

of the various computer pornography provisions in Congress. The lawyer for one argued that it is unconstitutional to hold access providers liable because they have no ability to block pornographic Internet sites. Her "constitutional argument" is undermined by CompuServe's response to the German prosecutor. She also contended that the Internet is a "wonderful resource" and we shouldn't go "too far" in regulating it.

Wow. Since when did Internet protection become a pro-family priority? Another prominent argument was that any computer pornography measure should be modeled after the federal dial-a-porn law with access providers treated like the phone companies are in that law. There is no more ineffective criminal law than the federal dial-a-porn law. It is hardly an appropriate model. Dial-a-porn is a thriving business in America precisely because this law has almost zero deterrent effect.

There have been no prosecutions under it since it was revised in the late 1980s to give phone companies almost blanket exemption from prosecution for what otherwise would be a crime of conspiracy when they knowingly provide service to and profit from dial-a-porn companies. The reason for this exemption was that phone companies are heavily regulated common carriers. Access providers are not common carriers and after this bill won't be regulated at all.

Congress, in the telecommunications bill to which Exon-White is appended, will impose on them all the benefits of a common carrier but none of the burdens. If Congress wants an appropriate computer pornography model, it should mirror the federal child pornography law which, like the Hyde proposal, does not exempt access providers. That is undoubtedly a major reason why one access provider, America OnLine, so willingly cooperated with the Justice Department in a recent computer child pornography sting operation.

As CompuServe has demonstrated, the best carrot and stick approach is a tough law. Only when CompuServe understood it was the liable under German law for the distribution of pornography did it block pornographic site. The company has indicated that it regretted the blockage of pornographic sites to its customers in this country and quickly ended the blockage.

Finally, some pro-family advocates argued that any law is better than what we have now. That argument assumes that current federal obscenity laws do not allow prosecution of those who traffic in such material by computer. There is no court that has ever taken this position and, indeed, the Justice Department has successfully used current law to prosecute a computer pornography crime. Thus, it only makes sense to enact a new computer pornography law if it improves the ability of the Justice Department to prosecute for computer pornography crimes.

The Justice Department has told Congress in three letters that any law that exempts access providers from liability undermines its ability to prosecute those who traffic in computer pornography. Exon-White, then, is a retreat in the war against pornography.

Sure, Exon-White will allow the Justice Department to prosecute the individuals who put obscene pornography on the Internet or provide pornography via the Internet to children. But how many of the thousands of individuals in this country who are potential prosecution targets will really be deterred by Exon-White? The Justice Department can only do a relatively few prosecutions a year for such violations? Not long ago it announced it was dropping or postponing a great number of investigations targeting those who distribute child pornography by computer for lack of investigative resources.

Certainly child pornography will be given the highest priority by the department, leaving few resources to enforce Exon-White against violators in this country. And what about the tens of thousands of individuals in other countries who fill the Internet with pornography? Since our government has no jurisdiction to prosecute them, there is no reason to believe they will change their behavior.

There is also no reason to believe that any pornographic Internet sites will disappear. Exon-White guarantees they will remain since access providers who make those sites available will be free under Exon-White to provide them.

The simple solution to eliminating or substantially reducing those sites was Henry Hyde's bill. If access providers are liable for making pornography available, they will clean up the Internet. The Hyde proposal would have allowed access providers to make indecent but not obscene pornography available to adults so long as they took measures to assure that the material was not available to children. This provision is made necessary by a line of court cases indicating that adults have a constitutional right to indecent material. It could have been accomplished by providing access codes or pin numbers to adult customers like banks do for ATM card customers.

Under Hyde, access providers would not be held liable for all illegal pornography on the Internet which their services may be used to obtain. Nor would it require that they check all communications to ensure that no violations of the law are occurring. They would simply be required to avoid knowing violations of the law.

This is an obligation imposed on all citizens, and Congress is foolish to exempt CompuServe and others like it from such a responsibility, especially since those most likely to be harmed will be children who, with a few clicks of a computer mouse, can enter that grand international pornographic swap meet that the Internet will be for them, courtesy of the access provider companies.

