

down an aircraft with shoulder-fired missiles. The December 2001 arrest of attempted "shoe bomber" Richard Reid showed just how committed terrorists are to smuggling undetectable plastic explosives onto airplanes. Reid was stopped at the last minute by alert passengers and crew, not by any detection machinery. The legalization of undetectable guns will clearly increase the danger to flight crews, passengers and other citizens exponentially.

The need for action is urgent. The Terrorist Firearms Detection Act will renew the Act and make it permanent. The danger to security from plastic firearms will not sunset, and the law that bans them shouldn't sunset either.

The Terrorist Firearms Detection Act is supported by Americans for Gun Safety, the Brady Campaign to Prevent Gun Violence United with the Million Mom March, the Coalition to Stop Gun Violence, and the Violence Policy Center. The only organization to have opposed the ban on plastic guns in the past is the National Rifle Association, and it's fair to ask, "Whose side are they on?" If they insist on another sunset, perhaps we can sunset the NRA instead.

The bill we are introducing today is only one of several steps that Congress should take to protect our people from gun violence. Senator LAUTENBERG's Homeland Security Gun Safety Act will close the loopholes in our gun laws that allow rogue gun dealers to evade the law and sell guns illegally to criminals and terrorists. That's how the D.C. snipers acquired their Bushmaster rifle.

Congress should also act to strengthen criminal background checks for gun purchases under the Brady Law, renew the assault weapons ban, and close the "gun show loophole" once and for all. Each of these gun-safety measures is needed to protect our people in communities across the country, and I urge my colleagues to support them.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 249—TO STRIKE PARAGRAPH 2 OF RULE XXII OF THE STANDING RULES OF THE SENATE, RELATING TO CLOTURE

Mr. MILLER submitted the following resolution; which was referred to the Committee on Rules and Administration:

S. RES. 249

Resolved, That rule XXII of the Standing Rules of the Senate is amended by striking paragraph 2.

SENATE CONCURRENT RESOLUTION 74—EXPRESSING THE SENSE OF THE CONGRESS THAT A POSTAGE STAMP SHOULD BE ISSUED AS A TESTIMONIAL TO THE NATION'S TIRELESS COMMITMENT TO REUNITING AMERICA'S MISSING CHILDREN WITH THEIR FAMILIES, AND TO HONOR THE MEMORIES OF THOSE CHILDREN WHO WERE VICTIMS OF ABDUCTION AND MURDER

Mrs. CLINTON (for herself, Mr. SHELBY, Mrs. LINCOLN, Mr. DEWINE, Mr. KENNEDY, Mr. LAUTENBERG, Mr. HAGEL, and Mr. MILLER) submitted the following concurrent resolution; which was referred to the Committee on Governmental Affairs:

S. CON. RES. 74

Whereas there are reported missing in the United States approximately 2,000 children each day and up to 800,000 children each year;

Whereas the National Center for Missing and Exploited Children was established 19 years ago as the Nation's resource center and clearinghouse for information on America's missing children, and issued a national call to action requesting the participation of every citizen to assist in the search for the country's missing youth;

Whereas it is the collective responsibility of all Americans to better protect the Nation's children, as well as to assist in the search for those who are missing;

Whereas the issuance of a stamp bearing the image of a missing child sends a powerful message, both at its unveiling and on each letter on which it is sent, that Americans will neither tolerate the victimization of their children nor rest until each missing child is reunited with his or her family; and

Whereas the Missing Children's Stamp Committee, headquartered in New York State, has collected more than 26,000 letters from around the world in support of such a stamp: Now, therefore, be it

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

(1) a postage stamp should be issued by the United States Postal Service to honor all missing children; and

(2) the Citizens' Stamp Commission of the United States Postal Service should recommend to the Postmaster General that such a stamp be issued.

Mrs. CLINTON. Mr. President, I rise today with my colleague, Senator SHELBY, to submit a resolution to encourage the United States Postal Service Stamp Advisory Committee to issue the National Missing and Exploited Children's Postage Stamp. I am proud to join my colleague Congressman BOEHLERT, the champion of this legislation in the House, and am honored to be a part of this effort.

We introduce this resolution today on the 14th anniversary of the abduction of Jacob Wetterling. Jacob was only 11 years old when he was kidnapped at gunpoint while riding his bike on his way home from a convenience store in St. Joseph, MN. Though he was taken from his family and friends on this day his memory is still alive. With support from his community, Jacob's parents established the Jacob Wetterling Foundation, which has successfully advocated for local

and national legislation to help prevent future abductions and to protect thousands of children from sexual predators.

There are 800,000 parents every year, like the Wetterlings, who endure the loss of a child and are struggling to come to terms with the helplessness, anger, and frustration that consume them during the ensuing weeks and months. Many of my colleagues know all too well the agony of losing a child. As parents, community members, legislators, we are all affected when a child goes missing.

