

Mr. LOTT. With that, I yield the floor, Mr. President.

Mr. COVERDELL addressed the Chair.

The PRESIDING OFFICER. The Senator from Georgia.

CURTIS BALDWIN MEMORIAL

Mr. COVERDELL. Mr. President, on behalf of Majority Leader DOLE and myself, I would like to address the Senate on the death of Curtis Baldwin. I wish to take a moment to recognize a Senate staffer who made a meaningful contribution both to the Senate and his community.

Curtis Baldwin unexpectedly passed away this week at the young age of 36. He was born in Richland, GA, and graduated from Clark College in Atlanta.

For the past 7 years, Curtis was a Sergeant at Arms employee who was well known among his coworkers and the Senate staff as a goodhearted, dedicated, and loyal individual. Curtis will always be remembered as having a positive effect on people with his joyful disposition and contagious laugh.

In addition, he was an active and faithful member of the Congress Heights Methodist Church in Washington, DC, where he was a youth minister, a member of the board of trustees, and an assistant treasurer. Curtis found deep fulfillment in being a member of both the T.J. Horne Ensemble and the church choir. He celebrated life each day by being close to the Lord and his family.

Curtis will always be remembered in the hearts of those who knew him.

Mr. President, I thank you and I yield the floor.

Mr. SIMON addressed the Chair.

The PRESIDING OFFICER. The Senator from Illinois.

JOINT STANDARDS ON VIOLENCE

Mr. SIMON. Mr. President, last week the major leaders of the television and movie industries in the United States met with President Clinton, Vice President GORE, and in separate meetings with several of us in Congress to address the issues of glamorized violence and sexual exploitation.

President Clinton and the industry leaders are to be congratulated for coming together, an indication that both the leaders of Government and the industry take this issue seriously.

Second, while I opposed the Federal Government mandating the V-chip and the ratings system that goes with it, the fact that the industry has decided to address the pressure in the telecommunications bill for them to voluntarily set up a system rather than oppose the proposal in the courts will do some good. It is a signal to the American people that the industry is willing to show self-restraint and that good citizenship can prevail over the profits-at-any-cost philosophy.

My experience with this issue suggests that progress can continue to be

made without Government entering the constitutionally dangerous field of regulating content and without the industry impairing either its profits or its effectiveness. But because this field that is entered is new in the United States for the industry, there will be some stumbling along the way. The path of real progress is rarely easy in any type of endeavor.

The television-movie leaders deserve our congratulations not only for the step just announced but for a series of positive actions that have been taken over the past few years. The industry initially moved in a more conservative direction somewhat reluctantly, but as more and more leaders started self-examination and found pride and satisfaction in the good they were doing, the progress has become more measurable.

In 1986, when I began talking about violence on television, I was a lonely voice. The entertainment industry responded to my calls for a reduction in gratuitous and glamorized violence on television with almost universal denials of any link between violence on television and violence in our society. For even suggesting such a link, I was loudly and enthusiastically denounced by some.

When I asked that they work together to establish joint standards on violence, the networks told me that antitrust laws precluded them from doing so. When I introduced and Congress passed an antitrust exemption in 1990, signed into law by President Bush, to allow them to discuss this issue, they spent the first year and a half of the exemption doing nothing. Finally, halfway through the exemption, I took to the Senate floor to call the Nation's attention to this issue and the industry's inaction. Public hearings were held in the House and the Senate.

In response to this public pressure, the networks announced joint standards on violence in 1992. The broadcast networks led the way on this, followed by cable and the independents. The standards they developed were not as strong as I would have liked, not as strong as the British standards, for example, but a positive step forward.

In the summer of 1993, the networks established a parental advisory system. They took significant nonpublic actions to change the shape of things. The President of one of the broadcast networks told me that he viewed a film they had paid \$1.5 million for, and after viewing it he decided the network should take a loss and not show it because of its violence.

When the officials of one network met, initially, one or two sharply criticized what I was doing. Then one of the officers asked the question, "Do you let your children watch what we are producing?" He reported that question changed the whole tone of the meeting and what they would produce in the future.

