

(b) DEFINITIONS.—Section 104 of such Act is amended—

(1) in paragraph (2), by striking “for micro-entrepreneurs” and inserting “to microentrepreneurs and their households”; and

(2) by adding at the end the following:

“(5) VERY POOR.—The term ‘very poor’ means individuals—

“(A) living in the bottom 50 percent below the poverty line established by the national government of the country in which those individuals live; or

“(B) living on the equivalent of less than \$1 per day.”.

**SEC. 2. AMENDMENTS TO THE MICRO- AND SMALL ENTERPRISE DEVELOPMENT CREDITS PROGRAM UNDER THE FOREIGN ASSISTANCE ACT OF 1961.**

(a) FINDINGS AND POLICY.—Section 108(a)(2) of the Foreign Assistance Act of 1961 (22 U.S.C. 2151f(a)(2)) is amended by striking “the development of the enterprises of the poor” and inserting “the access to financial services and the development of microenterprises”.

(b) PROGRAM.—Section 108(b) of such Act (22 U.S.C. 2151f(b)) is amended to read as follows:

“(b) PROGRAM.—To carry out the policy set forth in subsection (a), the President is authorized to provide assistance to increase the availability of financial services to microenterprise households lacking full access to credit, including through—

“(1) loans and guarantees to microfinance institutions for the purpose of expanding the availability of savings and credit to poor and low-income households;

“(2) training programs for microfinance institutions in order to enable them to better meet the financial services needs of their clients; and

“(3) training programs for clients in order to enable them to make better use of credit, increase their financial literacy, and to better manage their enterprises to improve their quality of life.”.

(c) ELIGIBILITY CRITERIA.—Section 108(c) of such Act (22 U.S.C. 2151f(c)) is amended—

(1) in the first sentence of the matter preceding paragraph (1)—

(A) by striking “credit institutions” and inserting “microfinance institutions”; and

(B) by striking “micro- and small enterprises” and inserting “microenterprise households”; and

(2) in paragraphs (1) and (2), by striking “credit” each place it appears and inserting “financial services”.

(d) ADDITIONAL REQUIREMENT.—Section 108(d) of such Act (22 U.S.C. 2151f(d)) is amended by striking “micro- and small enterprise programs” and inserting “programs for microenterprise households”.

(e) AVAILABILITY OF FUNDS.—Section 108(f)(1) of such Act (22 U.S.C. 2151f(f)(1)) is amended by striking “for each of fiscal years 2001 and 2002” and inserting “for each of fiscal years 2001 through 2004”.

(f) CONFORMING AMENDMENT.—Section 108 of such Act (22 U.S.C. 2151f) is amended in the heading to read as follows:

**“SEC. 108. MICROENTERPRISE DEVELOPMENT CREDITS.”.**

**SEC. 3. AMENDMENTS TO THE MICROENTERPRISE DEVELOPMENT GRANT ASSISTANCE PROGRAM UNDER THE FOREIGN ASSISTANCE ACT OF 1961.**

(a) FINDINGS AND POLICY.—Section 131(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2152a(a)) is amended to read as follows:

“(a) FINDINGS AND POLICY.—Congress finds and declares that—

“(1) access to financial services and the development of microenterprise are vital factors in the stable growth of developing countries and in the development of free, open, and equitable international economic systems;

“(2) it is therefore in the best interest of the United States to facilitate access to financial services and assist the development of microenterprise in developing countries;

“(3) access to financial services and the development of microenterprises can be supported by programs providing credit, savings, training, technical assistance, business development services, and other financial and non-financial services; and

“(4) given the relatively high percentage of populations living in rural areas of developing countries, and the combined high incidence of poverty in rural areas and growing income inequality between rural and urban markets, microenterprise programs should target both rural and urban poor.”.

(b) AUTHORIZATION.—Section 131(b) of such Act (22 U.S.C. 2152a(b)) is amended—

(1) in paragraph (3)(A)(i), by striking “entrepreneurs” and inserting “clients”; and

(2) in paragraph (4)(D)—

(A) in clause (i), by striking “very small loans” and inserting “financial services to poor entrepreneurs”; and

(B) in clause (ii), by striking “microfinance” and inserting “microenterprise”.

(c) MONITORING SYSTEM.—Section 131(c) of such Act (22 U.S.C. 2152a(c)) is amended by striking paragraph (4) and inserting the following:

“(4) adopts the widespread use of proven and effective poverty assessment tools to successfully identify the very poor and ensure that they receive needed microenterprise loans, savings, and assistance.”.

