

The result was announced—yeas 52, nays 44, as follows:

[Rollcall Vote No. 59 Leg.]

YEAS—52

Abraham	Frist	McConnell
Ashcroft	Gorton	Murkowski
Bennett	Gramm	Nickles
Bond	Grams	Pressler
Brown	Grassley	Roth
Burns	Gregg	Santorum
Campbell	Hatch	Shelby
Chafee	Hatfield	Simpson
Coats	Helms	Smith
Cochran	Hutchison	Snowe
Cohen	Inhofe	Specter
Coverdell	Jeffords	Stevens
Craig	Kassebaum	Thomas
D'Amato	Kempthorne	Thompson
DeWine	Kyl	Thurmond
Dole	Lott	Warner
Domenici	Lugar	
Faircloth	McCain	

NAYS—44

Akaka	Feinstein	Levin
Baucus	Ford	Lieberman
Biden	Glenn	Mikulski
Bingaman	Graham	Moseley-Braun
Boxer	Harkin	Moynihan
Bradley	Heflin	Murray
Breaux	Hollings	Nunn
Bryan	Inouye	Pell
Bumpers	Johnston	Reid
Byrd	Kennedy	Robb
Conrad	Kerrey	Sarbanes
Daschle	Kerry	Simon
Dodd	Kohl	Wellstone
Dorgan	Lautenberg	Wyden
Feingold	Leahy	

NOT VOTING—4

Exon	Pryor
Mack	Rockefeller

The conference report was agreed to. Mr. DOLE. Mr. President, I move to reconsider the vote by which the conference report was agreed to, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. DORGAN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

MORNING BUSINESS

Mr. GRASSLEY. Mr. President, on behalf of the majority leader, Senator DOLE, I ask unanimous consent that there now be a period for the transaction of morning business with Senators permitted to speak for up to 5 minutes each.

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

COMMUNICATIONS DECENCY ACT

Mr. EXON. Mr. President, I would like to make reference to this, and will ask for this to be printed in the RECORD. I notice with great interest a full-page ad in the New York Times of March 26, 1996, and the startling information here in dark type is "Does Sex Turn You off?" Then it goes on to say—this is published by Penthouse—entitled "The Facts of Life."

It says:

It is a touchy subject. But an important one. Especially if you're a marketer who wants to reach men. If you've never experienced the satisfaction of advertising in Penthouse, there are some facts you should know. Facts that help explain why Penthouse is a savvy business decision, and why it performs as well as it does. For starters, Penthouse's efficiency far surpasses Playboy, GQ, Sports Illustrated and Esquire. We also reach a higher concentration of 25 to 49 year old men. And at newsstands, where a full purchase price helps gauge a magazine's true value to readers, Penthouse's sales are routinely on top.

What's more, study after study has found that the more involved readers are with a magazine's editorial, the more they're involved with its advertising. And no magazine's readers are more involved than Penthouse's. The appeal and leadership of Penthouse extends beyond print, however. On site on the Internet —<http://www.penthousemag.com>—attracts over 80,000 people daily (not hits, people.) This not only makes Penthouse one of the Internet's most popular sites, it enables us to guarantee advertisers an audience of 2.4 million people every month. This proposition is encouraging more and more marketers to take advantage of both Penthouse Magazine and Penthouse Internet. If you're an advertiser who wants the special stimulation Penthouse offers, contact Ms. Audrey Arnold, Publisher, at 212-702-6000.

And it says down here:

Penthouse, The Facts Of life.

Mr. President, when Congress considered the Communications Decency Act, commonly called the CDA, as part of the telecommunications bill, opponents of the Communications Decency Act raised all kinds of concerns that passage of the Communications Decency Act would restrict free speech of adults and end the commercial viability of the Internet.

Let me repeat that last part again: And end the commercial viability of the Internet.

The Washington Post in this regard printed an editorial that the Exon Communications Decency Act would interfere with the matter of making money on the Internet.

I have only cited the article that appeared in a full-page ad in the New York Times and intend to make these remarks tonight to thank the Penthouse magazine for printing that full-page ad, which is their right—pretty expensive but it is their right, and obviously they are a pretty good free enterprise, money-making concern. But I think it points out more than anything else how all of the opponents to the Communications Decency Act are way off base.

The recent full-page ad in the New York Times both refutes and makes meaningless the claims of the elimination of free speech of adults and the end of commercial viability on the Internet. Penthouse Magazine, which until enactment of the Communications Decency Act, offered free adult fare to Internet users of any age, was one of the first purveyors of sexual material to take steps to comply with the new law. That law is clearly working

and has already been instituted to create a great success story.

