

the report of a rule entitled "Suspension of Community Eligibility" (Doc. No. FEMA-7769) received on May 10, 2002; to the Committee on Banking, Housing, and Urban Affairs.

EC-7064. A communication from the General Counsel, National Credit Union Administration, transmitting, pursuant to law, the report of a rule entitled "Prompt Corrective Action; Requirements for Insurance. Requires All Federally Insured Credit Unions to File Quarterly Financial and Statistical Reports with NCUA" (12 CFR Part 702 and 741) received on May 10, 2002; to the Committee on Banking, Housing, and Urban Affairs.

EC-7065. A communication from the Assistant General Counsel for Regulatory Law, Office of Environment, Safety and Health, Department of Energy, transmitting, pursuant to law, the report of a rule entitled "Nuclear Explosives Safety Study Process" (DOE-STD-3015-2001) received on May 8, 2002; to the Committee on Armed Services.

EC-7066. A communication from the General Counsel of the Department of Defense, transmitting, a draft of proposed legislation entitled "Military Construction Authorizations"; to the Committee on Armed Services.

EC-7067. A communication from the Under Secretary of Defense, Personnel and Readiness, transmitting, pursuant to law, the Annual Report of the Armed Forces Retirement Home (AFRH) for Fiscal Year 2000; to the Committee on Armed Services.

EC-7068. A communication from the Under Secretary of Defense, Acquisition, Technology and Logistics, transmitting, pursuant to law, a report relative to the Distribution of Department of Defense Depot Maintenance Workloads for Fiscal Years 2002 through 2006; to the Committee on Armed Services.

EC-7069. A communication from the Under Secretary of Defense, Comptroller, transmitting, pursuant to law, the report of a violation of the Antideficiency Act, case number 99-07; to the Committee on Appropriations.

EC-7070. A communication from the Under Secretary of Defense, Comptroller, transmitting, pursuant to law, the report of a violation of the Antideficiency Act, case number 99-02; to the Committee on Appropriations.

EC-7071. A communication from the Under Secretary of Defense, Comptroller, transmitting, pursuant to law, the report of a violation of the Antideficiency Act, case number 98-08; to the Committee on Appropriations.

EC-7072. A communication from the Under Secretary of Defense, Comptroller, transmitting, pursuant to law, the report of a violation of the Antideficiency Act, case number 98-05; to the Committee on Appropriations.

EC-7073. A communication from the Congressional Liaison Officer, Trade and Development Agency, transmitting, pursuant to law, a report of a prospective U.S. Trade Development Agency funding obligation that requires special notification under Section 520 of the Kenneth M. Ludden Foreign Operations, Export Financing, and Related Programs Appropriations Act, Fiscal Year 2002, relative to Columbia; to the Committee on Appropriations.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. LEVIN, from the Committee on Armed Services, without amendment:

S. 2514: An original bill to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes. (Rept. No. 107-151).

S. 2515: An original bill to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes.

S. 2516: An original bill to authorize appropriations for fiscal year 2003 for military construction, and for other purposes.

S. 2517: An original bill to authorize appropriations for fiscal year 2003 for defense activities of the Department of Energy, and for other purposes.

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. LEVIN:

S. 2514. An original bill to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; from the Committee on Armed Services; placed on the calendar.

By Mr. LEVIN:

S. 2515. An original bill to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; from the Committee on Armed Services; placed on the calendar.

By Mr. LEVIN:

S. 2516. An original bill to authorize appropriations for fiscal year 2003 for military construction, and for other purposes; from the Committee on Armed Services; placed on the calendar.

By Mr. LEVIN:

S. 2517. An original bill to authorize appropriations for fiscal year 2003 for defense activities of the Department of Energy, and for other purposes; from the Committee on Armed Services; placed on the calendar.

By Mr. HAGEL:

S. 2518. A bill to authorize the Secretary of Agriculture to enter into cooperative agreements and contracts with the Nebraska State Forester to carry out watershed restoration and protection activities on National Forest System land in the State of Nebraska; to the Committee on Energy and Natural Resources.

