

"(4) LOCAL DETERMINATION OF CONTENT.—For purposes of paragraphs (2) and (3), the determination of what matter is inappropriate for minors shall be made by the school, school board, library or other authority responsible for making the required certification. No agency or instrumentality of the United States Government may—

"(A) establish criteria for making that determination;

"(B) review the determination made by the certifying school, school board, library, or other authority; or

"(C) consider the criteria employed by the certifying school, school board, library, or other authority in the administration of subsection (h)(1)(B)."

(b) CONFORMING CHANGE.—Section 254(h)(1)(B) of the Communications Act of 1934 (47 U.S.C. 254(h)(1)(B)) is amended by striking "All telecommunications" and inserting "Except as provided by subsection (l), all telecommunications".

Mr. MCCAIN. Mr. President, I know the hour of 12:30 has arrived, but I ask unanimous consent to speak for 1 minute past the recess time.

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

Mr. MCCAIN. Mr. President, I thank the manager and the Democrat ranking member for allowing us to lay down these two amendments. We will be glad to discuss and debate them at a time most convenient for the managers of the bill.

I yield the floor.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:31 p.m., recessed until 2:14 p.m.; whereupon, the Senate reassembled when called to order by the Presiding Officer (Mr. ROBERTS).

DEPARTMENT OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS ACT, 1999

The Senate continued with the consideration of the bill.

AMENDMENT NO. 3228

The PRESIDING OFFICER. The business before the Senate is Amendment No. 3228 offered by Senator MCCAIN of Arizona.

Mr. SMITH of Oregon. Mr. President, I thank Senator GREGG for giving me a few minutes to speak in morning business. I ask unanimous consent that I might do so.

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

(The remarks of Mr. SMITH of Oregon pertaining to the introduction of the legislation are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Several Senators addressed the Chair.

The PRESIDING OFFICER. The distinguished Senator from Washington is recognized.

Mrs. MURRAY. Mr. President, what is the pending business?

The PRESIDING OFFICER. The pending business is the McCain No. 3228 amendment to Amendment No. 3227.

Mrs. MURRAY. Mr. President, I come to the floor today to join my colleague from Arizona, Senator MCCAIN, in urging the Senate to adopt our Internet filtering amendment, the Childsafe Internet bill.

We come here today for one simple reason: to find a way to protect children on the Internet. The Internet is growing and expanding faster than we ever thought possible. It has become a daily tool for many Americans. As the Internet continues to grow, I believe it is our responsibility to do something to protect children from harmful material.

I have worked hard over the last 6 years to get computers and technology into our schools. I have sponsored legislation to allow surplus Government computers to be put into schools. The Senate, in fact, just passed my Teacher Technology Training Act, to make sure teachers can incorporate technology into their curriculum.

I have worked hard to establish the e-rate to help our schools get connected to the Internet. I have been out in schools, and I know personally what a great educational tool the Internet can be. And I represent a state that is leading the way in many of these new technologies.

I want our students and I want our teachers to have access to this information. But, as we continue to see, there is a small amount of information on the Internet to which children should simply not have access.

In fact, a 1997 national survey of U.S. public libraries and the Internet revealed that students often unintentionally download pornography while on the Net. Mr. President, 22 percent of the children surveyed admitted that this had happened in school, while 25 percent admitted it had occurred in a public library.

I understand no solution is perfect. Technology alone won't filter every objectionable item on the Internet. We must remember, though, that this technology has made enormous strides in just a short amount of time.

I have heard from people who say health information, such as breast cancer, would be blocked from viewing. That may have been the case, but filtering companies have developed new technologies and are employing new procedures that do protect children while allowing more and more educational information to be used.

Our legislation is a first step. It is the right thing to do. The Childsafe Internet bill would simply require any school or library that gets reduced Internet access, the e-rate, to install some technology on their computers that keeps inappropriate material away from young children.

What is great about our bill is that it gives power to local school districts and libraries to determine which filtering device to use and what constitutes

inappropriate material. Decisions must remain at the local level with those who best know their students.

Mr. President, let me give a few examples I have heard of the need for the Childsafe Internet Act.

Last month, a seventh grade teacher in Washington state told me that it was impossible to watch 30 young students at their computers all of the time. She did not want a situation in which a child found inappropriate material, complained to their parents, and then have a parent come screaming back to the classroom, where the teacher was ultimately responsible. She turned off the Internet.

I do not want that to happen. I ask unanimous consent to have printed in the RECORD a number of letters I have received from parents about the need for this bill.

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

APRIL 19, 1998.

DEAR SENATORS: You were both in Vancouver this week, and I wasn't able to reach you through your office. Would you please update me on the status of SB 1619 the Internet School Filtering Act? In SW Washington, the regional group reported that they are the state internet provider service is looking at filtering at the state level as a result of SB 1619. As you can see from this report, filtering isn't perfect. However, without any filtering, far more youth at much younger ages come up with inappropriate material.

In Camas, pop. 9000, elementary students are not allowed to do searches on the internet for this reason. There is no reason to allow technology to serve as an excuse for lowering standards of acceptable material in publicly funded institutions. The Camas library continues to fight filtering, and points to the schools lack of one as justification. The Ft. Vancouver library board most recently on Monday April 13 though optional filtering was a good idea. That defeats the whole purpose and keeps the porn option wide open to kids. I hope you got my report of abuses noted. If they had a log like this, I'm sure the number of accesses reported would be much higher. Please continue to work so that our tax dollars do not fund porn and inappropriate material to children. Thank you for your time to reply please. E-mail is best, since it is faster, and a number of meetings are coming up the first week in May.

Sincerely,

MARGARET TWEET.

MAY 29, 1998.

Senator Patty Murray,
Attn: Kay

DEAR KAY: This also came out today. Ft. Vancouver records show one employee who quit rather than provide porn to minors with that as the stated reason. At the KOMO Town Hall, another Washington librarian announced she made the same decision after 6 months of wrangling over whether providing access to internet porn to a 14 year old patron was a part of her job she could live with. Adult businesses cannot sell pornography to children, an indication of public policy. It should not be an option for youth in libraries either. Thank you again for your time.

Sincerely,

MARGARET TWEET.