Federal criminal law has traditionally assigned equal liability both for those who commit a crime and those who aid and abet a crime. Thus any notion that access providers aren't directly responsible for the provision of pornography on the Internet should be legally irrelevant because without their willing facilitation there would be no Internet pornography.

Exon-White won't make the issue disappear from Congress. The access providers and those who enjoy the easy availability of pornography on the Internet have won round one. Soon, however, that segment of decent American society that began the clamor for a solution to the disease of computer pornography will realize that Exon-White is little more than the placebo it was designed to be and they will demand that Congress provide a serious response.

NATIONAL PRAYER BREAKFAST REMARKS

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 1, 1996

Mr. LANTOS. Mr. Speaker, it is a great pleasure for me to introduce into the CONGRESSIONAL RECORD the following speech given by my friend and colleague, Congressman PETE GEREN, at the National Prayer Breakfast this morning. As a member of the

National Prayer Breakfast Committee, Congressman GEREN clearly emulates the values represented by the National Prayer Breakfast. I urge my colleagues to read PETE GEREN'S address with the thoughtfulness and sincerity with which it was delivered.

NATIONAL PRAYER BREAKFAST

Mr. President, Mrs. Clinton, Mr. Vice President, Mrs. Gore, distinguished guests one and all, I bring you greetings from the Prayer Breakfast of the U.S. House of Representatives. My charge today is to tell you about our prayer breakfast, with the hope and prayer that perhaps you can build on our experience in your nation, your state, your neighborhood or place of work.

In the book of Matthew, Jesus told us: "Where two or three are gathered together in my name, there am I in the midst of them."

Today those gathered in His name number in the thousands, and we thank Him for his presence.

Every Thursday morning that the House is in session, we gather, 40-50 members strong, in His name. Our gathering is extraordinary by Capitol Hill standards, for so many reasons, and truly a blessing to those who have made it a part of their lives.

Extraordinary by Capitol Hill standards: In a super-charged environment where most all meetings are restricted by party membership, even more narrowly, by philosophical subsets within a party, by race, by religion, by region or by cause, our meetings are inter-faith, ecumenical, multi-racial, non-partisan and as diverse as this great land of ours.

The Irish brogue of South Boston, the syrupy drawl of South Georgia, the sharp and clipped tongue of Brooklyn, the twang of Texas and the flat tones of Minnesota fill the room every week.

There are no guests, not even family members, no cameras, no press, no record of the proceedings. It is as private as Capitol Hill can be and members share their hearts.

I said no guests, well there is one exception: Legislators or parliamentarians from around the world join us to learn about our breakfast, and, on occasion, return years later to tell us of the leadership groups they have started in their land.

Today, prayer breakfasts are held in over 100 countries, in countries as far-flung as India, Peru, and Japan. So in a way, then we engage in outreach to the world, but that is not our main purpose.

Our focus is internal, on the lives, hearts and souls of our colleagues. It is fellowship, an eye in the storm of the swirling world of politics.

There is a saying that "If you want a friend in Washington, buy a dog". Our breakfast belies that expression.

Breakfast begins at 8 am and it is the only \$3.00 breakfast left in Washington. I am sure it somehow violates the gift ban.

We visit informally for most of the first half hour. When we are called to order we begin our day's program with a scripture reading.

Our very own General, Congressman Sonny Montgomery, then brings us up to date on the lives, and too often of late, the deaths of House members, past and present. He shares with us celebrations such as recent births and the trials and tribulations of others.

We then lift up our colleagues and their families in prayer, with rejoicing prayers of thanksgiving, prayers for healing, for comfort and for the blessing of our nation and our leaders.

We follow the prayer with a hymn, long on enthusiasm, but short on harmony. Congressman Jake Pickle of Texas used to regale us with the history of each hymn, or at

least the "history according to Jake", but he now has retired and we miss him.

Following the hymn, a House member, tells us his/her life story—about the influences that shaped his life, values, philosophy, politics and faith.

On these occasions, members offer a window into their souls that I expect few others have ever seen. Through this sharing each of us, so often is surprised that, beyond the accents, geography and political labels, surprised at how much we have in common. After hearing Joe Moakley of Massachusetts tell of his South Boston childhood, Charlie Rangel, who grew up in Harlem, said "Joe, we really grew up in the same neighborhood just never knew it!"

