All the justices were respectful and it was obvious that they had thought a lot about the issues. When the oral argument finished I was really hopeful that we would win the case. It felt good doing something this significant to make a difference in the world. It was a great feeling after so many years of just trying to get it right.

My hope turned to horror when the Court decided two weeks ago that restitution was ''impossible'' for victims like me and Vicky and so many others. I couldn't believe that something which is called mandatory restitution (twice) was so hard to figure out. It just seemed like something somewhere was missing. Why, if so many people are committing this serious crime, why are the victims of that crime, who are and were children after all, left out? The Court's decision was even worse than getting no restitution at all. It was sort of like getting negative restitution. It was a horrible day.

This is why I am so happy, and hopeful, that Congress can fix this problem once and for all. Maybe if they put mandatory in the law for a third time judges will get it that restitution really really really must be given to victims! After all this time and all the hearings and appeals and the Supreme Court, I definitely agree that restitution needs improvement and hopefully this bill, the Amy and Vicky Child Pornography Restitution Improvement Act of 2014, can finally make restitution happen for all victims of this horrible crime.

Thank you for supporting this law and working so hard to give victims the hope and help they need to overcome the nightmares and memories that most others will never know. Thank you Senator Hatch and Senator Schumer for making my hope real!

AMY (no longer) Unknown.

''VICKY,'' C/O CAROL L. HEPBURN,
ATTORNEY AT LAW,
Seattle, WA, May 3, 2014.

Re Support for Amy and Vicky Child Pornography Restitution Improvement Act

Hon. ORRIN HATCH,
Senator, U.S. Congress,
Washington DC.

DEAR SENATOR HATCH: I am the subject of the ''Vicky'' series of child pornography images, which I have been told by law enforcement agents is one of the most widely traded in the world. I am writing to you under pseudonym, and through my attorney, because I have been stalked by pedophiles in the recent past and I am concerned that disclosure of my legal name and address could lead to further stalking.

I appreciate the Supreme Court's recent recognition in the Paroline decision of the pain and loss suffered by victims and the need for mandatory restitution. This upholds both the victim's need for compensation and helping the offender realize they have hurt an actual person. The difficult part of this decision is the immense amount of time and work investment that will be required by the victim to collect restitution, without the guarantee that they will ever collect the full amount to be made whole again. With each case in which the victim seeks restitution from someone who has possessed and/or distributed their images, there is an emotional cost just for being involved in the case. It brings up the painful reality of the victim's situation of never-ending humiliation and puts it right in the victim's face once again. This decision places on the victim the huge burden of several years of litigation without any promise of closure. This is a dismal prospect because it leaves victims like Amy and myself with the choice between not pursuing restitution (which would not provide us with the help we desperately need to heal) or continuing to have this painful part of our lives in our face on a regular basis for several more years, if not decades. Without any guidelines as to how the district courts will calculate restitution from each offender, I worry that the emotional toll may not be adequately compensated for in the end. I sincerely hope that Congress will take the time to create some guidelines for restitution for victims of child pornography possession and distribution that will protect the victim and enable them to receive full compensation.

I would be happy to talk with you about this at some later time. I am currently very pregnant and due to deliver my first child in two weeks. I respectfully ask that you support this legislation and do all that you can to see that it becomes law.

Very truly yours,

''VICKY''.

Mr. HATCH. Second, I wish to thank Amy and Vicky's legal team who were instrumental in developing this legislation. They include Professor Paul Cassell at the University of Utah School of Law, one of the leading authorities on criminal law in this country, and attorneys James Marsh of New York and Carol Hepburn in Seattle. Professor Cassell argued the Paroline case before the Supreme Court, and it is the experience of these tireless advocates that informed how to respond to that decision.

Third, I wish to thank the Senators on both sides of the aisle who join me in introducing this bill. In particular, I wish to recognize the senior Senator from New York Mr. SCHUMER who also signed on to the legal brief I filed in the Paroline case. We serve together on the Judiciary Committee, and he has long been a champion for crime victims.

I ask unanimous consent that an editorial from today's Washington Post be printed in the RECORD.

