

preme Court in the case of Knox v. United States, 92-1183, has failed to support the conviction of a child pornographer won by the Department in the United States District Court for the Middle District of Pennsylvania and affirmed on appeal in the United States Court of Appeals for the Third Circuit;

(7) the Department of Justice has used its brief in the Knox case as a vehicle for reinterpretation of the Federal child pornography laws in contravention to legislative history and past prosecution practices of the Department of Justice;

(8) the Department of Justice by declaring in its brief in the Knox case that a pornographer who lasciviously exhibits the genitals of children is prosecutable within the Federal child pornography laws only if the depictions show a minor engaged in the conduct of lasciviously exhibiting his or her genitals or pubic area, creates a federally protected class of child pornography, e.g. child pornography involving children who are not knowingly engaged in lasciviously exhibiting their genitals or pubic areas but whose genitals or pubic areas are nonetheless lasciviously depicted by others;

(9) the Department of Justice by declaring in its brief in the Knox case in contravention to legislative history, that a pornographer who lasciviously exhibits the genital or pubic area of children is prosecutable within the Federal child pornography laws only if the genitals are nude or visible creates a federally protected class of child pornography, e.g. depictions which focus on a minor child's clothed genital or pubic area with the obvious intent of eliciting a sexual response in pedophiles;

(10) the plain meaning and congressional intent of the language in section 2256 of title 18, United States Code, is that the term "lascivious exhibition" refers to whether the depiction is intended to elicit a sexual response from the viewer, and not to the actions of the child;

(11) the Department of Justice has employed this meaning of the term "lascivious exhibition" since it was included in the laws in 1984, and Congress has not changed the meaning of the term;

(12) Congress specifically repudiated a "nudity" requirement for child pornography statutes (see United States v. Knox, 977 F. 2d 815, at 820-823, (3rd Cir., 1992));

(13) the "harm Congress attempted to eradicate by enacting child pornography laws is present when a photographer unnaturally focuses on a minor child's clothed genital area with the obvious intent to produce an image sexually arousing to pedophiles." (see Knox at 822); and

(14) the Congress of the United States believes that the reinterpretation of the Federal child pornography laws by Department of Justice, unless reversed, will bring back commercial child pornography and lead to a substantial increase of sexual exploitation of children.

(b) SENSE OF CONGRESS.—It is the sense of the House of Representatives that the Department of Justice repudiate its reinterpretation of Federal child pornography laws, defend the conviction won in lower courts in the Knox case, and vigorously prosecute sexual exploitation of children.

It was decided in the affirmative 425
Nays 3

¶36.16 [Roll No. 133] AYES—425

Table with 3 columns: Name, State, and Position. Includes names like Abercrombie, Ackerman, Allard, Andrews (ME), Andrews (NJ), Andrews (TX), Applegate, Archer, Armev, Bachus (AL), Baesler, Baker (CA), Baker (LA), Ballenger, Barca, Barcia, Barlow, Barrett (NE), etc.