I want to take this opportunity to recognize the important work of the National Center for Missing and Exploited Children (NCMEC). This organization was established by Congress in 1984 through the Missing Children's Assistance Act to carry out the mission of finding missing children, combating child sexual exploitation, and preventing child victimization. Through its partnership with 18,000 law enforcement agencies across the United States and abroad, NCMEC's is unparalleled in its commitment to this issue.

Last year, I was proud to submit the Code Adam Act, a resolution encouraging public places to employ a Code Adam protocol to thwart child abductions in commercial establishments. The Code Adam protocol was named in memory of 6-year-old Adam Walsh, the son of John Walsh, co-founder of the National Center for Missing and Exploited Children and host of "America's Most Wanted." Adam was murdered after being kidnapped from a Florida shopping mall in 1981. The Code Adam Protocol requires store employees to announce a "Code Adam" alert over the public-address system when a customer reports a missing child. All designated employees receive a brief description of the child, immediately stop their normal work to search for that child, and monitor all exists to help prevent the child from leaving the store. The Code Adam Act was approved by Congress in April of this year as part of the PROTECT Act and was signed into law on April 30, 2003 by the President. It will undoubtedly play an important role in finding missing children and returning them safely to their homes.

I was also a proud cosponsor of the National AMBER Alert Network Act of 2003. This Act brings critical financial assistance to States to help them implement AMBER plans. It also creates an AMBER coordinator within the Department of Justice. AMBER, which stands for America's Missing: Broadcast Emergency Response was created in 1996 after the abduction and murder of Amber Hagerman in Texas. It's an emergency alert plan like that used in storm warnings that alerts a community about the recent disappearance of a child. With the help of the National Center of Missing and Exploited Children, the broadcast community, and members of law enforcement, the AMBER Alert helped find 105 children

across the country. Justice Department Statistics show that 74 percent of kidnapped children who are later found murdered are killed within the first 3 hours of their abduction. The National Amber Alert Network Act will help law enforcement, in those early critical hours, as they work hard to find a missing child. I am pleased that it was also approved by Congress and signed into law as part of the PROTECT Act.

Ten years ago, on August 18, 1993, Sara Ann Woods, a child of Herkimer County, NY, was abducted as she was riding home from her father's church in Litchfield, NY. After 3 years her kidnapper confessed to her murder, leaving the town devastated. Sara's death has been and continues to be the inspiration behind this legislation. I also want to mention Marc Klaas and John Walsh, the honorary co-chairmen of the Missing Children's Stamp Committee in Mohawk Valley, NY, and Herkimer County Legislator John Brezinski, who has worked tirelessly on this effort.

I am pleased to be joined in this effort with Senators SHELBY, DEWINE, LINCOLN, KENNEDY, LAUTENBERG, HAGEL and MILLER as original cosponsors.

According to a poll by Zogby, more than two out of every three Americans support a National Missing and Exploited Children's Postage Stamp. This commemorative stamp will help raise awareness and honor these missing children and their families. This stamp will reach individuals across geographic and socioeconomic spectrums, and we know that when it comes to combating these terrible crimes, awareness is crucial. I urge my colleagues to support this resolution. I believe that it will make a difference in protecting the lives of our children.

AMENDMENTS SUBMITTED & PROPOSED

SA 1891. Mr. WYDEN (for himself and Mr. BURNS) proposed an amendment to the bill S. 877, to regulate interstate commerce by imposing limitations and penalties on the transmission of unsolicited commercial electronic mail via the Internet.

SA 1892. Mr. SCHUMER (for himself, Mr. GRAHAM, of South Carolina, Mr. MCCAIN, and Mr. HOLLINGS) proposed an amendment to the bill S. 877, supra.

SA 1893. Mr. HATCH (for himself, Mr. LEAHY, Mr. NELSON, of Florida, and Mr. SCHUMER) proposed an amendment to the bill S. 877, supra.

SA 1894. Mr. MCCAIN (for Mr. ENZI (for himself, Mr. SANTORUM, and Mr. HATCH)) proposed an amendment to the bill S. 877, supra.

SA 1895. Mr. HARKIN proposed an amendment to the bill S. 877, supra.

SA 1896. Mr. MCCAIN (for Mr. CORZINE (for himself and Mr. GRAHAM, of South Carolina)) proposed an amendment to the bill S. 877, supra.

SA 1897. Mr. FRIST (for Mr. BUNNING) proposed an amendment to the concurrent resolution S. Con. Res. 21, expressing the sense of the Congress that community inclusion and enhanced lives for individuals with mental retardation or other developmental disabilities is at serious risk because of the crisis in

recruiting and retaining direct support professionals, which impedes the availability of a stable, quality direct support workforce.

SA 1898. Mr. FRIST (for Mr. BUNNING) proposed an amendment to the concurrent resolution S. Con. Res. 21, supra.

TEXT OF AMENDMENTS

SA 1891. Mr. WYDEN (for himself and Mr. BURNS) proposed an amendment to the bill S. 877, to regulate interstate commerce by imposing limitations and penalties on the transmission of unsolicited commercial electronic mail via the Internet; as follows:

On page 37, line 12, after the comma, insert "whether or not not displayed."

