

the period of 1992 to 1996, the program averaged \$54.8 million a year, which is 3.5 times what it was in the previous period.

As we have noted, the program last year appears to be in the neighborhood of \$120 million. CRS says \$119.5 million is their estimate. That is not a finalized figure.

Mr. President, the other point that I think is important, that the real cost of this program is not what it costs the taxpayers, which is significant and growing dramatically. It is what it costs the consumers of America, which CRS indicates may be in the neighborhood of \$300 million to \$500 million a year.

It is clear this is an area that merits reform. I appreciate my colleagues pointing out the proper role of the authorizing committee here. I hope we will make progress on it. Since we have reached agreement on the revised amendment, I believe Members will be comfortable in voting on this by voice. A rollcall vote will not be necessary.

Mr. COCHRAN. Mr. President, if the Senator would yield for a response, the amendment now is acceptable, I am told, on both sides of the aisle.

I understand, too, that the yeas and nays had been ordered but that we can vitiate the yeas and nays and no rollcall vote would be necessary.

If there is no objection, I ask unanimous consent that the yeas and nays be vitiated.

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

Mr. COCHRAN. I suggest to Senators who have time under the agreement if we yield back all time we can vote on the amendment on a voice vote.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. BROWN. Mr. President, I yield such time as I have.

Mr. HEFLIN. Mr. President, I yield back what time I have.

The PRESIDING OFFICER. All time having been yielded back, and no one wishing to speak on this amendment, the question now occurs on the Brown amendment, No. 2688, as modified, to the committee amendment on page 83, line 4 of the bill.

The question is on agreeing to the amendment.

The amendment (No. 2688), as modified, was agreed to.

Mr. COCHRAN. Mr. President, I move to reconsider the vote.

Mr. CONRAD. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

VOTE ON COMMITTEE AMENDMENT, ON PAGE 83, LINE 4 THROUGH LINE 2, PAGE 84, AS AMENDED

The PRESIDING OFFICER. The question now occurs on the committee amendment, as amended.

The committee amendment, as amended, was agreed to.

Mr. COCHRAN. I move to reconsider the vote by which the committee amendment was agreed to.

Mr. CONRAD. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Senator from North Dakota.

PRIME TIME TELEVISION—THE NEW FALL TV PROGRAM LINEUP

Mr. CONRAD. Mr. President, I would like to bring the attention of the Senate an article entitled "Sex and Violence on TV" from the most recent issue of U.S. News & World Report—September 11, 1995. The article reviews television network programming for the upcoming fall TV season. I am particularly troubled by the direction of the networks. The lead in the article describes the season as "to hell with kids—that must be the motto of the new fall TV season." The article suggests that the family viewing hour—the 8 p.m. to 9 p.m. period—is dead, and that sex, vulgarity and violence rules prime time.

Tom Shales in his review this weekend of fall television network programming in the Washington Post makes similar observations. He remarked, "vulgarity is on the rise. Sitcom writers make big bucks coming up with cheap laughs. Buried in the dust of competition is the old family viewing concept that made the 8 p.m. hour—7 p.m. on Sundays—a haven from adult themes and language."

As my colleagues are aware, earlier this summer, the Senate and House of Representatives debated at length the issue of television violence as part of the telecommunications bill, S. 652 and H.R. 1555. Both the House and Senate bills include provisions requiring that new television sets be equipped with technology to permit parents to block television programming with violent, sexual or other objectionable content. The measure also encourages the development of a voluntary rating system by the television industry, a system that would enable parents to make informed decisions about television viewing for their children.

Mr. President, with all the attention focused on television violence over the past few months—including a recent pledge by my distinguished colleague senator ROBERT DOLE to clean up television and movies—it is astonishing that television networks are promoting a fall TV season that demonstrates so much disregard for the wishes of American families and the clear majority of the House and Senate. American people want television networks to develop programming with considerably less violence, sexual and indecent content. The new fall television schedule is a tragedy.

