protests from the profiteers of child pornography that are rampant on the Internet today.

The heart and soul of the new law is its protections for children. It is not censorship. It is not prudishness. The new law does not prohibit consenting adults from engaging in constitutionally protected speech.

Published reports indicate that Penthouse and Hustler have removed indecent material from their publicly available bulletinboards in response to the new law and their material are now only available only to adults through credit card access.

That is another step in the right direction.

I count this action as a success for the new law. In these two cases, free samples of pornography are no longer given to children. We are making progress.

If the Internet and other computer services are to be a place of commerce, community, and communication, then it must be a place which is friendly to families. Indeed, the technology necessary to comply with the Communications Decency Act is the same technology which can tell a computer service whether a user is old enough to enter into a binding contract or not.

Before the passage of the Communications Decency Act, the Internet had been described as the Wild West. At last, there is now some degree of law and order. In effect, the new law is a zoning measure. Adults are free to engage in otherwise legal indecent activities and communications, just not with, or in the knowing presence, of children.

Mr. President, later this month, a three-judge panel will hear arguments on the constitutionality of the Communications Decency Act. An initial review by a Federal judge in Philadelphia protected the heart and soul of the new law from a temporary restraining order as had been requested by the ACLU. Only a small portion of the act was enjoined pending further court review. Ultimately, as we all know, Mr. President, this matter will come before a majority of the Supreme Court. And I hope that they will find—and believe that they will—the Communications Decency Act fully constitutional.

Although the U.S. Department of Justice has agreed not to file cases under the new law until the three-judge panel has an opportunity to review the statute, the action by Prodigy, and others indicates that the Communications Decency Act can and is working.

I thank all of my colleagues in the Senate and all of my colleagues in the House who have been up front in the support of this measure.

I now thank President Clinton and his Justice Department for entering into the fray on the side of the kids to begin to make further advances in correcting this terrible wrong.

I thank the Chair. I yield the floor.

Mr. MURKOWSKI addressed the Chair.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. MURKOWSKI. Mr. President, I thank the Chair.

Mr. President, let me commend my colleague from Nebraska for his diligence in bringing to our attention a very, very important matter that affects the youth of our Nation. I commend him.

Mr. EXON. I thank my friend and colleague from Alaska, very much.

REGULATORY ENFORCEMENT FAIRNESS ACT

Mr. MURKOWSKI. Mr. President, an extraordinary thing happened today in the forum in the sense of the effort to try to bring the Small Business Regulatory Enforcement Fairness Act before this body as Senate bill 942.

The fact is that here we are 6 o'clock, Thursday, and the information of the Senator from Alaska is that the Democratic minority has refused to allow this vital piece of legislation to come before this body for a vote. The realization, as evidenced by my good friend, Senator BUMPERS from Arkansas, is that, if it came up, it would pass 100 to nothing.

We are talking about trying to assist the small business community relative to employment, encourage those that are willing to take a risk in the highest area of fallout of any activity, and that is the small business community. We are talking about trying to get some regulatory reform that will assist them.

This has been a top priority of this Congress. It has been a top priority of the Senate. We cannot even get it up for a vote.

What are we trying to do with this? Some people would say we are trying to unwind the environmental laws, or the labor oversight responsibilities that we have. What we are trying to do is bring some logic into the equation, some cost-benefit, and risk analysis. What does it mean?

Mr. President, I live in Alaska. It snows in Alaska. When the snow comes down, either leave it or move it. In the case of the city of Fairbanks, where I live, the snow falls on the area where they park the buses. So what do they do? They move the snow back to the back lot. But that is classified as a wetlands. You cannot put snow in a wetland.

Is that a rational reality? You cannot dump the excess snow in the river. Why cannot you dump it in the river? Because it may have picked up something along the way that somehow would be inappropriate to dump in the river. But when it snows in Washington, DC, where do you dump the snow? You dump it wherever. Nobody gets too excited because snow here is a calamity. The city is tied up. It cannot move. You dump it in the Potomac River.