(d) DEVELOPMENT AND APPLICATION OF POVERTY MEASUREMENT METHODS.—Section 131 of such Act (22 U.S.C. 2152a) is amended—

(1) by redesignating subsections (d) and (e) as subsections (e) and (f), respectively; and

(2) by inserting after subsection (c) the following:

“(d) DEVELOPMENT AND CERTIFICATION OF POVERTY MEASUREMENT METHODS; APPLICATION OF METHODS.—

“(1) DEVELOPMENT AND CERTIFICATION.—(A) The Administrator of the United States Agency for International Development, in consultation with microenterprise institutions and other appropriate organizations, shall develop no fewer than two low-cost methods for partner institutions to use to assess the poverty levels of their current or prospective clients. The United States Agency for International Development shall develop poverty indicators that correlate with the circumstances of the very poor.

“(B) The Administrator shall field-test the methods developed under subparagraph (A). As part of the testing, institutions and programs may use the methods on a voluntary basis to demonstrate their ability to reach the very poor.

“(C) Not later than October 1, 2004, the Administrator shall, from among the low-cost poverty measurement methods developed under subparagraph (A), certify no fewer than two such methods as approved methods for measuring the poverty levels of current or prospective clients of microenterprise institutions for purposes of assistance under this section.

“(2) APPLICATION.—The Administrator shall require that, with reasonable exceptions, all organizations applying for microenterprise assistance under this Act use one of the certified methods, beginning no later than October 1, 2005, to determine and report the poverty levels of current or prospective clients.”.

(e) LEVEL OF ASSISTANCE.—Section 131(e) of such Act, as redesignated by subsection (d), is amended by inserting “and \$175,000,000 for fiscal year 2003 and \$200,000,000 for fiscal year 2004” after “fiscal years 2001 and 2002”.

(f) DEFINITIONS.—Section 131(f) of such Act, as redesignated by subsection (d), is amended by adding at the end the following:

“(5) VERY POOR.—The term ‘very poor’ means those individuals—

“(A) living in the bottom 50 percent below the poverty line established by the national government of the country in which those individuals live; or

“(B) living on less than the equivalent of \$1 per day.”.

**SEC. 4. REPORT TO CONGRESS.**

(a) IN GENERAL.—Not later than September 30, 2005, the Administrator of the United States Agency for International Development shall submit to Congress a report that documents the process of developing and applying poverty assessment procedures with its partners.

(b) REPORTS FOR FISCAL YEAR 2006 AND BEYOND.—Beginning with fiscal year 2006, the Administrator of the United States Agency for International Development shall annually submit to Congress on a timely basis a report that addresses the United States Agency for International Development’s compliance with the Microenterprise for Self-Reliance Act of 2000 by documenting—

(1) the percentage of its resources that were allocated to the very poor (as defined in paragraph (5) of section 131(f) of the Foreign Assistance Act of 1961 (22 U.S.C. 2152a(f)(5))) based on the data collected from its partners using the certified methods; and

(2) the absolute number of the very poor reached.

Mr. DURBIN. Madam President, I ask unanimous consent that the committee substitute amendment be agreed to; the bill, as amended, be read the third time and passed and the motion to reconsider be laid upon the table, with no intervening action or debate; that any statements related thereto be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The committee amendment in the nature of a substitute was agreed to.

The bill (H.R. 4073), as amended, was read the third time and passed.

**DOT KIDS IMPLEMENTATION AND EFFICIENCY ACT OF 2002**

Mr. DURBIN. Madam President, I ask unanimous consent that the Commerce Committee be discharged from further consideration of H.R. 3833 and the Senate proceed to its consideration.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 3833) to facilitate the creation of a new second-level Internet domain within the United States country code domain that will be a haven for material that promotes positive experiences for children and families using the Internet, provides a safe online environment for children, and helps to prevent children from being exposed to harmful material on the Internet, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. DORGAN. Madam President, I rise in support of H.R. 3833, the Dot Kids Implementation and Efficiency Act of 2002. Earlier this year Senator ENSIGN and I introduced the companion legislation, S. 2537, in the Senate and today I am pleased to offer an amendment in the nature of a substitute along with my colleagues Senators ENSIGN, HOLLINGS, and ALLEN.