Time and time again, I, and members of the Citizens Task Force on Television Violence have been told by the media that Government intervention to reduce violent and objectionable television programming is not necessary. We were assured that the media will act responsibly. The networks argue that the technology for parents to

block programming and a rating system for programming are not necessary.

Mr. President, the U.S. News & World Report's review of fall TV programming suggests otherwise. It is regrettable that the networks are demonstrating such disregard for the wishes of American families. The UCLA Center for Communications Policy's Network Violence Study released earlier today confirms some of these continuing concerns regarding violent programming. The UCLA study points out that while some programming shows improvement in the overall reduction of violence, the study identified serious problems regarding the level of violence in theatrical films on television, on-air promotions, children's television and the lack of parental advisories. I urge the American public to let their Senators and Members of the House of Representatives know their views on programming for the upcoming fall TV season, and to express strong support for the v-chip legislation when it is considered by the House-Senate Conference on the telecommunications bill. I ask unanimous consent Mr. President, that the text of the article from the U.S. News & World Report be printed in the CONGRESSIONAL RECORD at the conclusion of my remarks.

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

(See exhibit 1.)

Mr. CONRAD. Mr. President, I just want to conclude by saying the evidence is, really, overwhelming. I have been working on this issue for 5 years. I have put together a national coalition that involves church groups, law enforcement, all of the children's advocacy groups, the principals of America, the teachers, the National Education Association, group after group after group who have said, "Enough is enough. Let us reduce the mindless, repetitive violence that is on television. Let us reduce that objectionable sexual content. Let us have television realize the promise that it offers the American people, to uplift, to educate, to inform." That is what our society desperately needs.

And over and over the networks have told us, "Be patient, just wait. We are going to act."

Now, we have the fall schedule and we can see how hollow those promises are. Over and over we have been told, "We are going to do better. We are going to reduce the level of violence. We are going to reduce other objectionable content."

Mr. President, they have not kept the promise. I call on my colleagues to stand fast. We passed here, by 73 to 26, the "choice chips" that will permit parents to decide what their children are exposed to. That is the appropriate response.

I, once again, call on the networks to take action to keep their promises and, hopefully, to support this legislation that will provide "choice chips" in new television sets so parents can choose;

so parents can decide what their children are exposed to.

EXHIBIT 1

[From U.S. News & World Report, September 11, 1995]

SEX AND VIOLENCE ON TV

(By Marc Silver)

The family hour is gone. There's still a splattering of guts in prime time, but the story of the fall lineup is the rise of sex. Will the networks ever wise up?

To hell with kids—that must be the motto of the new fall TV season. You want proof? Look at the network lineups. Many of the wholesome sitcoms that once ruled the 8 p.m.-to-9 p.m. hour have gone to the TV graveyard, replaced by racier fare like "Cybill" and "Roseanne." As a *Wall Street Journal* news story put it in a recent headline, "It's 8 p.m. Your Kids Are Watching Sex on TV."

Vulgarity also rules in the first hour of prime time. In "Bless This House," an 8 p.m. CBS show starring shock comic Andrew Clay as a blue-collar dad, the mom accuses her 12-year-old daughter of "spend[ing] all morning staring at your little hooters." Chatting with a promiscuous chum who's said to be so eager for sex that she'd "do it on the coffee table," the mother wonders, "My God, don't you ever get your period?"

Say goodbye to the "family hour," the 8 p.m.-to-9 p.m. period ABC, CBS and NBC once reserved for you and the kids, and say hello to the Fox in the henhouse. The success of sexually frank programs like the Fox network's "Beverly Hills 90210" at 8 p.m. has uncorked a wave of me-tooism in the quest for a young (but not too young), hip and urban audience. As Alan Sternfeld, an ABC senior vice president, says of shifting "Roseanne" and "Ellen" to 8 p.m.: "We get reimbursed by advertisers when we deliver adults 18 to 49."

Despite the outcry over TV violence this year, it is the rise of sex on TV that is the real story of the fall lineup. Some media critics are pointing to moralistic plots on shows like "ER," "Roseanne" and "Seinfeld" as evidence that network TV is becoming as wholesome and earnest as *The Little Engine That Could*. But that's just a small part of what's happening in prime time.