By Mr. DODD (for himself and Mr. LIEBERMAN):

S. 2519. A bill to direct the Secretary of the Interior to conduct a study of Coltsville in the State of Connecticut for potential inclusion in the National Park System; to the Committee on Energy and Natural Resources.

By Mr. HATCH (for himself, Mr. LEAHY, Mr. SESSIONS, Mr. HUTCHINSON, Mr. BROWNBACK, Mr. EDWARDS, and Mr. DEWINE):

S. 2520. A bill to amend title 18, United States Code, with respect to the sexual exploitation of children; to the Committee on the Judiciary.

By Mr. KERRY:

S. 2521. A bill to amend title II of the Social Security Act to restrict the application of the windfall elimination provision to individuals whose combined monthly income from benefits under such title and other monthly periodic payments exceeds \$2,000 and to provide for a graduated implementation of such provision on amounts above such \$2,000 amount; to the Committee on Finance.

By Mr. BINGAMAN (for himself and Mrs. HUTCHISON):

S. 2522. A bill to establish the Southwest Regional Border Authority; to the Committee on Environment and Public Works.

By Mr. ALLARD:

S. 2523. A bill to make it more likely that the cleanup and closure of the Rocky Flats Environmental Technology Site will be completed on or before December 15, 2006; to the Committee on Armed Services.

By Mr. BAYH (for himself, Mr. CARPER, Mr. GRAHAM, Mrs. CLINTON, Mr. LIEBERMAN, Mr. MILLER, Mrs. CARNAHAN, Mr. NELSON of Nebraska, and Mr. NELSON of Florida):

S. 2524. A bill to amend part A of title IV of the Social Security Act to reauthorize the temporary assistance to needy families program, and for other purposes; to the Committee on Finance.

By Mr. KERRY (for himself, Mr. FRIST, Mr. BIDEN, Mr. HELMS, Mr. DASCHLE, Mr. LEAHY, Mr. FEINGOLD, Mr. DODD, Mr. HAGEL, Mrs. BOXER, Mr. SARBANES, Mr. SMITH of Oregon, Mr. DEWINE, and Mr. WELLSTONE):

S. 2525. A bill to amend the Foreign Assistance Act of 1961 to increase assistance for foreign countries seriously affected by HIV/AIDS, tuberculosis, and malaria, and for other purposes; to the Committee on Foreign Relations.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. CAMPBELL (for himself, Mr. DEWINE, and Mr. KERRY):

S. Res. 270. A resolution designating the week of October 13, 2002, through October 19, 2002, as "National Cystic Fibrosis Awareness Week"; to the Committee on the Judiciary.

By Mrs. CLINTON:

S. Con. Res. 111. A concurrent resolution expressing the sense of Congress that Harriet Tubman should have been paid a pension for her service as a nurse and scout in the United States Army during the Civil War; to the Committee on Armed Services.

ADDITIONAL COSPONSORS

S. 77

At the request of Mr. DASCHLE, the name of the Senator from New Mexico (Mr. BINGAMAN) was added as a cosponsor of S. 77, a bill to amend the Fair Labor Standards Act of 1938 to provide more effective remedies to victims of discrimination in the payment of wages on the basis of sex, and for other purposes.

S. 414

At the request of Mr. CLELAND, the name of the Senator from North Carolina (Mr. EDWARDS) was added as a cosponsor of S. 414, a bill to amend the National Telecommunications and Information Administration Organization Act to establish a digital network technology program, and for other purposes.

S. 603

At the request of Mr. LIEBERMAN, the names of the Senator from Connecticut (Mr. DODD) and the Senator from New York (Mr. SCHUMER) were added as cosponsors of S. 603, a bill to provide for

full voting representation in the Congress for the citizens of the District of Columbia to amend the Internal Revenue Code of 1986 to provide that individuals who are residents of the District of Columbia shall be exempt from Federal income taxation until such full voting representation takes effect, and for other purposes.