Regarding our differences, and they are many, we grow to understand them better.

We close with another prayer. We pray that we may be salt and light in this world we share.

Each of us truly is blessed by our participation and pray that somehow our Congress and nation, one nation under God, are as well.

BALANCE THE BUDGET

HON. RON PACKARD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 1, 1996

Mr. PACKARD. Mr. Speaker, last week, during his State of the Union Address to Congress, the President paid a great deal of lip-service to the need for balancing the budget. Ironically, it was only 2 weeks earlier, that members of his own party, said "We—Democrats—are advantaged, both politically and substantially, in not reaching an agreement on the budget." This confirms the President and his colleagues are more interested in campaign politics than in the future of this country.

While my colleagues on the other side of the aisle believe that it is to their advantage not to balance the budget, let me remind them of who stands to gain the most from a balanced budget—every American. All the working families who have mortgages, car notes, or student loans will benefit. Interest rates directly affect their standard of living and lower interest rates mean more money in their pockets. Those who currently rely on Medicare, and those who will in the future, will be able to rest assured that these services will be there for them. Families, the middle class, and businesses are targeted for tax cuts. These are the people who need and will receive the advantages of a balanced budget.

Mr. Speaker, the Republican majority in Congress will continue to work toward a balanced-budget agreement. We take our commitments seriously. It is time the President and his colleagues did the same.

SALUTE TO MARION AND NATALIE CHARD OF THE MADISON HISTORICAL SOCIETY

HON. ESTEBAN EDWARD TORRES

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 1, 1996

Mr. TORRES. Mr. Speaker, I rise to honor the outstanding work of Mr. Marion Chard and Mrs. Natalie Chard of Madison, CT. Although

Mr. and Mrs. Chard are not my constituents, I have a great respect for their work with the Madison Historical Society and the Allis-Bushnell House. During the Civil War, Madison's C.W. Bushnell contributed to keeping our Nation whole by contributing to the construction of the *Monitor*. The Madison Historical Society has in its collection the original telegram from President Abraham Lincoln to C.W. Bushnell requesting immediate assistance in building the *Monitor*.

I, too, have a great affinity and interest in the history of the Civil War. A little known fact of the Civil War was that Union Naval Officer David Glasgow Farragut was of Hispanic origin. He is credited with splitting the Confederacy in two with his victories along the Mississippi River and the Gulf of Mexico and successfully blockading the South. Farragut became the first American awarded the rank of Admiral of the Navy and was recognized worldwide as a hero. Farragut was one of approximately 10,000 Hispanic soldiers that fought on both sides of the Civil War.

I ask my colleagues here assembled to join me in saluting the efforts of the Chards, and other historical preservation groups nationwide, for their dedication to safeguarding our Nation's history. Their efforts will benefit future generations of Americans that seek to learn more about our past. Mr. Speaker, I ask to enter into the RECORD, following this statement, a copy of a historical account of the U.S.S. *Monitor* from the U.S. Navy's Division of Naval History.

Navy Department
Office of the Chief of Naval Operations
Division of Naval History (OP-29)
Ships' Histories Section

USS MONITOR

On 4 July 1861, Secretary of the Navy Welles recommended the appointment of a Board to report on the merits of ironclads. The recommendation was approved by Congress and a board was authorized. The Board was appointed on 8 August, and on 16 September, it reported, recommending acceptance of three of the proposals submitted for their review. One of the proposals recommended was Ericsson's *MONITOR*.

The contract for the building of the *MONITOR*, was signed on 4 October 1861, between John Ericsson, principal, John F. Winslow, John A. Griswold, C.S. Bushnell, sureties, and Gideon Welles, Secretary of the Navy. One of the provisions of the contract was that the vessel be completed and ready for sea in 100 days from the date of the contract.

In order to expedite the work, Ericsson made contracts with various concerns. The hull was built by Thomas F. Rowland of the Continental Iron Works, Green Point, Long Island, New York; the main engines and auxiliary machinery by Delameter and Company of New York; the turret by the Novelty Iron Works of New York, and many other establishments contributed to the work by contracts for forgings, bolts, etc.