"A lot of Hollywood says, 'If you criticize us about violence, then let's have some good, wholesome sex at 8 p.m.,'" says Lionel Chetwynd, a prominent writer, director and producer who has worked in TV for 20 years. "The idea that family viewing includes some sense of sexual propriety doesn't seem to have sunk into the Hollywood community."

Chetwynd sees a defensive reaction from his colleagues. They complain that they're an easy target, and also believe that only someone on the far right could possibly be upset by sex on TV. But that's not so. Plenty of "lifestyle conservatives"—a term coined by film critic Michael Medved—are fed-up viewers despite their moderate or liberal political views.

Those lifestyle conservatives have plenty to grouse about. A groundbreaking study by Monique Ward, a postdoctoral fellow in education at the University of California at Los Angeles, tracks and analyzes sexual content in the 1992-93 prime-time shows most popular among youngsters 2 to 12 and 12 to 17. On average, 29 percent of all interactions involved sex talk of some kind. "Blossom" at 58 percent and "Martin" at 49 percent led the pack. Sex is most often depicted as a competition, a way to define masculinity and an "exciting amusement for people of all ages," Ward found. Looks are everything. In an episode of "Blossom," a teenager's grandfather

says of a blind date: "In case she's a dog, I can fake a heart attack." Ward's study will appear in the October *Journal of Youth and Adolescence*.

Then there's soap-opera sex, talk-show sex chatter, sex crimes on the news—how do kids process all that? Little academic work has been done in this area. Yet, researchers are moving ahead gingerly, and certain conclusions are emerging. In a study of how middleclass teenage girls react to sex in the media, Jane Brown, a professor in the school of journalism and mass communications at the University of North Carolina at Chapel Hill, identified three types of viewers: sexually inexperienced teens who find the whole thing "disgusting"; "intrigued" girls who "suck it up," buying into the TV sex fantasy, and "critics," who tear irresponsible sexual messages to shreds. "but the media are so compelling and so filled with sex, it's hard for any kid, even a critic, to resist," says Brown. "I think of the media as our true sex educators."

Kids agree. This year, Children Now, an Oakland, Calif., advocacy group, polled 750 children ages 10 to 16. Six out of 10 said sex on TV sways kids to have sex at too young an age. Some shows to promote teenage abstinence or conversations about the consequences of sex, but that's the exception. One suggestion endorsed by Douglas Besharov, a scholar at the conservative-leaning American Enterprise Institute: Force TV honchos to show their products to their spouses, kids and parents.

Murder at 8 p.m.—Violence also is barging into the early evening this fall. Fox's "Space: Above and Beyond," a 7 p.m. sci-fi spatterthon, features flamethrowers, stun guns and, for nostalgia buffs, a crowbar and a noose of chains. "John Grisham's The Client," an 8 p.m. CBS drama, serves up two corpses and two bloody, on-screen murders in the first 15 minutes. That's more grist for politicians on the warpath about TV violence.

The "V-chip" is currently a favorite solution. Both houses of Congress have supported legislation requiring that new TV sets come with a chip enabling parents to block violent programs. The technology is a snap. Deciding which shows deserve a "V" for violence is the problem. The networks aren't eager to cooperate. A government committee raises the specter of censorship, along with thorny questions—for example, would violence in "M*A*S*H" be in the same category as shootings in "The Untouchables"?

In any event, the V-chip is a few years away. In the interim, children will see thousands of violent acts on TV. A study by the American Psychological Association figures that the typical child, watching 27 hours of TV a week, will view 8,000 murders and 100,000 acts of violence from age 3 to age 12. (Of course, that wouldn't apply to fans of "Mister Rogers' Neighborhood" or sitcom viewers.)

An upcoming report by the UCLA Center for Communication Policy sees some improvements on the TV-violence front. "The networks know what the public is looking for," says Jeffrey Cole, director of the center, which was hired by the networks to conduct what is arguably the most thorough review ever of violence in prime-time media. Looking at nearly 3,000 hours of television, the report concludes the overall level of violence is dropping.

