2423 (relating to transportation of minors) of this title, if, in connection with that violation, the sexual activity for which a person may be charged with a criminal offense would constitute a felony offense under chapter 109A or 110 of this title, if that activity took place within the special maritime and territorial jurisdiction of the United States; or".

By Mr. HATCH:

S. 1235. A bill to make clerical and other technical amendments to title 18, United States Code, and other laws relating to crime and criminal procedure; to the Committee on the Judiciary.

Mr. HATCH. Mr. President, I ask unanimous consent that the text 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. 1235

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 "Criminal Law Technical Amendments Act of 2001".

SEC. 2. TECHNICAL AMENDMENTS RELATING TO CRIMINAL LAW AND PROCEDURE.

(a) MISSING AND INCORRECT WORDS.—

(1) CORRECTION OF GARBLED SENTENCE.—Section 510(c) of title 18, United States Code, is amended by striking "fine of under this title" and inserting "fine under this title".

(2) INSERTION OF MISSING WORDS.—Section 981(d) of title 18, United States Code, is amended by striking "proceeds from the sale of this section" and inserting "proceeds from the sale of such property under this section".

(3) CORRECTION OF INCORRECT WORD.—Sections 1425 through 1427, 1541 through 1544 and 1546(a) of title 18, United States Code, are each amended by striking "to facility" and inserting "to facilitate".

(4) CORRECTING ERRONEOUS AMENDATORY LANGUAGE ON EXECUTED AMENDMENT.—Effective on the date of the enactment of Public Law 103-322, section 60003(a)(13) of such public law is amended by striking "\$1,000,000 or imprisonment" and inserting "\$1,000,000 and imprisonment".

(5) INSERTION OF MISSING WORD.—Section 3286 of title 18, United States Code, is amended by inserting "section" before "2332b".

(6) CORRECTION OF REFERENCE TO SHORT TITLE OF LAW.—That section 2332d(a) of title