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

[From the Washington Post, May 6, 2014]

CONGRESS NEEDS TO ACT TO ALLOW VICTIMS OF CHILD SEX ABUSE TO RECOVER RESTITUTION

(By Editorial Board)

''I am a 19 year old girl and I am a victim of child sex abuse and child pornography. I am still discovering all the ways that the abuse and exploitation I suffer has hurt me. . . .'' So began the victim impact statement of a young woman who was 8 when she was raped but whose abuse has never ended because the uncle who assaulted her took pictures that have been widely trafficked on the Internet. ''It is hard to describe what it feels like to know that at any moment, anywhere, someone is looking at pictures of me as a little girl being abused by my uncle and is getting some kind of sick enjoyment from it,'' she wrote.

The Supreme Court did not dispute her suffering nor her right to receive restitution from viewers who take pleasure in her abuse and create the sordid market demand for child pornography. But the court set aside the $3.4 million awarded her. Now Congress needs to fix the law.

The 5-to-4 ruling in Paroline v. United States is a double-edged sword for the advocates of child pornography victims. It upholds part of the Violence Against Women Act, which calls for restitution to victims such as ''Amy Unknown,'' as the woman is identified in court papers, but it limits the amount of damages proximate to the harm caused by a specific offender—a standard that puts the burden on the victim and makes it difficult to collect damages.

Doyle Randall Paroline, who pleaded guilty to possessing child pornography that included images of Amy, was ordered by an appeals court to pay all of the $3.4 million owed to Amy for the psychological damage and lost income she has suffered. The court's majority, in an opinion written by Justice Anthony M. Kennedy, ruled that Mr. Paroline should be assessed an amount that is not trivial but comports with ''the defendant's relative role in the causal process that underlies the victim's general losses.''

Justice Kennedy acknowledged that his approach ''is not without difficulties.'' How should a court calculate the harm caused by one person's possession of an image seen by thousands? Mathematically dividing the total amount by the number of estimated views produces an amount so small as to be insulting rather than therapeutic. What, in short, is the right number between zero and $3.4 million?

The justices are right in thinking that Congress should revisit the issue. Legislation set to be introduced Wednesday by Sens. Charles E. Schumer (D–N.Y.) and Orrin G. Hatch (R–Utah) seems to be a step in the right direction, with its outline of options for full victim recovery when multiple individuals are involved and giving multiple defendants who have banned the same victim the ability to sue each other to spread the cost of restitution. The court was clear in its opinion that ''the victim should someday collect restitution for all her child pornography losses.'' Congress needs to provide the tools to turn that someday into reality.

Mr. HATCH. It says that the Amy and Vicky Child Pornography Victim Restitution Improvement Act is ''a step in the right direction.''

I urge all of my colleagues to join us in enacting this legislation. It creates a practical process and recognizes the unique kind of harm caused by child pornography and requires restitution in a manner that will actually help victims.

In her letter, Amy writes that the legislation we are introducing today ''can finally make restitution happen for all victims of this horrible crime.''

Let's get it done.

AMENDMENTS SUBMITTED AND PROPOSED

SA 3010. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill S. 2262, to promote energy savings in residential buildings and industry, and for other purposes; which was ordered to lie on the table.

SA 3011. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill S. 2262, supra; which was ordered to lie on the table.

SA 3012. Mrs. SHAHEEN (for herself and Mr. PORTMAN) submitted an amendment intended to be proposed by her to the bill S. 2262, supra.

SA 3013. Mr. McCONNELL (for himself, Mr. VITTER, and Mr. HOEVEN) submitted an amendment intended to be proposed by him to the bill S. 2262, supra; which was ordered to lie on the table.

SA 3014. Mr. COBURN (for himself, Mr. TOOMEY, and Mr. FLAKE) submitted an amendment intended to be proposed by him to the bill S. 2262, supra; which was ordered to lie on the table.

SA 3015. Mr. HATCH submitted an amendment intended to be proposed by him to the bill S. 2262, supra; which was ordered to lie on the table.

SA 3016. Mr. HATCH submitted an amendment intended to be proposed by him to the bill S. 2262, supra; which was ordered to lie on the table.

SA 3017. Mr. HATCH submitted an amendment intended to be proposed by him to the bill S. 2262, supra; which was ordered to lie on the table.

SA 3018. Mr. FLAKE (for himself, Mr. MCCAIN, and Mrs. FISCHER) submitted an amendment intended to be proposed by him to the bill S. 2262, supra; which was ordered to lie on the table.

SA 3019. Mr. FLAKE (for himself, Mr. TOOMEY, and Mrs. FISCHER) submitted an amendment intended to be proposed by him to the bill S. 2262, supra; which was ordered to lie on the table.