As anyone who has surfed online knows, the development of the Internet has been a mixed blessing. On the one hand the Internet has brought enormous benefits to adults and children alike as it gives us new options for reading the news, researching school

papers, shopping, conducting business, and communicating with each other. But, on the other hand, the Internet also poses great risks to our children because there is no perfect way to protect them from the mountains of material that is inappropriate for their eyes.

Just after we had introduced this bill in the Senate a seventh grade girl at Erik Ramstad Middle School in North Dakota reported she had been solicited for a sexual encounter online. In a school assembly the same day 30 other students revealed that they have been threatened online.

The National Center for Missing and Exploited Children has charted 5,700 reported cases of online enticement in the past four years, and those are only cases that were intercepted by parents. And while there is not yet any way to compile Federal, State, and local cases involving sex, children, and the Internet, experts estimate that there are 4,000–5,000 each year.

The most recent study available “Online Victimization: A Report on the Nation’s Youth” found that “almost one out of five young people who use the Internet regularly were exposed to unwanted sexual solicitations or approaches” and “twenty-five percent had been exposed to unwanted online pornography” in the previous year.

This is a frightening situation. Computers have become an open door for predators into the homes of children. It is necessary to create a safe haven online for children to surf.

Today we have before us a bill called the Dot Kids Implementation and Efficiency Act that will help this situation by creating a safe haven on the Internet for kids.

Introduced in the Senate by myself and Senator ENSIGN, after it was successfully shepherded through the House by Representatives SHIMKUS, UPTON, and MARKEY, the idea behind the “dot kids” domain is very simple—to create a space on the web that can be a cyber-sanctuary for kids. A place where parents and kids can be confident that every site on the “dot-kids” domain contains materials that are suitable for children under the age of thirteen.

The bill calls for the creation of a sub-domain under our Nation’s country code “.us” called “.kids.us” which will only host content that is age appropriate for children. A number of safeguards were also put in this bill. “Dot-kids-dot-us” will be monitored for content and safety; and should objectionable material appear, it will be taken down immediately.

One of those safeguards is a restriction on peer-to-peer communication unless the entity hosting the site certifies that it will be done safely. And further, hyperlinks, which would take children out of the safe “dot-kids” domain are expressly prohibited to help insure that parents can be confident that when their children visit sites in “dot-kids” they will stay within the dot-kids domain.

Last October the Department of Commerce awarded the contract to handle the management and commercialization of the “dot-us” domain. And while this bill is careful to not change the terms of the existing contract it would condition the next contract on the creation of the “dot-kids-dot-us” domain.

So, under this bill, participation in “dot-kids” would be completely voluntary. Not only will whomever accepts the next contract know what they will be getting into, parents will choose to use it, and website operators will choose to be located within it.

The only requirement will be that site operators on the “dot-kids” domain agree to keep their sites full of material that is suitable for minors. Personally, I think the idea of using our country’s Top-Level-Domain to create a cyber-sanctuary for children makes a great deal of sense and I want to thank all of my colleagues and the many stakeholders who have been involved in this legislation for all their hard work and cooperation in making this bill a reality today.

I urge my colleagues to support the Dot Kids Implementation and Efficiency Act.

Mr. ENSIGN. Madam President, I am pleased to rise in support of H.R. 3833, the Dot Kids bill of 2002. Senator DORGAN and I introduced this bipartisan bill earlier this year to protect children on the Internet, and I am gratified that the Senate will act on it today.

It is estimated today that over 140 million Americans use the Internet, many of them children. Most schools are equipped with computers, where our children learn to navigate the Internet; in most cases children do so with better skill than parents. No longer do our children have to go to the library and sift through voluminous card catalogues for their research projects. No longer do our children need to be in school to communicate with their teachers and fellow classmates—they can do it from home by using e-mail and instant messaging. Families simply need a computer with an Internet connection to provide children with access to a greater breadth of information than the Library of Congress. The educational opportunities are limitless.

However, the Internet can also be used as a tool for evil. Many young children have tragically fallen victim to on-line predators. They have been stalked by pedophiles masquerading as other children. Many more young children on the Internet are routinely exposed to graphic violence, drugs and inappropriate sexual content despite parents’ efforts at restricting such content.