Table with 3 columns: Name, State, and Position. Includes names like Barrett (WI), Bartlett, Barton, Bateman, Becerra, Beilenson, Bentley, Bereuter, Berman, Bevil, Bilbray, Bilirakis, Bishop, Blackwell, Bliley, Blute, Boehlert, Boehner, Bonilla, Bonior, Borski, Boucher, Brewster, Brooks, Browder, Brown (CA), Brown (FL), Brown (OH), Bryant, Bunning, Burton, Buyer, Byrne, Callahan, Calvert, Camp, Canady, Cantwell, Cardin, Castle, Chapman, Clay, Clayton, Clement, Clinger, Clyburn, Coble, Coleman, Collins (GA), Collins (MI), Combust, Condit, Conyers, Cooper, Coppersmith, Costello, Cox, Coyne, Cramer, Crane, Crapo, Cunningham, Danner, Darden, de la Garza, de Lugo (VI), Deal, DeFazio, DeLauro, DeLay, Dellums, Derrick, Deutsch, Diaz-Balart, Dickey, Dicks, Dingell, Dixon, Dooley, Doolittle, Dornan, Dreier, Duncan, Dunn, Durbin, Edwards (TX), Ehlers, Emerson, Engel, English, Eshoo, Evans, Everett, Ewing, Faleomavaega, Farr, Fawell, Fazio, Fields (LA), Fields (TX), Filner, Fingerhut, Flake, Foglietta, Ford (MI), Ford (TN), Fowler, Frank (MA), Franks (CT), Franks (NJ), Frost, Furse, Gallegly, Gejdenson, Gekas, Gephardt, Geren, Gibbons, Gilchrist, Gillmor, Gilman, Gingrich, Glickman, Gonzalez, Goodlatte, Goodling, Gordon, Goss, Grams, Green, Greenwood, Gundersen, Gutierrez, Hall (OH), Hall (TX), Hamburg, Hamilton, Hancock, Hansen, Harman, Hastert, Hastings, Hayes, Hefley, Hefner, Herger, Hilliard, Hinchey, Hoagland, Hobson, Hochbrueckner, Hoekstra, Hoke, Holden, Horn, Houghton, Hoyer, Huffington, Hughes, Hunter, Hutchinson, Hutto, Hyde, Inglis, Inhofe, Inslee, Istook, Jacobs, Jefferson, Johnson (CT), Johnson (GA), Johnson (SD), Johnson, E. B., Johnson, Sam, Johnston, Kanjorski, Kaptur, Kasich, Kennedy, Kennelly, Kildee, Kim, King, Kingston, Kleczka, Klein, Klink, Klug, Knollenberg, Kolbe, Kopetski, Kreidler, Kyl, LaFalce, Lambert, Lancaster, Lantos, LaRocco, Laughlin, Lazio, Leach, Lehman, Levin, Levy, Lewis (CA), Lewis (FL), Lewis (GA), Lightfoot, Linder, Lipinski, Livingston, Lloyd, Long, Lowey, Machtley, Maloney, Mann, Manton, Manzullo, Margolis, Mezvinsky, Markey, Martinez, Matsui, Mazzoli, McCandless, McCloskey, McCollum, McCrery, McCurdy, McDermott, McHale, McHugh, McInnis, McKeon, McKinney, McMillan, Meehan, Meek, Menendez, Meyers, Mfume, Mica, Michel, Miller (CA), Miller (FL), Mineta, Minge, Mink, Moakley, Molinari, Mollohan, Montgomery, Moorhead, Moran, Morella, Murphy, Murtha, Myers, Neal (MA), Neal (NC), Norton (DC), Nussle, Oberstar, Obey, Olver, Ortiz, Orton, Owens, Oxley, Packard, Pallone, Parker, Pastor, Paxon, Payne (NJ), Payne (VA), Pelosi, Penny, Peterson (FL), Peterson (MN), Petri, Pickett, Pickle, Pombo, Pomeroy, Porter, Portman, Poshard, Price (NC), Pryce (OH), Quillen, Quinn, Rahall, Ramstad, Rangel, Ravenel, Reed, Regula, Reynolds, Richardson, Ridge, Roberts, Roemer, Rogers, Rohrabacher, Romero-Barcelo (PR), Ros-Lehtinen, Rose, Rostenkowski, Roth, Roukema, Rowland, Roybal-Allard, Royce, Rush, Sabo, Sanders, Sangmeister, Santorum, Sarpalius, Sawyer, Saxton, Schaefer, Schenk, Schiff, Schroeder, Schumer, Scott, Sensenbrenner, Serrano, Sharp, Shaw, Shays, Shepherd, Shuster, Sisisky, Skaggs, Steen, Skelton, Slattery, Slaughter, Smith (IA), Smith (MI), Smith (NJ), Smith (OR), Smith (TX), Snow, Solomon, Spence, Spratt, Stark, Stearns, Stenholm, Stokes, Strickland, Studds, Stump, Stupak, Sundquist, Sweet, Swift, Synar, Talent, Tanner, Tauzin, Taylor (MS), Taylor (NC), Tejada, Thomas (CA), Thomas (WY), Thompson, Thornton, Thurman, Torkildsen, Torres, Torricelli, Towns, Traficant, Tucker, Unsoeld, Upton, Valentine, Velazquez, Vento, Visclosky, Volkmer, Vucanovich, Walker, Walsh, Waters, Watt, Waxman, Weldon, Wheat, Whitten, Williams, Wilson, Wise, Wolf, Woolsey, Wyden, Wynn, Yates, Young (AK), Young (FL), Zeff, Zimmer

Table with 3 columns: Name, State, and Position. Includes names like Edwards (CA), Nadler, Washington, NOT VOTING—9, Bacchus (FL), Fish, McDade, Carr, Gallo, McNulty, Collins (IL), Grandy, Underwood (GU)

NOES—3
Washington

NOT VOTING—9

Bacchus (FL) Fish McDade
Carr Gallo McNulty
Collins (IL) Grandy Underwood (GU)

So the amendment was agreed to.
After some further time,

¶36.17 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. HUNTER:

At the end thereof insert the following new section:

SEC. BORDER PATROL AGENTS.

