

## HR 4623

Child Obscenity and Pornography Prevention Act of 2002

**Congress:** 107 (2001–2003, Ended)

**Chamber:** House

**Policy Area:** Crime and Law Enforcement

**Introduced:** Apr 30, 2002

**Current Status:** Committee on the Judiciary. Hearings held.

**Latest Action:** Committee on the Judiciary. Hearings held. (Oct 2, 2002)

**Official Text:** <https://www.congress.gov/bill/107th-congress/house-bill/4623>

### Sponsor

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**Name:** Rep. Smith, Lamar [R-TX-21]

**Party:** Republican • **State:** TX • **Chamber:** House

**Cosponsors** (69 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Bryant, Ed [R-TN-7]	R · TN		Apr 30, 2002
Rep. Cannon, Chris [R-UT-3]	R · UT		Apr 30, 2002
Rep. Capito, Shelley Moore [R-WV-2]	R · WV		Apr 30, 2002
Rep. Culberson, John Abney [R-TX-7]	R · TX		Apr 30, 2002
Rep. DeLay, Tom [R-TX-22]	R · TX		Apr 30, 2002
Rep. Foley, Mark [R-FL-16]	R · FL		Apr 30, 2002
Rep. Gilchrest, Wayne T. [R-MD-1]	R · MD		Apr 30, 2002
Rep. Goodlatte, Bob [R-VA-6]	R · VA		Apr 30, 2002
Rep. Green, Mark [R-WI-8]	R · WI		Apr 30, 2002
Rep. Hart, Melissa A. [R-PA-4]	R · PA		Apr 30, 2002
Rep. Jenkins, William L. [R-TN-1]	R · TN		Apr 30, 2002
Rep. Johnson, Nancy L. [R-CT-6]	R · CT		Apr 30, 2002
Rep. Keller, Ric [R-FL-8]	R · FL		Apr 30, 2002
Rep. Nussle, Jim [R-IA-2]	R · IA		Apr 30, 2002
Rep. Pomeroy, Earl [D-ND-At Large]	D · ND		Apr 30, 2002
Rep. Stearns, Cliff [R-FL-6]	R · FL		Apr 30, 2002
Rep. Upton, Fred [R-MI-6]	R · MI		Apr 30, 2002
Rep. Weller, Jerry [R-IL-11]	R · IL		Apr 30, 2002
Rep. Baker, Richard H. [R-LA-6]	R · LA		May 2, 2002
Rep. Chambliss, Saxby [R-GA-8]	R · GA		May 2, 2002
Rep. Hunter, Duncan [R-CA-52]	R · CA		May 2, 2002
Rep. Osborne, Tom [R-NE-3]	R · NE		May 2, 2002
Rep. Pence, Mike [R-IN-2]	R · IN		May 2, 2002
Rep. Shows, Ronnie [D-MS-4]	D · MS		May 2, 2002
Rep. Simmons, Rob [R-CT-2]	R · CT		May 2, 2002
Rep. Wamp, Zach [R-TN-3]	R · TN		May 2, 2002
Rep. Bachus, Spencer [R-AL-6]	R · AL		May 7, 2002
Rep. Cramer, Robert E. (Bud), Jr. [D-AL-5]	D · AL		May 7, 2002
Rep. Green, Gene [D-TX-29]	D · TX		May 7, 2002
Rep. Hansen, James V. [R-UT-1]	R · UT		May 7, 2002
Rep. Jackson-Lee, Sheila [D-TX-18]	D · TX		May 7, 2002
Rep. Johnson, Sam [R-TX-3]	R · TX		May 7, 2002
Rep. Lampson, Nick [D-TX-9]	D · TX		May 7, 2002
Rep. LoBiondo, Frank A. [R-NJ-2]	R · NJ		May 7, 2002
Rep. Oxley, Michael G. [R-OH-4]	R · OH		May 7, 2002
Rep. Rogers, Mike J. [R-MI-8]	R · MI		May 7, 2002
Rep. Schiff, Adam B. [D-CA-27]	D · CA		May 7, 2002
Rep. Stump, Bob [R-AZ-3]	R · AZ		May 7, 2002
Rep. Weldon, Dave [R-FL-15]	R · FL		May 7, 2002
Rep. Bartlett, Roscoe G. [R-MD-6]	R · MD		May 22, 2002
Rep. Brown, Henry E., Jr. [R-SC-1]	R · SC		May 22, 2002