SA 3020. Mr. FLAKE (for himself, Mrs. FISCHER, and Mr. COBURN) submitted an amendment intended to be proposed by him to the bill S. 2262, supra; which was ordered to lie on the table.

SA 3021. Mr. FLAKE submitted an amendment intended to be proposed by him to the bill S. 2262, supra; which was ordered to lie on the table.

SA 3022. Mr. BENNET (for himself, Mr. COBURN, Mr. CARPER, and Ms. AYOTTE) submitted an amendment intended to be proposed by him to the bill S. 2262, supra; which was ordered to lie on the table.

SA 3023. Mr. REID proposed an amendment to amendment SA 3012 submitted by Mrs. SHAHEEN (for herself and Mr. PORTMAN) to the bill S. 2262, supra.

SA 3024. Mr. REID proposed an amendment to amendment SA 3023 proposed by Mr. REID to the amendment SA 3012 submitted by Mrs. SHAHEEN (for herself and Mr. PORTMAN) to the bill S. 2262, supra.

SA 3025. Mr. REID proposed an amendment to the bill S. 2262, supra.

SA 3026. Mr. REID proposed an amendment to amendment SA 3025 proposed by Mr. REID to the bill S. 2262, supra.

SA 3027. Mr. REID proposed an amendment to the bill S. 2262, supra.

SA 3028. Mr. REID proposed an amendment to amendment SA 3027 proposed by Mr. REID to the bill S. 2262, supra.

SA 3029. Mr. REID proposed an amendment to amendment SA 3028 proposed by Mr. REID to the amendment SA 3027 proposed by Mr. REID to the bill S. 2262, supra.

SA 3030. Mr. SESSIONS submitted an amendment intended to be proposed by him to the bill S. 2262, supra; which was ordered to lie on the table.

SA 3031. Mr. SESSIONS submitted an amendment intended to be proposed by him to the bill S. 2262, supra; which was ordered to lie on the table.

SA 3032. Mr. ENZI submitted an amendment intended to be proposed by him to the bill S. 2262, supra; which was ordered to lie on the table.

SA 3033. Mr. ENZI submitted an amendment intended to be proposed by him to the bill S. 2262, supra; which was ordered to lie on the table.

SA 3034. Mr. TOOMEY submitted an amendment intended to be proposed by him to the bill S. 2262, supra; which was ordered to lie on the table.

SA 3035. Mr. TOOMEY submitted an amendment intended to be proposed by him to the bill S. 2262, supra; which was ordered to lie on the table.

SA 3036. Mr. TOOMEY (for himself and Mr. CASEY) submitted an amendment intended to be proposed by him to the bill S. 2262, supra; which was ordered to lie on the table.

SA 3037. Mr. TOOMEY submitted an amendment intended to be proposed by him to the bill S. 2262, supra; which was ordered to lie on the table.

SA 3038. Mr. UDALL of Colorado (for himself, Mr. BEGICH, and Ms. HEITKAMP) submitted an amendment intended to be proposed by him to the bill S. 2262, supra; which was ordered to lie on the table.

SA 3039. Mr. UDALL of Colorado (for himself and Mr. MARKEY) submitted an amendment intended to be proposed by him to the bill S. 2262, supra; which was ordered to lie on the table.

SA 3040. Mr. UDALL of Colorado (for himself, Mr. BEGICH, and Ms. HEITKAMP) submitted an amendment intended to be proposed by him to the bill S. 2262, supra; which was ordered to lie on the table.

SA 3041. Ms. KLOBUCHAR (for herself and Mr. HOEVEN) submitted an amendment intended to be proposed by her to the bill S. 2262, supra; which was ordered to lie on the table.

SA 3042. Ms. KLOBUCHAR submitted an amendment intended to be proposed by her to the bill S. 2262, supra; which was ordered to lie on the table.

SA 3043. Mr. BROWN (for himself and Mr. KIRK) submitted an amendment intended to be proposed by him to the bill S. 2262, supra; which was ordered to lie on the table.

SA 3044. Mr. REID (for Mr. PRYOR (for himself, Mr. COONS, Mr. BEGICH, and Mr. WYDEN)) submitted an amendment intended to be proposed by Mr. Reid, of NV to the bill S. 2262, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 3010. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill S. 2262, to promote energy savings in residential buildings and industry, and for other purposes; which was ordered to lie on the table; as follows:

At the end of the bill, add the following:

SEC. _____. COMPLIANCE WITH LACEY ACT AMENDMENTS OF 1981.