Congress first acted to protect children on the Internet in 1996 with passage of the Communications Decency Act, CDA. This legislation criminalized engaging in indecent or patently offensive speech on computer networks if the speech could be viewed by anyone

18 years of age or younger, but it did not survive constitutional challenges. The U.S. Supreme Court held in *Reno v. American Civil Liberties Union* that the CDA violated First Amendment free-speech protections. Congress subsequently responded in 1998 with passage of the Children’s Online Protection Act, COPA, legislation that prohibited communication of material that is harmful to minors on for-profit websites. The U.S. Supreme Court, however, in *American Civil Liberties Union v. Reno*, upheld an injunction by U.S. Court of Appeals for the Third Circuit on constitutional grounds and remanded the case for further review.

Another attempt was made to strike the careful balance between the first amendment and protecting children on the Internet with passage of the Children’s Internet Protection Act of 2000, CIPA. This legislation required schools and libraries that receive Federal funding to install filtering software to block from minors Internet content that contains child pornography, or other obscene and indecent material that is harmful to minors. Moreover, this legislation required federally funded libraries to block adults from accessing websites containing obscene material or child pornography. However, the U.S. District Court for the Eastern District of Pennsylvania unanimously held in *American Library Association v. United States* that CIPA was unconstitutional.

The bill before us today represents the most recent effort by Congress to craft legislation that can both protect children on the Internet and withstand constitutional scrutiny.

The Dot Kids bill establishes a children’s section of the Internet, much like a children’s section of the library, where children will be safe from pedophiles, pornography, and violence. We worked to craft the Dot Kids bill to withstand first amendment challenges by not imposing a burden on free speech to adults; the use of the Dot Kids subdomain is completely voluntary. As such, it recognizes and protects the rights of those who wish to view content not suitable for minors outside of the Dot Kids subdomain. Content within the Dot Kids subdomain must be suitable for children under 13 years of age. Dot Kids also protects children from accessing websites outside the Dot Kids subdomain or engaging in uncertified interactive services. This is a major victory for children and families. Chat rooms and instant messaging is a key component in allowing pedophiles to stalk children over the Internet. Liability protection was also provided for the domain administrator by utilizing the “Good Samaritan” provision in the Communications Act of 1934. This provision will ensure that the Dot Kids administrator will not be held liable for actions voluntarily taken in good faith to restrict access to, or availability of, obscene, harassing, violent or other objectionable material.

I am pleased that the Family Research Council, the National Center for Missing and Exploited Children, the American Center for Law and Justice, a Safer America for Everyone, SAFE, and the National Law Center for Children and Families have joined our effort in supporting this proposal.

The U.S. House of Representatives previously passed this measure by an overwhelming majority vote with the hard work of many dedicated Members of Congress including Congressman SHIMKUS, Congressman TAUZIN, Congressman UPTON, Congressman MARKEY and Congressman DINGELL.

Mr. HOLLINGS. Madam President, I rise today in support of the substitute amendment to H.R. 3833, the Dot Kids Implementation and Efficiency Act of 2002. I am proud to co-sponsor this amendment with Senators DORGAN, ENSIGN, and ALLEN. This bipartisan legislation is a result of compromise and hard work by interested parties including Senators DORGAN, ENSIGN, ALLEN, and MCCAIN. I also want to thank Representatives SHIMKUS, MARKEY, and UPTON for their efforts in the House on the companion legislation. They have all demonstrated their commitment to making the Internet safe for children.

In short, H.R. 3833 will create a safe haven for children on the Internet. It creates a domain designated strictly for minors—"kids.us". This new domain will allow parents to be confident that their child can experience the Internet, at least in part, without being exposed to objectionable material. Only content producers who can meet the standard of providing material suitable for minors will be allowed to register a .kids domain.

Really, this bill is just a next step of sorts for me. After all, I have been a strong advocate for a safe harbor for television to ensure that children are protected from objectionable material. I am happy to see that we are now able to extend such protections online, ensuring that children can safely surf the Internet without being bombarded with images of sex, violence, and drugs or being lured by child predators.

I am pleased that we have been able to reach an agreeable compromise on this bill and look forward to working with the Department of Commerce and the administrator for the U.S. country code domain to implement this legislation.

Mr. DURBIN. Senators DORGAN, ENSIGN, HOLLINGS, and ALLEN have a substitute amendment at the desk, and I ask unanimous consent that the amendment be considered and agreed to and the motion to reconsider be laid upon the table; that the bill, as amended, be read three times and passed and the motion to reconsider be laid upon the table; and that any statements relating thereto be printed in the RECORD, without intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 4903) was agreed to.