Cosponsor	Party / State	Role	Date Joined
Rep. Carson, Julia [D-IN-10]	D · IN		May 22, 2002
Rep. Coble, Howard [R-NC-6]	R · NC		May 22, 2002
Rep. Cunningham, Randy (Duke) [R-CA-51]	R · CA		May 22, 2002
Rep. Frost, Martin [D-TX-24]	D · TX		May 22, 2002
Rep. Gekas, George W. [R-PA-17]	R · PA		May 22, 2002
Rep. Gordon, Bart [D-TN-6]	D · TN		May 22, 2002
Rep. Istook, Ernest J., Jr. [R-OK-5]	R · OK		May 22, 2002
Rep. Kennedy, Mark R. [R-MN-2]	R · MN		May 22, 2002
Rep. Matheson, Jim [D-UT-2]	D · UT		May 22, 2002
Rep. Phelps, David D. [D-IL-19]	D · IL		May 22, 2002
Rep. Pickering, Charles W. "Chip" [R-MS-3]	R · MS		May 22, 2002
Rep. Riley, Bob [R-AL-3]	R · AL		May 22, 2002
Rep. Ryun, Jim [R-KS-2]	R · KS		May 22, 2002
Rep. Sessions, Pete [R-TX-5]	R · TX		May 22, 2002
Rep. Shuster, Bill [R-PA-9]	R · PA		May 22, 2002
Rep. Stenholm, Charles W. [D-TX-17]	D · TX		May 22, 2002
Rep. Sullivan, John [R-OK-1]	R · OK		May 22, 2002
Rep. Vitter, David [R-LA-1]	R · LA		May 22, 2002
Rep. Lofgren, Zoe [D-CA-16]	D · CA		Jun 18, 2002
Rep. Barr, Bob [R-GA-7]	R · GA		Jun 19, 2002
Rep. Deal, Nathan [R-GA-9]	R · GA		Jun 19, 2002
Rep. Jones, Walter B., Jr. [R-NC-3]	R · NC		Jun 19, 2002
Rep. Moore, Dennis [D-KS-3]	D · KS		Jun 19, 2002
Rep. Stupak, Bart [D-MI-1]	D · MI		Jun 19, 2002
Rep. Wicker, Roger F. [R-MS-1]	R · MS		Jun 19, 2002
Rep. Wilson, Joe [R-SC-2]	R · SC		Jun 19, 2002
Rep. Souder, Mark E. [R-IN-4]	R · IN		Jun 21, 2002
Rep. Visclosky, Peter J. [D-IN-1]	D · IN		Jun 21, 2002

### Committee Activity

Committee	Chamber	Activity	Date
Judiciary Committee	House	Reported by	May 9, 2002
Judiciary Committee	Senate	Hearings By (full committee)	Oct 2, 2002

### Subjects & Policy Tags

#### Policy Area:

Crime and Law Enforcement

### Related Bills

Bill	Relationship	Last Action
107 S 2511	Identical bill	<b>Oct 2, 2002:</b> Committee on the Judiciary. Hearings held.