Section 5 of Public Law 112–237 (126 Stat. 1629) is amended by inserting after ''zebra mussels'' the following: ''and other fish, wildlife, and plants present in Lake Texoma that are prohibited under section 3 of such Act (16 U.S.C. 3372) or under section 42 of title 18, United States Code''.

SA 3011. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill S. 2262, to promote energy savings in residential buildings and industry, and for other purposes; which was ordered to lie on the table; as follows:

At the beginning of title V, insert the following:

SEC. 5___. APPROVAL OF CERTAIN SETTLEMENTS UNDER ENDANGERED SPECIES ACT OF 1973.

(a) DEFINITIONS.—Section 3 of the Endangered Species Act of 1973 (16 U.S.C. 1532) is amended—

(1) by redesignating paragraphs (12) through (21) as paragraphs (13) through (22), respectively;

(2) by redesignating paragraphs (1) through (10) as paragraphs (2), (3), (4), (5), (7), (8), (9), (10), (11), and (12), respectively;

(3) by inserting before paragraph (2) (as so redesignated) the following:

''(1) AFFECTED PARTY.—The term 'affected party' means any person (including a business entity), or any State, tribal government, or local subdivision, the rights of which may be affected by a determination made under section 4(a) in an action brought under section 11(g)(1)(C).''; and

(4) by inserting after paragraph (5) (as so redesignated) the following:

''(6) COVERED SETTLEMENT.—The term 'covered settlement' means a consent decree or a settlement agreement in an action brought under section 11(g)(1)(C).''.

(b) INTERVENTION; APPROVAL OF COVERED SETTLEMENT.—Section 11(g) of the Endangered Species Act of 1973 (16 U.S.C. 1540(g)) is amended—

(1) in paragraph (3), by adding at the end the following:

''(C) PUBLISHING COMPLAINT; INTERVENTION.—

''(i) PUBLISHING COMPLAINT.—

''(I) IN GENERAL.—Not later than 30 days after the date on which the plaintiff serves the defendant with the complaint in an action brought under paragraph (1)(C) in accordance with Rule 4 of the Federal Rules of Civil Procedure, the Secretary of the Interior shall publish the complaint in a readily accessible manner, including electronically.

''(II) FAILURE TO MEET DEADLINE.—The failure of the Secretary to meet the 30-day deadline described in subclause (I) shall not be the basis for an action under paragraph (1)(C).

''(ii) INTERVENTION.—

''(I) IN GENERAL.—After the end of the 30-day period described in clause (i), each affected party shall be given a reasonable opportunity to move to intervene in the action described in clause (i), until the end of which a party may not file a motion for a consent decree or to dismiss the case pursuant to a settlement agreement.

''(II) REBUTTABLE PRESUMPTION.—In considering a motion to intervene by any affected party, the court shall presume, subject to rebuttal, that the interests of that affected party would not be represented adequately by the parties to the action described in clause (i).

''(III) REFERRAL TO ALTERNATIVE DISPUTE RESOLUTION.—

''(aa) IN GENERAL.—If the court grants a motion to intervene in the action, the court shall refer the action to facilitate settlement discussions to—

''(AA) the mediation program of the court; or

''(BB) a magistrate judge.

''(bb) PARTIES INCLUDED IN SETTLEMENT DISCUSSIONS.—The settlement discussions described in item (aa) shall include each—

''(AA) plaintiff;

''(BB) defendant agency; and

''(CC) intervenor.'';

(2) by striking paragraph (4) and inserting the following:

''(4) LITIGATION COSTS.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), the court, in issuing any final order in any action brought under paragraph (1), may award costs of litigation (including reasonable attorney and expert witness fees) to any party, whenever the court determines such an award is appropriate.

''(B) COVERED SETTLEMENT.—

''(i) CONSENT DECREES.—The court shall not award costs of litigation in any proposed covered settlement that is a consent decree.

''(ii) OTHER COVERED SETTLEMENTS.—

''(I) IN GENERAL.—For a proposed covered settlement other than a consent decree, the court shall ensure that the covered settlement does not include payment to any plaintiff for the costs of litigation.

''(II) MOTIONS.—The court shall not grant any motion, including a motion to dismiss, based on the proposed covered settlement described in subclause (I) if the covered settlement includes payment to any plaintiff for the costs of litigation.''; and

(3) by adding at the end the following:

''(6) APPROVAL OF COVERED SETTLEMENT.—