

Judiciary of the Senate and the House of Representatives on the Federal enforcement actions under chapter 110 of title 18, United States Code.

(2) CONTENTS.—The report required under paragraph (1) shall include—

(A) an evaluation of the prosecutions brought under chapter 110 of title 18, United States Code;

(B) an outcome-based measurement of performance; and

(C) an analysis of the technology being used by the child pornography industry.

(c) SENTENCING GUIDELINES.—Pursuant to its authority under section 994(p) of title 18, United States Code, and in accordance with this section, the United States Sentencing Commission shall review and, as appropriate, amend the Federal Sentencing Guidelines and policy statements to ensure that the guidelines are adequate to deter and punish conduct that involves a violation of paragraph (3)(B) or (6) of section 2252A(a) of title 18, United States Code, as created by this Act. With respect to the guidelines for section 2252A(a)(3)(B), the Commission shall consider the relative culpability of promoting, presenting, describing, or distributing material in violation of that section as compared with solicitation of such material.

SEC. 15. AUTHORIZATION OF INTERCEPTION OF COMMUNICATIONS IN THE INVESTIGATION OF SEXUAL CRIMES AGAINST CHILDREN.

Section 2516(1)(c) of title 18, United States Code, is amended—

(1) by inserting “section 1591 (sex trafficking of children by force, fraud, or coercion),” after “section 1511 (obstruction of State or local law enforcement),”; and

(2) by inserting “section 2251A (selling or buying of children), section 2252A (relating to material constituting or containing child pornography), section 2252B (relating to child obscenity), section 2260 (production of sexually explicit depictions of a minor for importation into the United States), sections 2421, 2422, 2423, and 2425 (relating to transportation for illegal sexual activity and related crimes),” after “sections 2251 and 2252 (sexual exploitation of children),”.

SEC. 16. INVESTIGATIVE AUTHORITY RELATING TO CHILD PORNOGRAPHY.

Section 3486(a)(1)(C)(i) of title 18, United States Code, is amended by striking “the name, address” and all that follows through “subscriber or customer utilized,” and inserting “the information specified in section 2703(c)(2)”.

SEC. 17. SEVERABILITY.

If any provision of this Act, an amendment made by this Act, or the application of such provision or amendment to any person or circumstance is held to be unconstitutional, the remainder of this Act, the amendments made by this Act, and the application of the provisions of such to any person or circumstance shall not be affected thereby.

MOTION OFFERED BY MR. SENSENBRENNER

Mr. SENSENBRENNER. Mr. Speaker, pursuant to House Resolution 160, I offer a motion.

The Clerk read as follows:

Mr. SENSENBRENNER moves to strike all after the enacting clause of S. 151, and insert in lieu thereof the provisions of H.R. 1104 as passed by the House.

The SPEAKER pro tempore. The gentleman from Wisconsin (Mr. SENSENBRENNER) is recognized for 1 hour.

Mr. SENSENBRENNER. Mr. Speaker, I yield myself such time as I may consume, and I will not take a long time on this motion.

The House has worked its will on H.R. 1104, and Members should be con-

gratulated for their hard work. However, this is no time to pat ourselves on the back. There is still work to do with the other body, and I am prepared to get that job done.

The following procedural maneuvers are necessary to get us to conference with the Senate. Many have complained that H.R. 1104 would get bogged down with the other body. This procedure ensures that we are able to expeditiously convene a conference to resolve differences between the House and the Senate versions of this legislation. The Committee on Rules, in its wisdom, has crafted a rule that permits us to expeditiously get to conference so that the House and Senate Committees on the Judiciary can get to work. I am ready to roll up my sleeves to make sure this child protection legislation is on the President's desk soon.

Mr. Speaker, this motion permits the House to get to a stage of disagreement with the Senate so the House can consider the next motion I will offer requesting a conference with the other body. I encourage all Members to support this motion so we can resolve our differences with the other body and send to the President strong child protection legislation.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Wisconsin (Mr. SENSENBRENNER).

The motion was agreed to.

The Senate bill was ordered to be read a third time, was read the third time, and passed.

The SPEAKER pro tempore. Without objection, the title of the Senate bill is amended so as to read: “To prevent child abduction and the sexual exploitation of children, and for other purposes.”

There was no objection.

A motion to reconsider was laid on the table.

A similar House bill (H.R. 1104) was laid on the table.

MOTION TO GO TO CONFERENCE

Mr. SENSENBRENNER. Mr. Speaker, pursuant to the rule, I offer a motion.

The Clerk read as follows:

Mr. SENSENBRENNER moves that the House insist on its amendments to S. 151 and request a conference with the Senate thereon.