Child Obscenity and Pornography Prevention Act of 2002 - Amends the Federal criminal code to prohibit: (1) making a visual depiction that is a computer image or computer-generated image of, or that is indistinguishable from an image of, a minor engaging in specified sexually explicit conduct; (2) offering, agreeing, attempting, or conspiring to provide, sell, receive, or purchase a visual depiction of a minor engaging in such conduct; (3) producing, distributing, receiving, or possessing with intent to distribute, or possessing a visual depiction that is, or is virtually indistinguishable from, that of a pre-pubescent child engaging in such conduct; (4) producing, distributing, receiving, or possessing with intent to distribute a visual depiction of any kind, including a drawing, cartoon, sculpture, or painting, that, under specified circumstances, depicts a pre-pubescent child engaging in sexually explicit conduct and that is obscene; (5) showing a minor obscene material or child pornography; (6) providing obscene material, child pornography, or other material assistance to facilitate offenses against minors; or (7) employing or coercing a minor to engage in sexually explicit conduct outside of the United States for the purpose of producing a visual depiction of such conduct.

(Sec. 8) Provides enhanced penalties for recidivists with respect to child pornography, sexual abuse, and transportation for illegal sexual activity and related crimes.

(Sec. 9) Amends the Victims of Child Abuse Act of 1990 to authorize a provider of electronic communication or remote computing services that reasonably believes it has obtained knowledge of facts and circumstances indicating a violation of State criminal law regarding child pornography to disclose such information to an appropriate State or local law enforcement official. Authorizes the National Center for Missing and Exploited Children to forward to such an official any report of facts or circumstances indicating a violation of child pornography prohibitions by a provider of electronic communication service or remote computing services.

(Sec. 11) Amends code provisions regarding transactional information that may be obtained through an administrative subpoena issued with respect to the sexual exploitation or abuse of children, in order to be consistent with code provisions regarding required disclosure of customer communications or records.

## Actions Timeline

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- **Oct 2, 2002:** Committee on the Judiciary. Hearings held.
- **Jun 26, 2002:** Received in the Senate and Read twice and referred to the Committee on the Judiciary.
- **Jun 25, 2002:** Mr. Sensenbrenner moved to suspend the rules and pass the bill, as amended.
- **Jun 25, 2002:** Considered under suspension of the rules. (consideration: CR H3876-3884)
- **Jun 25, 2002:** DEBATE - The House proceeded with forty minutes of debate on H.R. 4623.
- **Jun 25, 2002:** At the conclusion of debate, the Yeas and Nays were demanded and ordered. Pursuant to the provisions of clause 8, rule XX, the Chair announced that further proceedings on the motion would be postponed.
- **Jun 25, 2002:** Considered as unfinished business. (consideration: CR H3913)
- **Jun 25, 2002:** Passed/agreed to in House: On motion to suspend the rules and pass the bill, as amended Agreed to by the Yeas and Nays: (2/3 required): 413 - 8, 1 Present (Roll no. 256).(text: CR H3876-3878)
- **Jun 25, 2002:** On motion to suspend the rules and pass the bill, as amended Agreed to by the Yeas and Nays: (2/3 required): 413 - 8, 1 Present (Roll no. 256). (text: CR H3876-3878)
- **Jun 25, 2002:** Motion to reconsider laid on the table Agreed to without objection.
- **Jun 24, 2002:** Reported (Amended) by the Committee on Judiciary. H. Rept. 107-526.
- **Jun 24, 2002:** Reported (Amended) by the Committee on Judiciary. H. Rept. 107-526.
- **Jun 24, 2002:** Placed on the Union Calendar, Calendar No. 316.
- **Jun 19, 2002:** Committee Consideration and Mark-up Session Held.
- **Jun 19, 2002:** Ordered to be Reported (Amended) by the Yeas and Nays: 22 - 3.
- **Jun 18, 2002:** Committee Consideration and Mark-up Session Held.
- **May 9, 2002:** Subcommittee Hearings Held.
- **May 9, 2002:** Subcommittee Consideration and Mark-up Session Held.
- **May 9, 2002:** Forwarded by Subcommittee to Full Committee (Amended) by Voice Vote.
- **May 2, 2002:** Referred to the Subcommittee on Crime.
- **Apr 30, 2002:** Introduced in House
- **Apr 30, 2002:** Introduced in House
- **Apr 30, 2002:** Referred to the House Committee on the Judiciary.