Bloody promos.—But gratuitous violence is on the rise. "All violence is not equal," says Cole. "Context is everything, and in some instances, violence is unwarranted and not helpful to the plot. Some movies and made-for-TV movies about crime are just vehicles for violence." Promos for violent shows are especially prone to "condensed violence" with no context.

Hollywood isn't convinced that media mayhem inspires the real thing. "When I was little, I went to the movies every week and saw violent cartoons and two or three Westerns in which the entire Sioux nation was massacred by the cavalry," recalls Steven Bochco, creator of "NYPD Blue." "I never had a question that what I was watching was make-believe, because I was raised by a family that gave me a moral compass."

On the other side of the debate stand 1,000-plus studies establishing links between TV violence and the way people behave in real life. In a 1970 study at Pennsylvania State University, psychologist Aletha Huston and a colleague regularly showed cartoons of fist-flying superheroes to one group of 4-year-olds and bland fare to another. Among kids in both groups known to be above average in aggressive behavior, those who saw the action heroes were more likely to hit and throw things after watching. Nor do the effects of TV violence fade after childhood. Psychologist Leonard Eron of the University of Michigan's Institute for Social Research has tracked 650 New York children from 1960 to the present, looking at viewing habits and behavior. Those who watched the most violent television as youngsters grew up to engage in the most aggressive behavior as adults, from spouse abuse to drunk driving.

The flaw in Bochco's argument, Eron says, is that not all homes have a moral compass. Besides, no one's saying that all violence is inspired by television. One estimate, based on an analysis of 275 studies by George Comstock, S. I. Newhouse professor of public communication at Syracuse University, is that perhaps 10 percent of antisocial and illegal acts can be linked to TV. "But wouldn't it be great if we could reduce the occurrence of violence in this nation by 10 percent?" asks Eron.

Family fare?—Fans of family TV won't find much to cheer about in the fall 1995 season. "More channels doesn't mean more choices," says Kathryn Montgomery of the Center for Media Education, an advocacy group in Washington, D.C. In fact, one of the best family dramas on television, CBS's "Christy" was canceled this spring despite a slew of awards. "Christy," the story of a young teacher in backwoods Tennessee in 1912, had superb writing and acting—and lovely lessons about life with nary an ounce of schmaltz or sex, violence or swearing. The audience of about 10 million weekly viewers was "fairly substantial and intensely loyal," says David Poltrack, executive vice president of research and planning for CBS. But the young adults whom advertisers crave weren't watching in force, so "Christy" got the ax. Reruns will air on the Family Channel on Saturdays at 7 p.m. starting in October.

Since most new network shows weren't designed with a family audience in mind, Warner Bros. new WB network is trying to fill the 8 to 9 p.m. void with "family friendly" fare. On the menu this fall: a fairly clever cartoon called "Steven Spielberg Presents Pinky & the Brain" on Sundays at 7 p.m., about a smart lab rat trying to take over the world, and supposedly wholesome sitcoms that are, in fact, generally mediocre and occasionally offensive. In "Kirk," the lame tale of an older brother who assumes custody of three siblings, the younger brother brags of peeping into a nearby apartment and seeing a beautiful woman in a "Wonderbra and nothing else." Turns out the gal is a guy, even though he has "girl things."

Raunchy family fare is nothing new. In an episode of CBS's "The Nanny," a returning show that pitches itself to kids with promos during cartoons, the nanny comes home

drunk and mistakenly stumbles into bed with her cold-ridden boss. The next day, neither can recall if they had sex. "We try to do a sophisticated 8 p.m. show," says "Nanny" Co-executive Producer Diane Wilk. "We wouldn't want to put anything on the air we wouldn't want our children to see." Counters Debra Haffner, president of the Sexuality Information and Education Council of the United States: "I wouldn't let my 10-year-old daughter watch. 'The Nanny'—or practically any other prime-time show—without me, so I can discuss the sexual messages with her."