On page 44, line 20, strike "false or misleading." and insert "materially false or materially misleading."

On page 45, line 2, strike "misleading; and" and insert "materially misleading;".

On page 45, line 5, strike "false or misleading." and insert "materially false or materially misleading; and".

On page 45, between lines 5 and 6, insert the following:

"(C) if header information attached to a message fails to identify a protected computer used to initiate the message because the person initiating the message knowingly uses another protected computer to relay or retransmit the message for purposes of disguising its origin, then such header information shall be considered materially misleading."

On page 49, between lines 11 and 12, insert the following:

(6) Materiality defined.—For purposes of paragraph (1), an inaccuracy or omission in header information is material if it would materially impede the ability of a party seeking to allege a violation of this Act to locate the person who initiated the message or to investigate the alleged violation.

On page 50, beginning in line 24, strike "establish" and insert "register for".

On page 51, after line 22, insert the following:

"(d) SUPPLEMENTARY RULEMAKING AUTHORITY.—

The Commission may by rule—

"(1) modify the 10-business-day period under subsection (a)(4)(A) or subsection (a)(4)(B), or both, if the Commission determines that a different period would be more reasonable after taking into account—

"(A) the purposes of subsection (a);

"(B) the interests of recipients of commercial electronic mail; and

"(C) the burdens imposed on senders of lawful commercial electronic mail; and

"(2) specify additional activities or practices to which subsection (b) applies if the Commission determines that those activities or practices are contributing substantially to the proliferation of commercial electronic mail messages that are unlawful under subsection (a)."

On page 58, beginning in line 16, strike "jurisdiction or in any other court of competent"

On page 62, beginning in line 14, strike "defendant, or in any other court of competent jurisdiction, to—" and insert "defendant—".

On page 65, beginning in line 7, strike "for any such statute, regulation, or rule that" and insert "to the extent that any such statute, regulation, or rule".

On page 65, line 16, strike "State laws" and insert "other State laws to the extent that those laws relate".

SA 1892. Mr. SCHUMER (for himself, Mr. GRAHAM of South Carolina, Mr.

MCCAIN, and Mr. HOLLINGS) proposed an amendment to the bill S. 877, to regulate interstate commerce by imposing limitations and penalties on the transmission of unsolicited commercial electronic mail via the Internet; as follows:

On page 66, strike lines 1 through 11 and insert the following:

SEC. 9. DO-NOT-E-MAIL REGISTRY.

(a) IN GENERAL.—Not later than 6 months after the date of enactment of this Act, the Commission shall transmit to the Senate Committee on Commerce, Science, and Transportation and the House of Representatives Committee on Energy and Commerce a report that—

(1) sets forth a plan and timetable for establishing a nationwide marketing Do-Not-E-mail registry;

(2) includes an explanation of any practical, technical, security, privacy, enforceability, or other concerns that the Commission has regarding such a registry; and

(3) includes an explanation of how the registry would be applied with respect to children with e-mail accounts.

(b) AUTHORIZATION TO IMPLEMENT.—The Commission may establish and implement the plan, but not earlier than 9 months after the date of enactment of this Act.

SA 1893. Mr. HATCH (for himself, Mr. LEAHY, Mr. NELSON of Florida, and Mr. SCHUMER) proposed an amendment to the bill S. 877, to regulate interstate commerce by imposing limitations and penalties on the transmission of unsolicited commercial electronic mail via the Internet; as follows:

On page 43, beginning with line 11, strike through the matter appearing between lines 10 and 11 on page 44 and insert the following:

SEC. 4. PROHIBITION AGAINST PREDATORY AND ABUSIVE COMMERCIAL E-MAIL.

(a) OFFENSE.—

(1) IN GENERAL.—Chapter 47 of title 18, United States Code, is amended by adding at the end the following new section:

"§ 1037. Fraud and related activity in connection with electronic mail

"(a) IN GENERAL.—Whoever, in or affecting interstate or foreign commerce, knowingly—

"(1) accesses a protected computer without authorization, and intentionally initiates the transmission of multiple commercial electronic mail messages from or through such computer,

"(2) uses a protected computer to relay or retransmit multiple commercial electronic mail messages, with the intent to deceive or mislead recipients, or any Internet access service, as to the origin of such messages,

"(3) falsifies header information in multiple commercial electronic mail messages and intentionally initiates the transmission of such messages,

"(4) registers, using information that falsifies the identity of the actual registrant, for 5 or more electronic mail accounts or online user accounts or 2 or more domain names, and intentionally initiates the transmission of multiple commercial electronic mail messages from any combination of such accounts or domain names, or

"(5) falsely represents the right to use 5 or more Internet protocol addresses, and intentionally initiates the transmission of multiple commercial electronic mail messages from such addresses,

or conspires to do so, shall be punished as provided in subsection (b).

"(b) PENALTIES.—The punishment for an offense under subsection (a) is—

"(1) a fine under this title, imprisonment for more than 5 years, or both, if—