S. 677

At the request of Mr. HATCH, the name of the Senator from Connecticut (Mr. LIEBERMAN) 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. 710

At the request of Mr. KENNEDY, the name of the Senator from Vermont (Mr. JEFFORDS) was added as a cosponsor of S. 710, a bill to require coverage for colorectal cancer screenings.

S. 1022

At the request of Mr. WARNER, the name of the Senator from Kansas (Mr. BROWNBACK) 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. 1042

At the request of Mr. INOUE, the name of the Senator from Illinois (Mr. DURBIN) 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. 1282

At the request of Mr. HATCH, the name of the Senator from Arkansas (Mr. HUTCHINSON) was added as a cosponsor of S. 1282, a bill to amend the Internal Revenue Code of 1986 to exclude from gross income of individual taxpayers discharges of indebtedness attributable to certain forgiven residential mortgage obligations.

S. 1303

At the request of Mr. KERRY, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 1303, a bill to amend title XVIII of the Social Security Act to provide for payment under the medicare program for more frequent hemodialysis treatments.

S. 1329

At the request of Mr. JEFFORDS, the name of the Senator from Florida (Mr. GRAHAM) was added as a cosponsor of S. 1329, a bill to amend the Internal Revenue Code of 1986 to provide a tax incentive for land sales for conservation purposes.

S. 1339

At the request of Mr. CAMPBELL, the name of the Senator from Florida (Mr.

GRAHAM) was added as a cosponsor of S. 1339, a bill to amend the Bring Them Home Alive Act of 2000 to provide an asylum program with regard to American Persian Gulf War POW/MIAs, and for other purposes.

S. 1394

At the request of Mr. ENSIGN, the name of the Senator from New Hampshire (Mr. SMITH) was added as a cosponsor of S. 1394, a bill to amend title XVIII of the Social Security Act to repeal the medicare outpatient rehabilitation therapy caps.

S. 1839

At the request of Mr. ALLARD, the name of the Senator from Alaska (Mr. MURKOWSKI) was added as a cosponsor of S. 1839, a bill to amend the Bank Holding Company Act of 1956, and the Revised Statutes of the United States to prohibit financial holding companies and national banks from engaging, directly or indirectly, in real estate brokerage or real estate management activities, and for other purposes.

S. 1917

At the request of Mr. BUNNING, his name was added as a cosponsor of S. 1917, a bill to provide for highway infrastructure investment at the guaranteed funding level contained in the Transportation Equity Act for the 21st Century.

S. 1945

At the request of Mr. JOHNSON, the names of the Senator from North Dakota (Mr. DORGAN) and the Senator from North Dakota (Mr. CONRAD) were added as cosponsors of S. 1945, a bill to provide for the merger of the bank and savings association deposit insurance funds, to modernize and improve the safety and fairness of the Federal deposit insurance system, and for other purposes.

S. 1967

At the request of Mr. KERRY, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 1967, a bill to amend title XVIII of the Social Security Act to improve outpatient vision services under part B of the medicare program.

S. 2057

At the request of Mrs. LINCOLN, the name of the Senator from Maryland (Mr. SARBANES) was added as a cosponsor of S. 2057, 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. 2119

At the request of Mr. GRASSLEY, the name of the Senator from Connecticut (Mr. LIEBERMAN) was added as a cosponsor of S. 2119, a bill to amend the Internal Revenue Code of 1986 to provide for the tax treatment of inverted corporate entities and of transactions with such entities, and for other purposes.

S. 2134

At the request of Mr. HARKIN, the names of the Senator from South Carolina (Mr. HOLLINGS), the Senator from South Dakota (Mr. JOHNSON), and the Senator from New Jersey (Mr. TORRICELLI) were added as cosponsors of S. 2134, a bill to allow American victims of state sponsored terrorism to receive compensation from blocked assets of those states.

S. 2213

At the request of Mr. DAYTON, the name of the Senator from Georgia (Mr. MILLER) was added as a cosponsor of S. 2213, a bill to amend the Internal Revenue Code of 1986 to exclude from gross income certain overseas pay of members of the Armed Forces of the United States.

