

Eckstein, Tim Salmon, Adam Kennedy, Bengie Molina, Brad Fullmer, Jarrod Washburn, Kevin Appier, Brendan Donnelly, Ben Weber, Ramon Ortiz, and Francisco Rodriguez.

I also would like to congratulate chairman and CEO of the Walt Disney Company Michael Eisner, General Manager Bill Stoneman and all of the Angels' staff on their hard work assembling Anaheim's first championship team. I should also congratulate Jackie Autry, widow of former Angels owner Gene Autry. One of her husband's greatest dreams was to see the Angels win a World Series.

And, most importantly, I would like to thank the Angels fans in Southern California who have earned national recognition for their enthusiasm and unbridled support of their team.

Finally, it is nearly impossible to congratulate the Angels or their fans without mentioning the "Rally Monkey," the adorable mascot that has become Anaheim's symbol of resilience and refusal to give up hope in the most difficult situations.

The Angels have begun a new era of baseball in Southern California and will certainly defend their title with the same heart and determination that brought them to the World Series this year. The Anaheim Angels are a team with an unquenchable desire to win.

They have made the city of Anaheim, the county of Orange, and all of California proud.

Mr. REID. Madam President, I ask unanimous consent that the resolution and preamble be agreed to en bloc; that the motion to reconsider be laid upon the table, with no intervening action or debate; and that any statements relating to the resolution be printed in the RECORD.

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

The resolution (S. Res. 357) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 357

Whereas the Anaheim Angels have won the first World Championship in the 42 year history of the franchise;

Whereas the Anaheim Angels completed their best season in franchise history with 99 wins, staging one of the most significant team improvements in Major League Baseball since the 2001 season;

Whereas the 2002 World Series was the Anaheim Angels' first appearance in the Fall Classic;

Whereas the Anaheim Angels have fielded such superstars as Nolan Ryan, Rod Carew, Bobby Grich, Reggie Jackson, Jim Abbott, Wally Joyner, Brian Downing, Jim Edmonds, Gary DiSarcina, and now Troy Percival, Jarrod Washburn, Garret Anderson, Troy Glaus, and Tim Salmon;

Whereas third baseman Troy Glaus received the World Series Most Valuable Player Award for his stellar defensive plays, .385 batting average, and 3 home runs during the series;

Whereas pitcher Francisco Rodriguez became the youngest pitcher to win a World Series game and tied the postseason record for games won with 5 outstanding wins;

Whereas Manager Mike Scioscia won his first World Series title as a manager;

Whereas Tim Salmon made his first playoff appearance in 10 seasons as a major league baseball player, the only current player to have played that long without having reached the postseason;

Whereas the spirit of Gene Autry, the "Singing Cowboy" and former owner of the Angels, was undoubtedly ever-present with the Anaheim players throughout the series as he was an inspirational force to all who played for him and knew of his legacy;

Whereas the Anaheim Angels battled another California team deserving of acknowledgement: the San Francisco Giants;

Whereas the San Francisco Giants were a worthy rival for the Anaheim Angels and set the stage for an exciting and suspenseful World Series that was watched with great interest by many Californians;

Whereas the Anaheim Angels epitomize California pride with their incredible focus, dedication to winning, team cohesiveness, and devotion to playing America's pastime with class, athleticism, and enthusiasm; and

Whereas the Anaheim Angels demonstrate the rewards of perseverance, discipline, teamwork, and championship as they prepare to defend their title of World Champions: Now, therefore, be it

*Resolved*, That the Senate congratulates the Anaheim Angels on winning the 2002 Major League Baseball World Series title.

EXPRESSING SENSE OF CONGRESS ABOUT PUBLIC AWARENESS AND EDUCATION ABOUT IMPORTANCE OF HEALTH CARE COVERAGE

Mr. REID. Madam President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 757, S. Con. Res. 94.

The PRESIDING OFFICER. The clerk will report the concurrent resolution by title.

The legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 94) expressing the sense of Congress that public awareness and education about the importance of health care coverage is of the utmost priority and that a National Importance of Health Care Coverage Month should be established to promote that awareness and education.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. REID. Madam President, I ask unanimous consent that the concurrent resolution be agreed to; that the preamble be agreed to; that the motion to reconsider be laid upon the table; and that any statements relating to the concurrent resolution be printed in the RECORD.

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

The concurrent resolution (S. Con. Res. 94) was agreed to.

The preamble was agreed to.