In addition to such amounts as are otherwise authorized to be appropriated, there is authorized to be appropriated for each of the fiscal years 1995, 1996, 1997, 1998, and 1999 for salaries and expenses of the Border Patrol such amounts as may be necessary to provide for an increase in the number of agents of the Border Patrol by 6,000 full-time equivalent agent positions (and necessary support personnel positions) beyond the number of such positions authorized for the Border Patrol as of October 1, 1993.

It was decided in the affirmative 417
Nays 12

¶36.18 [Roll No. 134] AYES—417

Table with 3 columns: Name, State, and Position. Includes names like Abercrombie, Ackerman, Allard, Andrews (ME), Andrews (NJ), Andrews (TX), Applegate, Archer, Armev, Bachus (AL), Baesler, Baker (CA), Baker (LA), Ballenger, Barca, Barcia, Barlow, Barrett (NE), Barrett (WI), Bartlett, Barton, Bateman, Becerra, Beilenson, Bentley, Bereuter, Berman, Bevil, Bilbray, Bilirakis, Bishop, Blackwell, Bliley, Blute, Boehlert, Boehner, Bonilla, Bonior, Borski, Boucher, Brewster, Brooks, Browder, Brown (CA), Brown (FL), Brown (OH), Bryant, Bunning, Burton, Buyer, Byrne, Callahan, Calvert, Camp, Canady, Cantwell, Cardin, Carr, Castle

Chapman Hastings Michel Smith (OR) Taylor (NC) Volkmer
Clay Hastings Miller (CA) Smith (TX) Tejeda Vucanovich
Clayton Hayes Miller (FL) Snowe Thomas (CA) Walker
Clement Hefley Mineta Solomon Thomas (WY) Walsh
Clinger Hefner Minge Spence Thompson Waters
Clyburn Herger Mink Spratt Thornton Waxman
Coble Hinchey Moakley Stark Thurman Weldon
Coleman Hoagland Molinari Stearns Torkildsen Wheat
Collins (GA) Hobson Mollohan Torres Torricelli Williams
Collins (IL) Hochbrueckner Montgomery Stokes Strickland Towns Wilson
Combest Hoekstra Moorhead Strudds Traficant Wise
Condit Hoke Moran Stump Tucker Underwood (GU) Wyden Wolf
Conyers Holden Morella Stupak Underwood (GU) Woolsey
Cooper Horn Murphy Sundquist Sweet Upton Yates
Coppersmith Houghton Murtha Swett Upton Yates
Costello Hoyer Myers Talent Valentine Young (AK)
Cox Huffington Nadler Tanner Velazquez Young (FL)
Coyne Hughes Neal (MA) Neal (NC) Zelif Zim
Cramer Hunter Neal (NC) Taylor (MS) Visclosky

Collins (MI) Klink Sabo
Frank (MA) Obey Swift
Gonzalez Penny Synar
Hilliard Peterson (MN) Watt

NOES—12
Fish Kennelly Washington
Gallo McDade Whitten
Grandy McNulty

So the amendment was agreed to.
After some further time,

36.19 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. TRAFICANT:

Add at the end the following new title:

TITLE —LABELS ON PRODUCTS
SEC. . PLACEMENT OF MADE IN AMERICA LABELS ON PRODUCTS.

(a) REQUIREMENTS FOR USE OF LABELS.—No product may bear a label which states or suggests that the product was made in America unless—

(1) the product has been registered with the Department of Commerce under subsection (b); and

(2) the Secretary of Commerce has determined that—

(A) 60 percent of the product was manufactured in the United States; and

(B) final assembly of the product took place in the United States.

(b) REGISTRY OF AMERICAN-MADE PRODUCTS.—Not later than 12 months after the Secretary has promulgated regulations regarding the registration of products with the Department of Commerce under this section, a person shall register with the Department of Commerce any product on which there is or will be affixed a label which states or suggests that the product was made in America.