Smart TV.—On Saturday mornings, network cynicism is symbolized by ABC's canning of "Cro," one of the few genuinely educational cartoons around. "Cro" wasn't the greatest show ever produced by the Children's Television Workshop, creators of "Sesame Street." But it managed to tuck science lessons into the adventures of a prehistoric tribe and did win its time slot last season. ABC says the show "underperformed." As "Cro" bowed out, an animated version of the movie *Dumb and Dumber* joined ABC's Saturday lineup. "This is beyond irony," says Reed Hundt, chairman of the Federal Communications Commission. "'Dumb and Dumber' is a description of this decision, not just a title."

PBS still has a fine roster of educational fare. But "Ghostwriter," a popular show for ages 6 to 11 that stresses reading skills in the mysteries it weaves, will have no new episodes, just reruns. Corporate money dried up for the series, and two commercial networks weren't interested in new episodes for Saturday mornings. "Wishbone," a new PBS daily series, debuting October 9 and aimed at the same age group, is a strong breed. The eponymous star is a terrier who imagines himself in literary works like *Romeo and Juliet*. The dog is appealing, yet a purist might wonder if this is the best way to introduce kids to great literature.

But "Wishbone" is a gem compared with Disney's new, allegedly educational syndicated series "Sing Me a Story: With Belle." To keep costs down, Disney is recycling old cartoons with new didactic voiceovers. In one episode, the lesson is: Friends are good, friends are good, friends are good. The live-action host is Belle, star of *Beauty and the Beast*.

Nonetheless, Disney could be the salvation of family-friendly television when it takes over ABC. Dean Valentine, president of Walt Disney Television and Animation, predicts the glut of adult-oriented 8 p.m. shows will provide an opening for something different. "In the next year or two, the hit shows will be family programs from Disney at 8 p.m.," he says.

Parents don't have to just sit and wait for better TV. Public outrage can play a role in reforming the media—that's why Calvin Klein decided last week to pull controversial ads for jeans depicting young people in various stages of undress. Then again, few have lost money being crass in the vast wasteland.

A GUIDE TO MEDIA LITERACY—WHAT TV-SAVVY PARENTS CAN DO TO HELP THEIR KIDS

As TV gets wilder and wilder, more parents are opting to junk television altogether. Those not ready for this drastic step can find solace in media literacy—the art of deconstructing television. Schools in Canada have taught media literacy for years, explaining to students that programs exist to deliver an audience to advertisers, that sex and violence sell and that TV news isn't all the news that's fit to air—it's more likely the news that gets the best ratings. American schools are just beginning to catch up. Here are six key precepts for a crash course at home.

1. Rethink your image of TV.—Newton Minow, former chairman of the Federal Communications Commission, suggests imagining a stranger in your house blathering on to you and your children about sex and violence all day long. No one dares interrupt or tell the stranger to shut up or get out. That stranger is your TV set.

2. Keep a diary.—Ask your kids how much TV they think they watch. Then have them write down everything they watch for a week. Parents might do the same. Both generations may be shocked by the results. A reasonable goal for kids: two hours a day. Several primers help with this and other steps: *The Smart Parent's Guide to Kids' TV* by Milton Chen (KQED Books, 1994, \$8.95); "Taking Charge of Your TV," from the National PTA and the cable-television industry (free copies from 800-743-5355 or <http://www.widmeyer.com/ncta/home.htm> on the Internet); and guides from the Center for Media Literacy (call 800-226-9494 for a free catalog).

3. Be choosy.—You wouldn't stroll into a library and pick up the first book, and you shouldn't just turn on the TV and watch whatever's on. Media literacy mavens suggest choosing a week's worth of programs in advance. Sorry, no channel surfing.

4. Watch with them.—Unless parents are confident that a show is safe for youngsters (rarely the case these days), they should watch with their kids, then talk about controversial content. Sample queries: "Why was that the lead story on the news?" "Could a cop really be back at work a week after being shot in the chest?" "When the star of the sitcom decided to have sex with a woman he just met, should she have suggested that he use a condom?"