The motion was agreed to.

MOTION TO INSTRUCT CONFEREES

Mr. SCOTT of Virginia. Mr. Speaker, I offer a motion to instruct conferees.

The Clerk read as follows:

Mr. SCOTT of Virginia moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the bill S. 151, be instructed to insist that—

(1) the committee of conference allow opportunity for members of the committee of conference to offer and debate amendments at all meetings of such conference; and

(2) all meetings of the committee of conference—

(A) be open to the public and to the print and electronic media; and

(B) be held in venues selected to maximize the capacity for attendance of the public and the media.

The SPEAKER pro tempore. Pursuant to clause 7 of rule XXII, the gentleman from Virginia (Mr. SCOTT) and the gentleman from Wisconsin (Mr. SENSENBRENNER) each will control 30 minutes.

The Chair recognizes the gentleman from Virginia (Mr. SCOTT).

Mr. SCOTT of Virginia. Mr. Speaker, I believe the motion is self-explanatory, and I would hope that it would be adopted.

Mr. Speaker, I reserve the balance of my time.

Mr. SENSENBRENNER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I have no objection to the motion, but I hope it will not be used to slow down the proceedings of the conference so that we can expeditiously reach a conference report.

Mr. Speaker, I yield back the balance of my time.

Mr. SCOTT of Virginia. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion to instruct offered by the gentleman from Virginia (Mr. SCOTT).

The motion to instruct was agreed to.

A motion to reconsider was laid on the table.

APPOINTMENT OF CONFEREES

The SPEAKER pro tempore. Without objection, the Chair appoints the following conferees:

From the Committee on the Judiciary, for consideration of the Senate bill and the House amendments, and modifications committed to conference: Messrs. SENSENBRENNER, COBLE, SMITH of Texas, GREEN of Wisconsin, Ms. HART, Mr. CONYERS and Mr. SCOTT of Virginia.

For consideration of the Senate bill and House amendments and modifications committed to conference: Mr. FROST.

There was no objection.

ANNOUNCEMENT BY COMMITTEE ON RULES REGARDING AMENDMENTS TO H.R. 522, FEDERAL DEPOSIT INSURANCE REFORM ACT OF 2003

Mr. DREIER. Mr. Speaker, the Committee on Rules may meet next week to grant a rule which could limit the amendment process for floor consideration of H.R. 522, the Federal Deposit Insurance Reform Act of 2003.

Any Member wishing to offer an amendment should submit 55 copies of the amendment and one copy with a brief explanation of the amendment to the Committee on Rules in room H-312 of the Capitol by 10 a.m. on Tuesday, April 1. Members should draft their amendments to the bill as ordered and reported by the Committee on Financial Services on March 13, which is expected to file its report later today.

Members are advised that the text should be available for their review on both the Committee on Financial Services and the Committee on Rules Web sites by Friday, March 28.

Members should use the Office of Legislative Counsel to ensure that their amendments are properly drafted in the most appropriate format. Members are also advised to check with the Office of the Parliamentarian to be certain their amendments comply with the Rules of the House.

ANNOUNCEMENT BY THE COMMITTEE ON RULES REGARDING AMENDMENTS TO H.R. 735, THE POSTAL CIVIL SERVICE RETIREMENT SYSTEM FUNDING REFORM ACT OF 2003

Mr. DREIER. Mr. Speaker, the Committee on Rules may meet next week to grant a rule which could limit the amendment process for floor consideration of H.R. 735, the Postal Civil Service Retirement System Funding Reform Act of 2003.

Any Member wishing to offer an amendment should submit 55 copies of the amendment and one copy with a brief explanation of the amendment to the Committee on Rules in H-312 of the Capitol by 4 p.m. on Monday, March 31. Members should draft their amendments to the bill as ordered by the Committee on Government Reform on March 6. Members are advised that the text should be available for their review on the Web site of the Committee on Rules later today.

Members should use the Office of the Legislative Counsel to make sure that their amendments are properly drafted in the most appropriate format. Members are also advised to check with the Office of the Parliamentarian to be certain that their amendments comply with the Rules of the House.

LAYING ON THE TABLE H. RES. 152

Mr. DREIER. Mr. Speaker, I ask unanimous consent that House Resolution 152 be laid on the table.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair announces the judicial conferees on S. 151 may be announced later.

LEGISLATIVE PROGRAM

(Mr. HOYER asked and was given permission to address the House for 1 minute.)

Mr. HOYER. Mr. Speaker, I take this time for the purpose of inquiring of the schedule of the distinguished majority leader, the gentleman from Texas (Mr. DELAY), and I yield to the majority leader.