The concurrent resolution, with its preamble, reads as follows:

S. CON. RES. 94

Whereas census estimates indicate that some 42,000,000 people in the United States are without health insurance coverage, many of whom are among the most vulnerable and can be financially devastated by serious illness, disease, or accident;

Whereas studies have shown that people with health insurance are healthier than those who are uninsured and receive care through emergency rooms or safety net health care services, because the insured are entitled to, and receive, more preventive

care, follow-up care, and care for chronic conditions such as diabetes and high blood pressure;

Whereas over 17,300,000 of the uninsured are employed but are not offered health insurance through their employers;

Whereas such employers are small business owners who are often unaware of the benefits of offering health insurance, including that such benefits are tax deductible, reduce employee turnover, and reduce employee sick days;

Whereas over 16,000,000 people in the United States, more than 1/3 of the uninsured, are in families where at least 1 member of the family has been offered employer based health care coverage but has declined coverage;

Whereas many individuals are eligible for public assistance programs such as the State Children's Health Insurance Program, known as SCHIP, and the medicaid program, but are not currently enrolled due primarily to lack of outreach, education, and accessible enrollment processes;

Whereas studies have shown that many individuals and small businesses are unaware of the various options they have for obtaining affordable health care coverage;

Whereas surveys have shown that many individuals who cite expense as the reason for not purchasing insurance find insurance affordable once they are informed of the true cost of various options; and

Whereas education about health care coverage helps uninsured individuals and employers understand the critical value of health insurance as a preventive measure and the ways to keep their health insurance premiums manageable once they have health care coverage: Now, therefore, be it

*Resolved by the Senate (the House of Representatives concurring)*, That it is the sense of Congress that—

(1) a National Importance of Health Care Coverage Month be established to—

(A) promote a multifaceted educational effort about the importance of health care coverage;

(B) increase awareness of the many available health care coverage options; and

(C) inform those eligible for public insurance programs on ways to access those programs; and

(2) the President issue a proclamation calling on the Federal Government, States, localities, citizens, and businesses of the United States to conduct appropriate programs, fairs, ceremonies, and activities to promote this educational effort.

RELIEF OF SO HYUN JUN

Mr. REID. Madam President, I ask unanimous consent that the Senate proceed to the consideration of H.R. 3758 now at the desk.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 3758) for the relief of So Hyun Jun.

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

Mr. REID. Madam President, I ask unanimous consent that the bill be read a third time and passed; that the motion to reconsider be laid upon the table, with no intervening action or debate; and that any statements relating to the bill be printed in the RECORD.

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

The bill (H.R. 3758) was read the third time and passed.

**PROSECUTORIAL REMEDIES AND TOOLS AGAINST THE EXPLOITATION OF CHILDREN TODAY ACT OF 2002**

Mr. REID. Madam President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 759, S. 2520.

The PRESIDING OFFICER. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (S. 2520) to amend title 18, United States Code, with respect to the sexual exploitation of children.

There being no objection, the Senate proceeded to consider the bill which was reported by the Committee on the Judiciary with an amendment to strike all after the enacting clause, and insert in lieu thereof the following:

[Strike the part shown in black brackets and insert the part printed in *italics*.]

S. 2520

*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 "Prosecutorial Remedies and Tools Against the Exploitation of Children Today Act of 2002".

**SEC. 2. CERTAIN ACTIVITIES RELATING TO MATERIAL CONSTITUTING OR CONTAINING CHILD PORNOGRAPHY.**

Section 2252A of title 18, United States Code, is amended—

(1) in subsection (a)—  
(A) by striking paragraph (3) and inserting the following:

"(3) knowingly—  
"(A) reproduces any child pornography for distribution through the mails, or in interstate or foreign commerce by any means, including by computer; or  
"(B) advertises, promotes, presents, describes, distributes, or solicits through the mails, or in interstate or foreign commerce by any means, including by computer, any material in a manner that conveys the impression that the material is, or contains, an obscene visual depiction of a minor engaging in sexually explicit conduct;"

(B) in paragraph (4), by striking "or" at the end;  
(C) in paragraph (5), by striking the period at the end and inserting "; or"; and  
(D) by adding at the end the following:

"(6) knowingly distributes, offers, sends, or provides to a minor any visual depiction, including any photograph, film, video, picture, or computer generated image or picture, whether made or produced by electronic, mechanical, or other means, of sexually explicit conduct where such visual depiction is, or appears to be, of a minor engaging in sexually explicit conduct—  
"(A) that has been mailed, shipped, or transported in interstate or foreign commerce by any means, including by computer;  
"(B) that was produced using materials that have been mailed, shipped, or transported in interstate or foreign commerce by any means, including by computer; or  
"(C) which distribution, offer, sending, or provision is accomplished using the mails or by transmitting or causing to be transmitted any wire communication in interstate or foreign commerce, including by computer,

for purposes of inducing or persuading such minor to participate in any activity that is illegal.";

(2) in subsection (b)(1), by striking "(1), (2), (3), or (4)" and inserting "(1), (2), (3), (4), or (6)"; and

(3) by striking subsection (c) and inserting the following:

"(c) It shall be an affirmative defense to a charge of violating paragraph (1), (2), (3), (4), or (5) of subsection (a) that—

"(1)(A) the alleged child pornography was produced using an actual person or persons engaging in sexually explicit conduct; and

"(B) each such person was an adult at the time the material was produced; or

"(2) the alleged child pornography was not produced using any actual minor or minors.