(The amendment is printed in today's RECORD under "Text of Amendments.")

The bill (H.R. 3833), as amended, was read the third time and passed.

#### PIPELINE INFRASTRUCTURE PROTECTION TO ENHANCE SECURITY AND SAFETY ACT

Mr. DURBIN. Madam President, I ask unanimous consent that the Commerce Committee be discharged from further consideration of H.R. 3609 and the Senate proceed to its consideration.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (H.R. 3609) to amend title 49, to enhance the security and safety of pipelines.

There being no objection, the Senate proceeded to consider the bill.

Mr. MCCAIN. Madam President, Congressional action to send comprehensive pipeline safety legislation to the President is long overdue. The Senate has worked long and hard during both the 106th and the 107th Congresses on this important issue and we should not let any more time pass without taking needed action to improve pipeline safety. I am hopeful we will finally achieve final passage on this issue before adjournment.

The Office of Pipeline Safety, OPS, within the Department of Transportation's Research and Special Programs Administration, RSPA, oversees the transportation of about 65 percent of the petroleum and most of the natural gas transported in the United States. OPS regulates the day-to-day safety of 3,000 gas pipeline operators with more than 1.6 million miles of pipeline. It also regulates more than 200 hazardous liquid operators with 155,000 miles of pipelines. Given the immense array of pipelines that traverse our nation, reauthorization of our pipeline safety programs is critical to the safety and security of thousands of communities and millions of Americans nationwide.

As my colleagues know, the Senate has approved pipeline safety legislation three times in the last three years. Twice we passed stand alone bills, in 2000 and again in 2001. Beginning in the 106th Congress, we worked on a bipartisan basis to develop and approve legislation to promote both public and environmental safety by reauthorizing and strengthening our Federal pipeline safety programs which expired in September 2000. In particular, the efforts of Senators Slade Gorton and PATTY MURRAY were instrumental to the Senate's efforts to address this important safety issue.

In our protracted effort to enact pipeline safety legislation—the House had not approved its version of a related measure—we resorted to adding the pipeline safety bill to the Energy bill during its floor consideration last March. Subsequently, the House approved its pipeline safety legislation in

July. While the House-passed energy bill did not include pipeline safety provisions, the House agreed to try to reach a consensus on the important issue in the context of the energy conference. As a result, the measure before us today is the sound, pro-safety agreement that was achieved during the energy conference deliberations.

The members of the energy conference are to be commended for their commitment to this important issue. They developed a consensus pipeline safety title that includes the best provisions from both the Senate- and House-passed bills. Although I did not serve as a formal member of that conference, we shared a goal of enacting comprehensive legislation to promote pipeline safety for the public, the environment, and the economy.

I want to commend Representatives BILLY TAUZIN, JOHN DINGELL, and DON YOUNG and Senators JEFF BINGAMAN and FRANK MURKOWSKI for their leadership and hard work on this issue and their courtesies to ensure the Senate authorizing committee was fully consulted during the process. Given that a consensus on a comprehensive energy package will not be achieved during this Congress, it is time to move forward and approve the agreement that was reached regarding pipeline safety.

In large part, the legislation before us is the result of several tragic pipeline accidents that have occurred in recent years. Since 1999, pipeline accidents have resulted in 78 fatalities. In June 1999, a fatal accident occurred in Bellingham, Washington, when gasoline leaked from an underground pipeline and was subsequently ignited. That accident resulted in three deaths, a number of injuries, and severe environmental damage to the area. On August 19, 2000, a natural gas transmission line ruptured in Carlsbad, New Mexico, killing 12 members of two families. These were two very serious accidents and they helped spur the Senate's action to address identified safety shortcomings.

As I mentioned, the Senate has worked at length to improve pipeline safety and reduce the risk of future accidents. During the last Congress, with the assistance of a bipartisan group of Senators, the Senate passed the Pipeline Safety Improvement Act of 2000. Since the House failed to approve pipeline safety legislation, we were never able to send a measure to the President.

When the 107th Congress convened, one of the first legislative actions taken by the Senate was to consider and pass S. 235, the Pipeline Safety Improvement Act of 2001, a measure nearly identical to what we passed in the prior Congress. Early attention by the Senate demonstrated our firm commitment to improving pipeline safety. Although it has taken far longer than I