Mr. DELAY. Mr. Speaker, I appreciate the gentleman yielding.

Mr. Speaker, the House will convene on Monday at 12:30 p.m. for morning hour and 2 p.m. for legislative business. We will consider several measures under suspension of the rules. A final list of those bills will be sent to Members' offices by the end of the week. Any votes called on these bills will be rolled until 6:30 p.m. on Monday.

On Tuesday, we expect to consider several additional bills under suspension of the rules, including legislation that will provide relief from student loan payments to our men and women currently serving in the Middle East. We would also hope to go to conference on the 2004 budget resolution.

For Wednesday and the balance of the week, we have several measures that we will consider under a rule. Those include H.R. 522, a bill to reauthorize the Federal Deposit Insurance Program; H.R. 735, which would alter the method used to calculate Postal Service contributions to the Federal Employee Pension System; and H.R. 743, the Social Security Protection Act.

Finally, next week, we hope to be considering the Fiscal Year 2003 War Supplemental that was requested by the President earlier this week. I believe that the Committee on Appropriations has tentatively scheduled a markup of this legislation for Tuesday.

Now, Members should be aware, while I remain hopeful that we could consider this legislation on the floor on Thursday, I know that this schedule would disrupt the traditional 3-day layover practice by the Committee on Appropriations, but if the supplemental is not available for floor consideration on Thursday, Members should be advised we would be in session next Friday to consider this very important bill.

I thank the gentleman for yielding. I would be happy to answer any questions.

Mr. HOYER. Mr. Speaker, I thank the gentleman for his information.

Following up on what he said at the end of his statement, am I to understand that if the supplemental is passed on Thursday, it is the gentleman's expectation we will not be in next Friday?

Mr. DELAY. Mr. Speaker, if the gentleman will yield, the gentleman is correct. If we can get the supplemental passed by the House by Thursday, we would not be in on Friday. But Members need to be advised that the President has asked the bipartisan leadership to try to get the supplemental to his desk before the Easter break, and we have to get it done next week in order to accomplish that.

Mr. HOYER. Mr. Speaker, I thank the gentleman for his comments.

I would say to the distinguished majority leader, having talked to the ranking member and former chairman of the Committee on Appropriations, the gentleman from Wisconsin (Mr. OBEY), I think if we can reach a bipar-

tisan agreement, we too want to make sure that we provide the appropriate resources for our men and women in harm's way to assure them that there is going to be no reluctance on our part to accomplish that effort. But I emphasize that my belief is that if we can reach a bipartisan agreement, and I am hopeful, I know the gentleman from Florida (Mr. YOUNG) and the gentleman from Wisconsin (Mr. OBEY) can accomplish that; and if the leadership would help in accomplishing that objective, I think that would be a worthy objective for our country and for this House.

The budget conference and conferees, does the gentleman know when they will be appointed? I yield to the gentleman.

Mr. DELAY. Mr. Speaker, I appreciate the gentleman yielding.

We are hoping to go to conference and name conferees on Monday, if we can get the papers from the Senate. Right now we could have done it today, but we are waiting for the papers to come over from the other body, and they tell us it will be very difficult to get those papers to us by Monday. But if we can get everything straight, then we will go to conference on Monday. If not, we will have to wait until Tuesday.

Mr. HOYER. Mr. Leader, the reason I was looking to staff, obviously, as the gentleman well knows, if we are not going to go in until 6:30 and we will probably do suspension bills that night, clearly, if we go to conference, a motion to instruct would be in order; and I think it would be our intention to offer such a motion.

Therefore, having notice at this juncture, or I understand the gentleman's not having specific knowledge of when the papers are going to come over, but I might say to the gentleman that if we can have some specificity, and apparently Tuesday we will have the papers, the gentleman is reasonably confident, perhaps we could agree that it would be then Tuesday so that on our side we could plan to have the motion to which we would be entitled ready and available at that time.

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Mr. DELAY. I thank the gentleman for his comment, Mr. Speaker. We want to make sure that the minority protects their rights and reserves their rights to proceed to a motion to instruct.

My assumption is that we will have what we need to go to conference on the floor of this House no later than Tuesday, and we have every anticipation that we will be going to conference on Tuesday, but we would like to go a day earlier. As the gentleman knows, there is a lot of legislation we would like to do in the next 2 weeks, and floor time is at a premium.

Mr. HOYER. Reclaiming my time, Mr. Speaker, I appreciate the gentleman's view. I share that view. We want to try to get this done. I am going to ask him about the week following.