No affirmative defense shall be available in any prosecution that involves obscene child pornography or child pornography as described in section 2256(8)(D). A defendant may not assert an affirmative defense to a charge of violating paragraph (1), (2), (3), (4), or (5) of subsection (a) unless, within the time provided for filing pretrial motions or at such time prior to trial as the judge may direct, but in no event later than 10 days before the commencement of the trial, the defendant provides the court and the United States with notice of the intent to assert such defense and the substance of any expert or other specialized testimony or evidence upon which the defendant intends to rely. If the defendant fails to comply with this subsection, the court shall, absent a finding of extraordinary circumstances that prevented timely compliance, prohibit the defendant from asserting a defense to a charge of violating paragraph (1), (2), (3), (4), or (5) of subsection (a) or presenting any evidence for which the defendant has failed to provide proper and timely notice."

**SEC. 3. ADMISSIBILITY OF EVIDENCE.**

Section 2252A of title 18, United States Code, is amended by adding at the end the following:

"(e) ADMISSIBILITY OF EVIDENCE.—In any prosecution under this chapter, the name, address, or other identifying information, other than the age or approximate age, of any minor who is depicted in any child pornography shall not be admissible and the jury shall be instructed, upon request of the United States, that it can draw no inference from the absence of such evidence in deciding whether the child pornography depicts an actual minor."

**SEC. 4. DEFINITIONS.**

Section 2256 of title 18, United States Code, is amended—

(1) in paragraph (1), by inserting before the semicolon the following: "and shall not be construed to require proof of the actual identity of the person";

(2) in paragraph (8)—  
(A) in subparagraph (B), by inserting "is obscene and" before "is";  
(B) in subparagraph (C), by striking "or" at the end; and  
(C) by striking subparagraph (D) and inserting the following:

"(D) such visual depiction—  
"(i) is of a minor, or an individual who appears to be a minor, actually engaging in bestiality, sadistic or masochistic abuse, or sexual intercourse, including genital-genital, oral-genital, anal-genital, or oral-anal, whether between persons of the same or opposite sex; and  
"(ii) lacks serious literary, artistic, political, or scientific value; or  
"(E) the production of such visual depiction involves the use of an identifiable minor engaging in sexually explicit conduct; and"; and

(3) in paragraph (9)(A)(ii)—

(A) by striking "(ii) who is" and inserting the following:

"(ii)(I) who is"; and  
(B) by striking "and" at the end and inserting the following: "or  
"(II) who is virtually indistinguishable from an actual minor; and".

**SEC. 5. RECORDKEEPING REQUIREMENTS.**

Section 2257 of title 18, United States Code, is amended—

(1) in subsection (d)(2), by striking "of this section" and inserting "of this chapter or chapter 71,";

(2) in subsection (h)(3), by inserting ", computer generated image or picture," after "video tape"; and

(3) in subsection (i)—

(A) by striking "not more than 2 years" and inserting "not more than 5 years"; and

(B) by striking "5 years" and inserting "10 years".

**SEC. 6. FEDERAL VICTIMS' PROTECTIONS AND RIGHTS.**

Section 227(f)(1)(D) of the Victims of Child Abuse Act of 1990 (42 U.S.C. 13032(f)(1)(D)) is amended to read as follows:

"(D) where the report discloses a violation of State criminal law to an appropriate official of that State or subdivision of that State for the purpose of enforcing such State law."

**SEC. 7. CONTENTS DISCLOSURE OF STORED COMMUNICATIONS.**

Section 2702 of title 18, United States Code, is amended—

(1) in subsection (b)—  
(A) in paragraph (5), by striking "or" at the end;

(B) in paragraph (6)—  
(i) in subparagraph (A)(ii), by inserting "or" at the end;

(ii) by striking subparagraph (B); and  
(iii) by redesignating subparagraph (C) as subparagraph (B);

(C) by redesignating paragraph (6) as paragraph (7); and

(D) by inserting after paragraph (5) the following:

"(6) to the National Center for Missing and Exploited Children, in connection with a report submitted under section 227 of the Victims of Child Abuse Act of 1990 (42 U.S.C. 13032); or"; and

(2) in subsection (c)—  
(A) in paragraph (4), by striking "or" at the end;

(B) by redesignating paragraph (5) as paragraph (6); and

(C) by inserting after paragraph (4) the following:

"(5) to the National Center for Missing and Exploited Children, in connection with a report submitted under section 227 of the Victims of Child Abuse Act of 1990 (42 U.S.C. 13032); or".

**SEC. 8. EXTRATERRITORIAL PRODUCTION OF CHILD PORNOGRAPHY FOR DISTRIBUTION IN THE UNITED STATES.**

Section 2251 of title 18, United States Code, is amended—

(1) by striking "subsection (d)" each place that term appears and inserting "subsection (e)";

(2) by redesignating subsections (c) and (d) as subsections (d) and (e), respectively; and

(3) by inserting after subsection (b) the following:

"(c)(1) Any person who, in a circumstance described in paragraph (2), employs, uses, persuades, induces, entices, or coerces any minor to engage in, or who has a minor assist any other person to engage in, any sexually explicit conduct outside of the United States, its territories or possessions, for the purpose of producing any visual depiction of such conduct, shall be punished as provided under subsection (e).