Anchorage, AK, the State's largest city, probably has the cleanest water in the world. When it rains it drops down in the street, and goes down the gutter. The gutters go out into Cook Inlet. There is a 30-foot tide twice a day. The water goes out. This is not sewage. This is water that goes into your drain from the rain. It goes out.

They did not have any problem until the Environmental Protection Agency came down with a mandate that said you have to remove 30 percent of the organic matter from the water before you can dump it without treatment. And the EPA said to the city of Anchorage, you are in violation of the law.

Well, the assembly met. Somebody came up with the idea. ''Let us put a few fish guts in the drains so we would have something to recover and remove the organic matter and, therefore, comply.''

When they appealed to the highest level of the Environmental Protection Agency, they said we are not going to make exceptions. This is uniform throughout the United States.

What we are trying to do here, Mr. President, is get some balance, some logic into a situation that has run amok with bureaucracy and the inability of our administrators to address clear decisions that should be made relative to the areas of responsibility the administrators have. You cannot mandate uniformity on things like this. You have to bring in common sense. You bring in the analysis of cost-benefit. You bring in what the risk to the public is. You give the administrators the authority, and you hold them accountable.

Many Senators on both sides of the aisle today have worked hard to try to pass regulatory reform legislation. My good friend from Louisiana, Senator JOHNSTON, has labored in the vineyards for an extraordinary amount of time. But for reasons unknown, today the other side of the aisle said, we are not going to bring it up; we are going to object. I do not know whether this is connected with an election year. We have a lot of political issues around here.

Everybody is committed to assisting small business by reducing redundant regulatory oversight, and here is a chance to do it. Politics is not an overarching excuse, in my opinion, and getting the American public energized so that we can address the relief needed from some of the ill-founded, erroneous, duplicative regulations is a bipartisan responsibility. We seem to agree on it, but we cannot move. We are stuck. No explanation.

Today a constituent of mine came in. He brought me a chart. He is in the business of transporting oil. He has to have five permits. He has to have a Coast Guard operating regulation permit. He has to have a Coast Guard OPA 90 regulatory permit. He has to have an Environmental Protection Agency OPA 90 regulatory permit. He has to have an Environmental Protection Agency spill prevention regulatory permit, and he has to have a State permit, plus the local permits.

You have created a whole new industry out there of consultants that are hired to do these permits, do this evaluation, at a great cost to the public. And the justification for this really is questionable, given the lack of cost-benefit and risk analysis that should be associated with the process and unfortunately is not.

If you want to go into the logging business in my State, at the last count you have to get some 41 permits. You have to have a radio operator's license to run your camp. You have to have a Corps of Engineers permit to run your camp, and on and on and on and on.

There can be no argument that reforming the way we do regulatory business in this country is of paramount importance. We cannot seem to get that reform.

We are not ready to give up by any means. We are going to keep going at it. But in the meantime, there is no reason why we should not move with this particular bill, the small business relief that Senator BOND and Senator BUMPERS have developed in the Small Business Regulatory Enforcement Fairness Act. I commend them for their efforts. There is a consensus on the need for the bill. There is a consensus on the content of the bill. There is a consensus on the relief that this bill would provide to the small business community—stimulate employment, stimulate investment, stimulate inventory buildup—and yet we cannot get the consensus we need to bring it up in the Chamber.

The question the Senator from Alaska has to ask the Chair is, why? There are so many positive benefits to this legislation—teeth for the 16-year-old Regulatory Flexibility Act to allow judicial review of adverse impacts regulations have on small businesses. It includes penalty waivers and reductions for small business violations that are of little if any significance, recovery of attorney's fees when small business is forced into defensive litigation due to enforcement excesses, and, finally, small business participation in rulemaking.

We cannot keep missing the opportunity to pass positive, helpful legislation for important segments of America's small business industry. We should not miss the opportunity to pass this bill. Obviously, the weekend is going to go by. We are going to take this up again next week. But I would encourage my colleagues to allow this bipartisan bill to come before the floor to get it passed. We owe that much to the American people.