5. Just say no.—And also why—which means you first need to watch the series in question. "My daughter, who's 11, wanted to see 'Married . . . With Children,'" says Karen Jaffe of Kidsnet, a children's media resource center in Washington, D.C. "I said no. I don't like the way the parents talk to the kids or the kids talk to the parents."

6. Media literacy isn't a cure-all.—No child can be immunized against all the bad stuff on TV. So parents (and children) need to make their objections known. Letters to the local station, with a copy to the local newspapers and the FCC, can carry weight, especially if you use the words feared by TV executives: "failing to serve the public interest" and "doesn't deserve to have its license renewed."

DOES KIDS' TV NEED FIXING?

Officials are debating whether to toughen the Children's Television Act: Should they require stations to air more quality kids' programming?

The Children's Television Act is either the last best hope for children's programs or an irksome symbol of how government meddles where it shouldn't. Enacted in October 1990, the act requires local stations to meet the "educational and informational needs of children" to renew their licenses. The act's supporters want to strengthen its terms by requiring, among other things, that a specific number of hours be devoted to children's programming; its critics say Uncle Sam has no business regulating a local station's schedule.

Pro:

Without government intervention, the television industry will not produce enough quality children's programming.

Broadcasters must serve the public.—They use spectra owned by the public and it's only right that their work benefit the public interest. "The law requires that broadcasters uphold public-interest standards regardless of the share of 18-to-49-year-olds that they

capture for advertisers," said Federal Communications Commission Chairman Reed Hundt in a recent speech.

Children need an advocate.—Federal courts have already recognized that government has a role in protecting kids' interests that extends beyond the constitutional protections of free speech. One recent decision affirmed that role when it upheld the FCC's regulations restricting "indecent" programming to certain hours.

Broadcasters cut corners.—The children's Television Act vaguely defines educational as furthering "the positive development of the child in any respect." Broadcasters love that loophole. The Center for Media Education says some station license renewal applications have listed cartoons like "Casper" and "GI Joe" as educational. The definition of the word educational must be firmed up so that shows airing prior to 7 a.m. should not qualify and local stations are required to air a certain number of hours per week.

Threats of regulation bring results.—When presidents threaten to regulate the television industry, more educational shows are produced for children. Former ABC children's television chief Squire Rushnell has charted the relationship: Richard Nixon and Gerald Ford both advocated that there should be more educational children's programming or else the government would insist on it. As a result, the networks averaged almost 10 hours of such programming per week by 1975. By the end of Jimmy Carter's term, in 1980, the total was up to 11½ hours. By 1990, after Ronald Reagan's tenure, it dropped to 1¼ hours. (Broadcasters dispute Rushnell's counting methods.)

Con:

While there is industry support for the Children's Television Act, the free market does a good job of creating quality shows without government edicts.

Strict regulations violate free speech.—When government tells broadcasters how much children's educational television they should produce and what time slots they should use for such programs, the First Amendment rights of those broadcasters are violated. "It takes away the discretion of the broadcasters," says Jeff Baumann, general counsel for the National Association of Broadcasters.

Government cannot make children watch "educational programming."—If TV producers have to scramble to produce educational shows to fulfill a requirement, the result will be a spate of mediocre programs that won't capture the imagination of children.

Broadcasters have responded to the act.—FCC Commissioner Rachelle Chong points out that since the act took effect, children's educational fare has increased from about one hour per week to three hours on average. She believes that broadcasters are getting the message about educational fare and plans to follow up with broadcasters who promise her that the trend will improve. Quantitative guidelines should be "our last resort."

The free market works.—Cable stations like the Disney Channel, the Learning Channel and Nickelodeon and several satellite and online services have all come into being to serve children (though 36 percent of American homes do not have cable). With new players entering the entertainment business, the choices for children will only increase. "If there's a program niche there, the marketplace will find it," says Ben Tucker, president of Retlaw Broadcasting and chairman of government relations for the CBS affiliate's advisory board.

The PRESIDING OFFICER. The Senator from Connecticut.