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DR. RICHARD P. LINDSAY
Special Representative

July 1, 1988

Rabbi Marc H. Tanenbaum
American Jewish Committee
165 East 56th Street
New York, NY 10022

Dear Marc:

Please give me 5 minutes of your time to read this letter carefully and decide what you want to do about it.

The Child Protection and Obscenity Enforcement Act of 1988 is without question the most important piece of legislation to be dealt with on a federal level in many years and may be decided within the next few weeks. Without your help, the bill may die in committee (see summary). This legislation focuses on illegal obscenity and child pornography, as has RAAP, and is designed to update federal obscenity law technologically and close existing loopholes. These loopholes allow pornographers to escape from laws designed to protect the common good.

Crucial provisions of the bill include making illegal the sale of children for pornographic purposes by parents and/or guardians, and the forfeiture of assets to the government by pornographers who have created empires through the illegal production and distribution of obscenity. Because so much of the obscenity industry is controlled by organized crime, these forfeiture provisions are critical in dismantling the organized crime element.

In order for this proposed legislation to become the law of the land it must move from the committee to the floor of both the House and the Senate for action. The bill rests within the House Subcommittee on Crime and the Senate Judiciary Committee. Senator Joseph Biden, chair of the Senate Judiciary Committee, is not yet a supporter of this bill. Senator Biden and the other members of the Committee need to know how you and your people feel about the legislation.

While some members of the Senate Judiciary Committee are strong proponents of the bill, others are opposed or very cautious about their support (cosponsors are marked with an asterisk). Your letters have the opportunity to help bring this bill to the floor of both the House and the Senate.

We are confident that if this bill reaches the floor of the House and the Senate for a vote it will pass with an overwhelming majority. There are currently 239 House cosponsors and 40 Senate cosponsors. If you have not yet written your Representative or Senators concerning this bill, now is the time to do it. If you have not yet informed and recruited your people to write, now is the time to do it.

In addition to writing your own representative and senators, you can write any of the members of the Senate Judiciary Committee, as listed below. Ask them to support the bill by getting it out of committee and to become an original cosponsor.

The bill is known as HR 3889 in the House and as S2033 in the Senate.

MEMBERS OF THE SENATE JUDICIARY COMMITTEE

Joseph R. Biden, Jr., DE - Chairman	*Strom Thurmond, SC -
Edward M. Kennedy, MA	Ranking Minority
*Robert C. Byrd, WV	*Alan K. Simpson - WY
Howard M. Metzenbaum, OH	*Charles E. Grassley, IA
*Dennis DeConcini, AZ	*Orrin G. Hatch, UT
Patrick J. Leahy, VT	Arlen Specter, PA
*Howell T. Heflin, AL	*Gordon J. Humphrey, NH
Paul Simon, IL	

* Cosponsors of the Child Protection and Obscenity Enforcement Act of 1988 (S2033).

If Senators Biden (Chair), Kennedy, Metzenbaum, Leahy, Simon and Specter don't hear from you, the bill may die in Committee before it ever has a chance to be voted on. If you have people in their states with whom you could share this information, those letters would be of critical importance.

You can write them at: U.S. Senate
Washington, D.C. 20510

Your correspondence does make a difference. Members of Congress see every letter that they receive as equal to approximately 100 of their own constituents.

Yours for the sake of men, women, children, and families,

Jerry R. Kirk

Jerry R. Kirk
President, National Coalition Against Pornography
Chairman, Religious Alliance Against Pornography

encl.

cc: Susan Taylor
Gerry Cooper
Doug Reed
George Irwin

THE WHITE HOUSE
Office of the Press Secretary

For Immediate Release

November 10, 1987

FACT SHEET

Child Protection and Obscenity Enforcement Act of 1987

The President today announced that he is sending to the Congress for its prompt consideration a major legislative proposal to combat child pornography and obscenity in the United States. This draft bill is entitled the "Child Protection and Obscenity Enforcement Act of 1987."

In May 1984, President Reagan, during the signing of the Child Protection Act of 1984, announced the creation of a national commission to study the scope and nature of pornography in the United States. After 14 months of extensive examination, the Attorney General's Commission on Pornography released its Final Report in July 1986 that contained numerous recommendations for changes in Federal law. In a press conference held in October 1986, Attorney General Edwin Meese III announced a seven-point initiative to combat obscenity and child-pornography. One of the major points of his initiative was to take a thorough and careful look at the recommendations of the Commission and submit a comprehensive set of proposals to the Congress before the end of this session. The legislation that the President is today forwarding to the Congress constitutes that set of proposals.

As the President noted in his transmittal message, the purposes of the bill are twofold: first, to update Federal law to take into account new technologies and ways of doing business employed by the pornography industry; and second, to remove loopholes and weaknesses in the law, which have given criminals in this area the upper hand for far too long. This legislation consists of numerous proposals in three basic areas, each of which is summarized briefly below.

SEXUAL EXPLOITATION OF CHILDREN THROUGH CHILD PORNOGRAPHY

Use of computers in child pornography. The draft bill would add clarifying language to the existing sexual exploitation of children statutes to prohibit the use of computers to advertise, distribute, or receive child pornography and related information.

Buying or selling of children to produce child pornography. The bill would prohibit a parent, legal guardian, or other similarly situated person having custody or control of a minor from selling or otherwise transferring custody or control of that minor where the person has knowledge that the minor would be used for the production of pornography.

Protection of minors from use in sexually explicit materials through new record-keeping requirements. The bill would require producers and certain distributors of sexually explicit materials to create and maintain verifiable records with respect to the age and identity of each performer appearing in depictions of "actual sexually explicit conduct."

more

(OVER)

Child pornography and organized crime. Child pornography violations would be made a predicate offense under the Racketeer Influenced Corrupt Organization (RICO) statute, which, among other things, would allow the seizure and forfeiture of profits derived from the offense.

OBSCENITY PROVISIONS

Receipt or possession of obscene matter for sale or distribution. A new criminal offense would be established that would prohibit the receipt or possession of obscene material with intent to sell or distribute.

"Syndicate buster" amendments. Current law generally prohibits the interstate transportation of obscene matter for commercial purposes. The draft bill would expand the scope of current law to include a prohibition on the use of a "facility or means" of interstate commerce to transport material of this sort. (Thus, a prosecutor would need to prove only that a defendant used a facility or means of interstate commerce (e.g., a truck) and not that the defendant actually transported the material in question across State lines.)

Obscenity forfeitures. The draft bill would permit both criminal and civil forfeitures to permit the government to obtain assets attributable to profits obtained through violations of the obscenity laws, similar to existing authority in the drugs and racketeering areas.

Possession and sale of obscene material and child pornography on Federal properties. The draft bill would make it a criminal offense to possess or sell obscene visual depictions or child pornography on Federal property.

Adding obscenity as an underlying offense to the wiretap statute. Felony obscenity offenses would be added to the list of offenses for which the government would be authorized to seek court orders authorizing wiretaps.

CHILD PROTECTION AMENDMENTS

Cable porn. The draft bill would make it a criminal offense to utter obscene language or distribute obscene matter by cable television or other subscription television services.

Dial-a-porn. The draft bill would prohibit the making of obscene telephone calls, for commercial purposes, to any person, regardless of age, regardless of whether the maker of the communication placed the call, and regardless of whether the communication was made directly or by recording device.