The iron hull of the vessel was launched at Green Point, on 30 January 1862; the turret guns, and other fittings being added later. On 19 February, the *MONITOR* left Green Point and went to the New York Navy Yard, where it appears, she was commissioned on 25 February. Lieutenant John L. Worden, USN, was her first commanding officer.

The *MONITOR*'s dimensions were as follows; length, 179 feet; beam, 41 feet feet 6 inches, depth, 11 feet 4 inches; tonnage, 776 (Navy Register). Her battery consisted of two XI-inch Dahlgren pattern guns. They were cast at the West Point Foundry and had the following characteristics; length, 13 feet

3.7 inches; weight of guns, 16,000 pounds; weight of shot, 166-170 pounds; weight of shell, 127-130 pounds; and weight of service charge powder, 15 pounds. The ship's complement, as of 6 March 1862, may be obtained from Appendix II.

On 27 February 1862, the ironclad left the yard for sea, but because of poor steering qualities she returned to the yard. A few changes were made and she departed for Hampton Roads on 6 March 1862. (Appendix I contains a factual account, by Lieutenant Worden, of this trip to Hampton Roads and of the famous battle between the *MONITOR* and *CSS VIRGINIA* (ex-MERRIMACK).

The *MONITOR* arrived at Hampton Roads during the evening of 8 March. The next morning, she engaged the *CSS VIRGINIA* (ex-MERRIMACK), commanded by Lieutenant Catesby ap R. Jones, CSN, in battle in Hampton Roads. Lieutenant Worden was wounded during the engagement and the command fell to Lieutenant Samuel D. Greene, USN. The battle lasted over three hours when the *VIRGINIA* retired from action to Norfolk. The *MONITOR* remained at Hampton Roads for the protection of the wooden Union ships.

Consular dispatches received in Washington revealed the plan of the Confederates to concentrate their vessels and force the blockade of Wilmington. In consequence of this it was decided in December 1862, at Washington, to send more vessels to Wilmington, including the three ironclad monitors *PASSAIC*, *MONTAUK* and *MONITOR*, to cooperate with the army in an attack on Wilmington and the defenses about the city. The fall of Wilmington would have rendered the blockade more effective and cutoff a large part of the supply of goods received by the South from abroad.

On 29 December 1862, the *MONITOR*, Commander J.P. Bankhead, USN, commanding, left Hampton Roads for Beaufort, North Carolina. She left under her own steam, but in tow of *USS RHODE ISLAND* and accompanied by the monitor *PASSAIC*. A very rough sea was encountered off Cape Hatteras, and the *MONITOR* began leaking and taking water to such an extent that the pumps could not discharge it. The work of transferring the crew was attempted by the *RHODE ISLAND*, but the vessel foundered before this could be fully accomplished and four officers and 12 men were lost.

The *MONITOR* sank shortly after midnight, 31 December 1862, twenty miles S.S.W. of Cape Hatteras. The exact location of her sinking is not known. At noon on 30 December 1862, the *RHODE ISLAND*'s position by dead reckoning was Latitude 35-25 North and Longitude 75-16 West, and at noon on 31 December 1862, her position by head reckoning was Latitude 34-56 North, Longitude 76-05 West. The *RHODE ISLAND* endeavored to remain as near as possible to the position, where the *MONITOR* was believed to have sunk, until daylight on the morning of the 31st, but after daylight she cruised looking for her missing small boat, so that the position taken at noon was not necessarily that of the sinking of the *MONITOR*.

At 5 a.m. and 6 a.m. the *RHODE ISLAND* sounded with 30 and 40 fathoms of line respectively, but got no bottom. At 7 a.m. soundings showed her in 35 fathoms of water.

Quoting from a letter written by Commander Bankhead concerning the sinking of the *MONITOR*, the position is given thus: "As near as I could judge, making allowance for current, drift, and sea, we were about 25 miles south of Cape Hatteras, say in Latitude 34-50 North, Longitude 75-30 West, depth of water, 30 fathoms.

The *MONITOR* has never been raised.

Compiled: 14 FEB 1957.