Jack Valenti, head of the Motion Picture Association, and others, arranged

for me to meet with the Writers Guild and the Directors Guild, the creative people who help to shape what we view. A few of them were hostile, some reluctant, and others clearly welcomed a slightly different thrust.

In August 1993, the first-ever industrywide conference on the issue of gratuitous television violence was held. At that conference, I urged the industry to select independent monitors, not censors, to make any reports to the public about television programming. In early 1994, both the broadcast and cable networks announced they would do it and announced their selection for independent monitors.

These monitors, the UCLA Center for Communication Policy and Mediascope, have now each issued their first annual reports. Many critics dismissed these monitors as pawns of the industry because the industry is paying for their work.

These first reports clearly belie that suspicion. They are solid, critical examinations of television programming. They make concrete suggestions for ways to improve. The reports exceeded my greatest hopes.

These studies show that television violence is still a problem, but the very existence of the reports should encourage everyone concerned about this issue. The networks invested significant sums to fund this, and they have respected the independence of the monitors' work.

The industry has proposed a voluntary rating system to provide the public with more information about their programming. I applaud this voluntary effort. The question is where we go from here.

Laudable as the most recent step by the industry is—though I voted against that V-chip in the version that passed the Senate as an unwise and probably unconstitutional intrusion of the Federal Government in the field of content—I have concerns that some in industry and Government are looking to this as the answer to the question of gratuitous violence. It will help concerned parents. Perhaps of greater influence, it will affect advertising for those who accept that form of sustenance.

I have these concerns:

First, it will take years before the V-chip is in most American homes.

Second, the recent report on television by Mediascope suggests that while ratings help parents and are helpful with young children, boys between the ages of 11 and 14 are attracted by an R rating, not repelled by it. If the study had included young people between the ages of 15 and 19, my instinct is that the R rating would prove to be even more of a magnet.

Third, teenagers are mechanically very adept. Many will find their way around the V-chip, if by no other means, by going to a friend's home.

Fourth, and most important, the homes that most need to use the V-chip will not use it. Children in high-

crime areas watch half again as much television as in areas where crime is less prevalent. Too often, the children of those parents are desperately just trying to get by, and if watching more violence on television keeps the children off the streets, it will strike many parents as a reasonable tradeoff.

So I welcome the industry's considerable effort to assist the American public with ratings and the V-chip, but I view it as a mixed blessing.

Let me close by issuing a challenge to the industry and to my colleagues. To the leaders of television, I applaud the progress you are making. Broadcast entertainment TV is measurably less violent than 5 years ago and cable TV is slightly less violent. If this progress continues, 10 years from now people will look back on today's television as we now look back on old movies that have the heroes and heroines smoking and drinking heavily. Moving away from that stereotype did not hurt the movies and television, and it helped the American public.

I urge all industry leaders to read the two fine monitoring reports that the broadcast and cable industries authorized. I particularly call your attention to the statistic in the more recent report that 73 percent of violence in entertainment television has no immediate adverse consequences for the perpetrators of the violence.

The message to children and adults from that: Violence pays. The same report notes that only 4 percent of violent programs emphasize an anti-violence theme. It should not be difficult for television executives to tell your writers and directors and other creative people to shift this emphasis. We do not need to wait for a V-chip for that.

To my colleagues in Government, I urge patience. As one of the harshest critics of the industry, let us acknowledge that progress has been made even before this latest announcement and congratulate the industry for it. It is no accident that the top five in the network ratings on television today are not violent shows.

Let us applaud the progress that has been made, and let the dust settle a little, viewing carefully and not emotionally where we are, and not pass more legislation at this time. President Clinton and Senator BOB DOLE deserve some of the credit for the progress that has been made, as do many other of my colleagues of both parties in the House and the Senate. Periodic hearings should be held to determine what is happening, but let us not derail a train that is now headed in a better direction.

Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. THOMPSON). Without objection, it is so ordered.