I think we ought to be asking our friends on the other side of the aisle why they see fit to hold up this important legislation. I encourage America's small business community to demand an answer, because we are ready to go with it on our side, and I think those people out there who are frustrated are waiting and certainly deserve an answer.

Mr. President, that concludes my statement. I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. GRAMS). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

WHITEWATER DEVELOPMENT CORPORATION AND RELATED MATTERS—MOTION TO PROCEED

CLOTURE MOTION

Mr. LOTT. Mr. President, I now move to proceed to Senate Resolution 227, the Whitewater legislation, and I send a cloture motion to the desk.

The PRESIDING OFFICER. The clerk will report the motion.

The assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the motion to proceed to S. Res. 227, regarding the Whitewater extension:

ALFONSE D'AMATO, TRENT LOTT, JESSE HELMS, PHIL GRAMM, JUDD GREGG, DIRK KEMPTHORNE, STROM THURMOND, JIM JEFFORDS, OLYMPIA SNOWE, BOB SMITH, DAN COATS, LARRY E. CRAIG, JOHN ASHCROFT, THAD COCHRAN, JON KYL, ROBERT F. BENNETT.

Mr. LOTT. Mr. President, I ask unanimous consent that the cloture vote occur immediately following the 2:15 p.m., vote on Tuesday, March 12, and that the live quorum under rule XXII be waived.

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

DISTRICT OF COLUMBIA APPROPRIATIONS ACT, 1996—CONFERENCE REPORT

Mr. LOTT. Mr. President, I now ask that the Senate turn to the conference report for the D.C. appropriations bill.

The PRESIDING OFFICER. The clerk will report the conference report.

The legislative clerk read as follows:

Conference report to accompany H.R. 2546, a bill making appropriations for the Government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 1996, and for other purposes.

The Senate resumed the consideration of the conference report.

CLOTURE MOTION

Mr. LOTT. Mr. President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The clerk will report the motion.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the conference report to accompany H.R. 2546, the D.C. Appropriations bill.

BOB DOLE, TRENT LOTT, JESSE HELMS, PHIL GRAMM, JUDD GREGG, DIRK KEMPTHORNE, STROM THURMOND, OLYMPIA SNOWE, BOB SMITH, DAN COATS, LARRY E. CRAIG, JOHN ASHCROFT, THAD COCHRAN, JON KYL, MARK HATFIELD, ROBERT F. BENNETT.

Mr. LOTT. Mr. President, I ask unanimous consent that the cloture vote occur at 2:15 p.m., on Tuesday, March 12, and the live quorum under rule XXII be waived.

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

REPORT ON THE U.S. NATIONAL SECURITY STRATEGY—MESSAGE FROM THE PRESIDENT—PM 128

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Armed Services.

To the Congress of the United States:

As required by section 603 of the Goldwater-Nichols Department of Defense Reorganization Act of 1986, I am transmitting a report on the National Security Strategy of the United States.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *March 7, 1996.*

MESSAGES FROM THE HOUSE

At 11:19 a.m., a message from the House of Representatives, delivered by Ms. Goetz, one of its reading clerks, announced that the Speaker appoints the following Members on the part of the House to the Advisory Commission on Intergovernmental Relations: Mr. SHAYS of Connecticut and Mr. PORTMAN of Ohio.

At 12:22 p.m., a message from the House of Representatives, delivered by Mr. Hays, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 3021. An act to guarantee the continuing full investment of Social Security and other Federal funds in obligations of the United States.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC–1934. A communication from the Assistant Secretary of the Army (Civil Works), transmitting, pursuant to law, the report entitled ''The National Study of Water Management During Drought''; to the Committee on Environment and Public Works.

EC–1935. A communication from the Administrator of the General Services Administration, transmitting, pursuant to law, the report under the Architectural Barriers Act for fiscal year 1995; to the Committee on Environment and Public Works.