S. 2239

At the request of Mr. SARBANES, the names of the Senator from Indiana (Mr. BAYH), the Senator from Rhode Island (Mr. REED), the Senator from Michigan (Ms. STABENOW), and the Senator from Iowa (Mr. HARKIN) were added as cosponsors of S. 2239, a bill to amend the National Housing Act to simplify the downpayment requirements for FHA mortgage insurance for single family homebuyers.

S. 2243

At the request of Mr. HUTCHINSON, the name of the Senator from Arkansas (Mrs. LINCOLN) was added as a cosponsor of S. 2243, a bill to specify the amount of Federal funds that may be expended for intake facilities for the benefit of Lonoke and White Counties, Arkansas, as part of the project for flood control, Greers Ferry Lake, Arkansas.

S. 2454

At the request of Mr. ENSIGN, the name of the Senator from Arkansas (Mrs. LINCOLN) was added as a cosponsor of S. 2454, a bill to eliminate the deadlines for spectrum auctions of spectrum previously allocated to television broadcasting.

S. 2480

At the request of Mr. BUNNING, his name was added as a cosponsor of S. 2480, a bill to amend title 18, United States Code, to exempt qualified current and former law enforcement officers from state laws prohibiting the carrying of concealed handguns.

S. 2493

At the request of Mr. DASCHLE, the name of the Senator from Nebraska (Mr. HAGEL) was added as a cosponsor of S. 2493, a bill to amend the Immigration and Nationality Act to provide a limited extension of the program under section 245(i) of that Act.

S. 2498

At the request of Mr. BAUCUS, the name of the Senator from Connecticut (Mr. LIEBERMAN) was added as a cosponsor of S. 2498, a bill to amend the Internal Revenue Code of 1986 to require adequate disclosure of transactions which have a potential for tax avoidance or evasion, and for other purposes.

S. 2509

At the request of Mrs. HUTCHISON, the names of the Senator from Missouri (Mr. BOND) and the Senator from New Mexico (Mr. DOMENICI) were added as cosponsors of S. 2509, a bill to amend the Defense Base Closure and Realignment Act of 1990 to specify additional selection criteria for the 2005 round of defense base closures and realignments, and for other purposes.

S. 2512

At the request of Mr. HARKIN, the names of the Senator from Montana (Mr. BAUCUS), the Senator from Louisiana (Mr. BREAUX), and the Senator from Georgia (Mr. CLELAND) were added as cosponsors of S. 2512, a bill to provide grants for training court reporters and closed captioners to meet requirements for realtime writers under the Telecommunications Act of 1996, and for other purposes.

S. 2513

At the request of Mr. BIDEN, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 2513, a bill to assess the extent of the backlog in DNA analysis of rape kit samples, and to improve investigation and prosecution of sexual assault cases with DNA evidence.

S. RES. 253

At the request of Mr. SMITH of Oregon, the name of the Senator from Maryland (Mr. SARBANES) was added as a cosponsor of S. Res. 253, a resolution reiterating the sense of the Senate regarding Anti-Semitism and religious tolerance in Europe.

S. RES. 269

At the request of Mr. CRAIG, the name of the Senator from Colorado (Mr. ALLARD) was added as a cosponsor of S. Res. 269, a resolution expressing support for legislation to strengthen and improve Medicare in order to ensure comprehensive benefits for current and future retirees, including access to a Medicare prescription drug benefit.

AMENDMENT NO. 3406

At the request of Mr. ALLEN, the name of the Senator from South Carolina (Mr. THURMOND) was added as a cosponsor of amendment No. 3406 intended to be proposed to H.R. 3009, a bill to extend the Andean Trade Preference Act, to grant additional trade benefits under that Act, and for other purposes.

AMENDMENT NO. 3413

At the request of Mr. BUNNING, his name was added as a cosponsor of amendment No. 3413 intended to be proposed to H.R. 3009, a bill to extend the Andean Trade Preference Act, to grant additional trade benefits under that Act, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS—MAY 14, 2002

By Mrs. CARNAHAN (for herself and Mrs. HUTCHISON):

S. 2511. A bill to prevent trafficking in child pornography and obscenity, to proscribe pandering and solicitation relating to visual depictions of minors engaging in sexually explicit conduct, to prevent the use of child pornography and obscenity to facilitate crimes against children, and for other purposes; to the Committee on the Judiciary.