(c) PENALTIES FOR FRAUDULENT USE OF LABELS.—

(1) CIVIL FINE.—Any person who, with an intent to defraud or mislead, places on a product a label which states or suggests that the product was "made in America" in violation of this section may be assessed a civil penalty by the Secretary of not more than \$100,000. The Secretary may issue an order assessing such civil penalty only after notice and an opportunity for an agency hearing on the record. The validity of such order may not be reviewed in an action to collect such civil penalty.

(2) INJUNCTIVE RELIEF.—The Secretary may bring an action to enjoin the violation of, or to compel compliance with, this section, whenever the Secretary believes that such a violation has occurred or is about to occur.

(d) REGULATIONS.—Not later than 12 months after the date of the enactment of this Act, the Secretary shall promulgate regulations establishing procedures under which a person shall register a product under this section.

(e) DEFINITIONS.—For purposes of this section:

(1) LABEL.—The term "label" means any written, printed, or graphic matter on, or attached to, a product or any of its containers or wrappers.

(2) SECRETARY.—The term "Secretary" means the Secretary of Commerce.

It was decided in the affirmative { Yeas 310
Nays 116

36.20 [Roll No. 135]
AYES—310

Ackerman Everett Lewis (GA)
Allard Ewing Lightfoot
Andrews (ME) Faleomavaega Linder
Andrews (NJ) (AS) Lipinski
Andrews (TX) Farr Livingston
Applegate Fawell Lloyd
Bacchus (FL) Fazio Long
Bachus (AL) Fields (LA) Machtley
Baker (CA) Fields (TX) Maloney
Ballenger Filner Mann
Barca Fingerhut Manton
Barcia Flake Margolies-
Barlow Foglietta Mezvinsky
Barrett (NE) Ford (MI) Markey
Barrett (WI) Ford (TN) Mazzoli
Bartlett Fowler McCloskey
Bateman Franks (CT) McCollum
Bentley Franks (NJ) McHale
Bevill Frost McHugh
Billbray Furse McInnis
Bilirakis Gallegly McKinney
Bishop Gekas McMillan
Blackwell Gephardt Meehan
Bliley Geren Menendez
Blute Gillmor Meyers
Boehlert Gilman Mfume
Boehner Gingrich Mica
Bonilla Goodlatte Moakley
Bonior Goodling Molinari
Borski Gordon Mollohan
Boucher Grams Montgomery
Brewster Green Moorhead
Browder Greenwood Moran
Brown (OH) Gutierrez Morella
Bunning Hall (OH) Murphy
Burton Hall (TX) Murtha
Buyer Hamilton Myers
Byrne Hancock Neal (MA)
Callahan Hansen Norton (DC)
Calvert Hastert Nussle
Camp Hayes Oberstar
Canady Hefley Obey
Carr Hefner Olver
Clay Herger Ortiz
Clayton Hilliard Orton
Clement Hinchey Owens
Clinger Hoagland Packard
Clyburn Hobson Pallone
Coble Hochbrueckner Parker
Collins (GA) Hoke Payne (NJ)
Collins (IL) Holden Payne (VA)
Collins (MI) Horn Pelosi
Condit Houghton Peterson (FL)
Conyers Hoyer Peterson (MN)
Cooper Huffington Petri
Costello Hunter Pickett
Coyne Hutchinson Pombo
Cramer Hutto Pomeroy
Crane Hyde Portman
Crapo Inglis Price (NC)
Cunningham Inhofe Pryce (OH)
Danner Inslee Quillen
Darden Istook Quinn
Darden de la Garza Jacobs Rahall
de la Garza Johnson (CT) Ramstad
de Lugo (VI) Johnson (SD) Rangel
Deal Johnson (SD) Ravenel
DeFazio Johnson, E. B. Regula
DeLauro Kaptur Richardson
Derrick Kasich Richardson
Deutsch Kennedy Ridge
Diaz-Balart Kennelly Roemer
Dickey Kildee Rogers
Dingell Kim Romero-Barcelo
Dixon Klein (PR)
Dooley Klink Ros-Lehtinen
Doolittle Klug Rose
Dornan Kreidler Roth
Duncan Lambert Roukema
Dunn Lancaster Rowland
Edwards (TX) Lantos Sanders
Ehlers Laughlin Sangmeister
Emerson Lazio Santorum
Engel Leach Sarpalius
Eshoo Levin Sawyer
Evans Levy Saxton