Before our law was introduced and before it was passed, there was thunderous silence, thunderous silence, Mr. President, from both the industry and those loud voices that are now hammering away at the Communications Decency Act.

Published reports have indicated that Penthouse and Hustler Internet sites, referencing great numbers in the wording from the ad that I just read, and maybe some others now require, after passage of the act, a card to access these offerings.

Like it or not, Mr. President, this is the type of electronic pornography that is legal and constitutionally protected for adults. If their actions are as reported of requiring a credit card before you can access this particular part of the Internet that is widely, widely used according to Penthouse, if they have indeed instituted the procedure of having a credit card, then Penthouse and Hustler and their like appear to be in compliance with the new law, and I applaud them for that.

Adult material remains available then to adults but children are not provided pornography. This is precisely what the Communications Decency Act was designed to do, and it is working. The fully anticipated court challenge that is now underway apparently is not aware of this fact or it would be a defense on its face to some of the constitutional challenges that are being made.

The fear that keeping pornography away from children on the Internet would destroy this great medium and all of those charges that have been made are erroneous, they are unfounded, and it is nonsense.

During the year the Communications Decency Act was fully debated, Internet use doubled, and Internet growth has continued since the passage of the bill. Already, AT&T, MCI, and several local telephone companies have announced plans to offer easy Internet access and the Internet is coming to help other media as well and will come as I understand it to cable and satellite television.

Penthouse boasts, as I have just read, that it attracts over 80,000 people daily to its Internet site and an audience of 2.4 million each month. The ad's enthusiasm for the Internet is in keeping with the Communications Decency Act. We know that great system called the Internet that provides information and help to a lot of people is not only important but I simply say that the scare tactics that continue to be used by the Communications Decency Act's opponents are not well founded. It is not censorship, the word opponents of the Communications Decency Act throw around at will, to responsibly protect our children from pornography and, I might add, pedophiles.

The Communications Decency Act was fully debated, extensively negotiated and carefully designed to strike

the right balance between the protection of children and the growth of this exciting and promising new technology. Revisionists like to paint a picture of Congress rushing to judgment on computer technology especially as it affects the spread of pornography. In my nearly 18 years in the Senate, I have won passage of many pieces of legislation dealing with the most important issues of the day including bills affecting national security, law enforcement, transportation, safety and deficit reduction. No bill that I have worked on has had as much attention, discussion or debate as the Communications Decency Act. For one full year, the Nation has talked about the Communications Decency Act. And that is good.

The hands-off crowd, though, have argued that protection of children was exclusively and totally the responsibility of the parent. For families to safely enjoy the benefits of the Internet, the family had to be there turning on the computer or turning it off, making sure that whatever the child brought up on the screen was acceptable to them.

The Communications Decency Act does not lessen—and I emphasize again, Mr. President, does not lessen—the need for parents to be vigilant, ever vigilant. But, by putting the law on the side of the families and the children, the Communications Decency Act recognized, as our First Lady might say, “It Takes A Village.”

I am also pleased that the President of the United States and the U.S. Department of Justice fully support the Communications Decency Act. I am delighted that the computer industry has been working to develop blocking software and parental control software as well. Before the Communications Decency act was introduced, these products did not exist. But all the blocking software in the world should not absolve an adult from the responsibility for allowing the abuse or the corruption of a child. The Communications Decency Act holds those who attempt to harm children responsible for their acts.

To all of those who are worried, the Communications Decency Act is law, and the Internet, in the meantime, is doing just fine. They should be applauding the article and ad that I read, published by Penthouse.

Adults still have access to their legal vices. But most important, children are steadily gaining protection when they travel on the information superhighway.

Mr. President, I ask unanimous consent that a letter from the President's counsel to me be printed in the RECORD, and I yield the floor.

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

THE WHITE HOUSE,
Washington, February 28, 1996.

Senator JIM EXON,
U.S. Senate,
Washington, DC.

DEAR SENATOR EXON: Thank you for your recent letter to the President concerning the Telecommunications Reform Act of 1996. The President has asked me to respond on his behalf.

On February 8, 1996, the President was pleased to be able to sign the historic Telecommunications Reform Act into law. I know that the President was equally pleased that you were able to participate in the event.

Your letter also referred to Title V of the Telecommunications Reform Act, otherwise known as the Communications Decency Act. As you know, the President is committed to defending efforts to protect children from harmful material whether it is targeted at them via the computer or other media. Accordingly, the President firmly supports the Communications Decency Act.