Mrs. CARNAHAN. Mr. President, child pornography is an affront to the inherent decency of our society. Creating and distributing this revolting material causes severe damage to the children involved. Those who purchase this material also harm children by creating a demand for production of more child pornography, leading to a greater number of victimized children.

Congress has enacted strong criminal laws outlawing the production, distribution, and possession of child pornography. But the advent of the internet and advances in imaging technology have made enforcing these laws more difficult. The problem is twofold. First, child pornography can now be created using digital technology such that the subjects of the images are virtual, not real, children. Second, child pornographers facing criminal prosecution now claim that the materials at issue contain computer-generated, virtual image, and claim that such images are constitutionally protected free speech. The technology is now so advanced that it is difficult for expert witnesses to determine whether the pornographers' claims are true, giving real pornographers the ability to escape prosecution.

Congress attempted to address this problem in 1996 by expanding the scope of federal child pornography statutes to cover sexually explicit images that appear to depict children, but were created without using actual children. Unfortunately, last month the Supreme Court determined that parts of the statute were unconstitutional. The Court concluded that the law was drafted too broadly and covered speech that is protected by the First Amendment. Unless Congress takes further action, future prosecutions of child pornographers will be in jeopardy. According to Associate Deputy Attorney General Daniel Collins, if prosecutors can only obtain convictions when the have affirmative proof that actual children were used, the "[g]overnment may be able to prosecute effectively only in very limited cases, such as those in which it happens to be able to match the depictions to pictures in pornographic magazines produced before the development of computer imaging software."

The legislation I am introducing today, along with my colleague Senator HUTCHISON, will cure this problem. It is companion legislation to H.R. 4623 and contains the Justice Department's recommendations on how to draft a constitutional statute that will facilitate prosecution of child pornographers. The legislation strikes a bal-

ance between the government's compelling interest in protecting children while not infringing on First Amendment rights.

The bill has a number of features. First, it narrows the definition of virtual child pornography and includes an affirmative defense that places the burden of proof on defendants to establish that the materials at issue were created without using real children. Second, it prohibits all real or virtual child pornography that depicts preteens. These sexually explicit materials involving young children are obscene and, in my view, do not enjoy any first amendment protection. The bill also creates new ways to crack down on pedophiles by outlawing showing pornography to children. It also encourages greater voluntary reporting of suspected child pornography found by internet service providers on their systems.

This legislation is progressing quickly through the House of Representatives. I hope that we can move expeditiously in this body as well to give the Justice Department the tools it needs to continue its campaign against the exploitation and degradation of children.

Mrs. HUTCHISON. Mr. President, I rise today to join my colleague from Missouri to introduce the Child Obscenity and Pornography Prevention Act of 2002. The passage of this legislation is urgently needed to stop the marketing of child pornography and its destructive impact on our society.

This bill is similar to the House version, which has the strong support of the Department of Justice. Attorney General Ashcroft has asked for this legislation so that he will have the tools to prosecute child pornographers. In this Internet age, it is becoming more difficult to ascertain whether child pornography is produced by exploiting real minors or whether it is made with computer imagery. I understand the Supreme Court's concerns about First Amendment rights. The bill we are introducing today does not violate the First Amendment.

Our bill goes after the marketing of child pornography, regardless of whether it is produced using a real minor. Legal precedent is clear that Congress may outlaw the solicitation and attempt to commit a crime, even if the core crime does not transpire. I have been a strong advocate against marketing violence to children, and similarly, I am strongly against the marketing of child pornography. The bottom line is that sexual images of children, even if produced by computer-imagery, only increase the chances of sexual crimes occurring against our children.

In addition, our bill outlaws the production of "obscene" child pornography, regardless of whether a real child or a computer-image is used. The Supreme Court has been clear that obscenity deserves no protection under