SMALL BUSINESS REGULATORY ENFORCEMENT FAIRNESS ACT

Mr. BOND. Mr. President, it is with regret, I tell my colleagues today, that we are not able to proceed at this time with the Small Business Regulatory Enforcement Fairness Act, S. 942, which was marked up by the Small Business Committee yesterday. We had hoped to be able to go forward on what is a very sound, bipartisan bill that responds to the major regulatory reform requests of the delegates to the White House Conference on Small Business. At this time, there is an objection on the other side of the aisle to calling that measure up for consideration today.

Frankly, I am very disappointed that we are not able to go forward, because this is something that we in the Small Business Committee, with the help of others in this body who are concerned about small business, have worked on for a long time.

I want to pay a very special thanks to my ranking member, Senator BUMPERS, and his staff who worked with us and the other members of the committee to get what I think is a good bill. It was passed out of the committee on a 17 to 0 vote. It was one which I had hoped we would be able to move quickly.

We are coming up very shortly on the 1-year anniversary of the White House Conference on Small Business. A number of small businesses do not understand how slowly this place moves. Sometimes I do not understand how slowly this place moves.

It would seem to many that the time has come to respond to their requests. There are several simple requests.

One of them is to put some teeth in the measure that is supposed to give small businesses an opportunity to be heard in the regulatory process. Congress passed, and the President signed about 16 years ago, a measure called the Regulatory Flexibility Act. The objective of that act was to make sure that Government regulations which affected small business took a look at the impact on small businesses and choose a means of minimizing the hassle, the redtape, the wasted energy, the wasted effort that a regulation might impose on a small entity. I say small entity because that is only small business. It has a small profit. We have had people from colleges and universities who wring their hands and tell us that the same hassles the small businesses face affect them. I cannot tell you the number of county and city officials in my State who say, I wish we had the ear of some of the regulators in Washington because they do not take into account what some of these regulations that might be perfectly workable for a large corporation, or even a State government, do when it comes down to the local level to a small business.

Well, for years, the White House conference delegates and other small business groups have said that if you want to make regulatory flexibility work, you have to put some teeth into it. When the reg flex bill was passed initially, there was an exclusion of judicial enforcement. In other words, you could not go to court and say a Federal regulatory agency failed to take into account the impact on small business. Well, we have, by a bipartisan effort, a measure which provides judicial enforcement for regulatory flexibility. The President has called for it, the Administrator of the Small Business Administration has called for it, leading Members of both sides of the aisle in this body have called for it. We would make regulatory flexibility subject to the judicial enforcement. Why? Because, quite frankly, right now, when the Small Business Council for Advocacy goes to a Federal agency and says, "You did not take into account how this is really going to tie up small business, and you are putting a tremendous recordkeeping burden on them, putting them through a tremendous hassle," too often those agencies say, "Tough luck."

So what are you going to do about it? The answer is nothing. He cannot do anything about it. Under this bill, he could do something about it. Under this bill, a small entity could do something about it. Well, that is what is being held up today. That is what we had hoped to bring to the floor this afternoon, to do what the small businesses of America have asked us to do, and that is let their voice be heard in Washington. Let them have an opportunity to express their concerns and their complaints to the agencies that are driving them nuts.

I might add, parenthetically, that even the Small Business Administration itself came out with a bunch of regulations, some of them in its loan programs, and others, which we think might make it more difficult for small businesses. It would not be a bad idea for the Small Business Administration to take a look at how its own regulations impact small business. We can give them some help. Well, we cannot do it until we have S. 942, or the contents of that bill, passed by both Houses and signed by the President.

This measure also does some other things that are very important. It says when you write a regulation, you have to tell, in plain English, commonsense language, how an entity can comply with it, what you are really getting at in a regulation. We are saying that if you do not do that, if a regulatory agency wants to bring an enforcement action against a small entity, the small entity can look and say, here are your guidelines; or, if you do not have any guidelines, you can publish guidelines. Sometimes the simplifying guidelines a Federal agency puts out are very thick. For a small business with one, two, or three employees, not many of them have the time to read