As you accurately predicted, various challenges to the Communications Decency Act have been filed. The Department of Justice is vigorously defending the Act against these challenges as a proper and narrowly tailored exercise of Congress' power to regulate the exposure of children to computer pornography.

Again, thank you for your letter and for your expression of support for our endeavors to defend the Communications Decency Act.

Sincerely,

JACK QUINN,
Counsel to the President.

A SALUTE TO KANSAS

Mr. DOLE. Mr. President, Kansas Senator Richard L. Bond delivered a moving tribute to the State of Kansas on the occasion of the 135th anniversary of statehood. During our annual celebration in Topeka, WI, Governor Tommy G. Thompson served as the keynote speaker for the evening of celebration and appreciation.

In his narrative, Senator Bond captured the heart and strengths of our State, and I ask unanimous consent that his remarks be printed in the RECORD.

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

A SALUTE TO KANSAS

Governor Graves, Governor Thompson, Senator Kassebaum, Chairman Miller, Distinguished Guests and fellow Kansans, it is my pleasure to offer a salute to Kansas on the occasion of her 135th birthday of statehood. Having turned sixty years of age in the past year I am pleased whenever I'm invited to a birthday party for something older than I am.

This past summer a book titled “Vacation Places Rated” was published which listed Kansas dead last as a desirable vacation spot. The vacationers surveyed apparently felt Kansas had little to offer. Such sentiments are not new. In 1867 Henry Stanley wrote, “Tourists through Kansas would call this place dull enough . . . For a passing traveler in search of pleasure, it certainly possesses few attractions.”

If one is in search of a sandy sea-side shore or a snow-capped mountain peak Kansas is not the place to look.

For those of us who call Kansas home we know what may be lost on the casual visitor.

The beauty of Kansas resides in the subtle grace of its geography, the strength of its people's character and the spirit of hope that shapes its future.

America may not turn to Kansas when its looking for a tropical resort but America looks to Kansas for so much more . . .

Today, when Americans want the finest grain in the world they call on Kansas.

Today, when Americans want the finest steak in the world they call on Kansas.

Today, when Americans want oil and natural gas to heat their homes and cook their food they call on Kansas.

Today, when Americans want the finest aircraft in the world they call on Kansas.

And yes, Governor Thompson, we even make some pretty good cheese.

And today, when America needs leadership it calls on Kansas—

Congresswoman Jan Meyers, the first Republican woman to chair a standing committee in the U.S. House.

Congressman Pat Roberts, reshaping farm policy as Chairman of the House Agriculture Committee.

Senator Nancy Kassebaum, the first woman elected to the U.S. Senate in her own right, working to reform welfare, education and job training as Chair of the Senate's Labor and Human Resources committee.

And, Senator Bob Dole who has served as Senate Majority Leader longer than any other person.

We are blessed with an abundance of Republican leaders that reflect the virtues of Kansas—persistence, hard work, common sense and hope. Congressmen Brownback and Tiahrt continue this tradition.

But this Kansas tradition of leadership is nothing new.

Sixty years ago in the depths of the dust bowl and depression Governor Alf Landon worked to balance our state budget and serve as our party's standard bearer in the Presidential election. His dignity and sense of compassion were not victims to the fiscal austerity of the time.

More than fifty years ago when America faced the challenge of World War, Gen. Eisenhower lead our forces to victory in Europe and secured the peace. The boyhood lessons learned in Abilene served him well in that endeavor and during the eight years he served our nation as President. The 34th President whose boyhood home was in the 34th state.

Today, when the need for leadership on the national level has never been greater, Americans again call on Kansas. The man from Russell tested by war and tested in the public arena stands ready to lead our country into the next millennium. His greatest strengths are the gifts of Kansas. A character shaped by faith and family, a determination to confront challenges and an ingenuity to overcome them. When America calls on Kansas we always offer our best. President Bob Dole will be no exception.

Kansas has historically been willing to make tough choices. The choice to reject slavery caused our state to be born in the midst of a bloody struggle. A struggle for which Kansas paid a high price—Kansas suffered the highest mortality rate in the nation during the Civil War. But our birth in troubled times only made Kansans appreciate the price of freedom even more.

From the prairie, Kansans built a way of life—not focused on the value of possessions but on the importance of family, neighbors, faith and community. Obstacles were merely opportunities for innovation and the creative spirit of Kansans always rose to meet the challenge. We have always sought the stars through difficulties.

Floods, grasshoppers, dust storms, drought, tornadoes—all have caused the Kansas spirit to bend but it has never broken.