

eager to nail enough evidence to make their case stick. So they skipped over the backlogged Washington State Patrol crime lab and shipped some of the evidence to a private laboratory, paying a premium for quicker results. \* \* \* [A] chronic backlog at the State Patrol's seven crime labs, which analyze criminal evidence from police throughout Washington state, has grown so acute that Spokane investigators have feared their manhunt would be stalled.

Suspects have been held in jail for months before trial, waiting for forensic evidence to be completed. Thus potentially innocent persons stay in jail, potentially guilty persons stay out of jail, and victims get no closure while waiting on laboratory reports to be completed.

A newspaper in Alabama, the Decatur Daily, said:

[The] backlog of cases is so bad that final autopsy results and other forensic testing sometimes take up to a year to complete.

Now they are saying it takes even longer than that in Alabama.

It's a frustrating wait for police, prosecutors, defense attorneys, judges and even suspects. It means delayed justice for families of crime victims.

Another article:

To solve the slaying of Jon Benet Ramsey, Boulder police must rely to a great extent on the results of forensic tests being conducted in crime laboratories. [T]he looming problem for police and prosecutors, according to forensic experts, is whether the evidence is in good condition. Or whether lax procedures \* \* \* resulted in key evidence being hopelessly contaminated.

We need to improve our ability to deal with these issues. This legislation would provide \$768 million over 6 years directly to our 50 State crime labs to allow them to improve what they are doing.

At the press conference today, we were joined by a nonpolitician and a nonlaw enforcement officer, but perhaps without doubt the person in this country and in the world who has done more than any other to explain what goes on in forensic labs. We had Patricia Cornwell, a best-selling author of so many forensic laboratory cases—a best selling author, perhaps the best selling author in America. She worked for a number of years in a laboratory, actually measuring and describing, as they wrote down the description of the knife cuts and bullet wounds in bodies. She worked in data processing.

She has traveled around this country, and she has visited laboratories all over the country. She said at our press conference they are in a deplorable state. She said the backlog around the country is unprecedented. She lives in Richmond, VA. She personally has put \$1.5 million of her own money, matched by the State of Virginia, Governor Gilmore, to create a laboratory in Virginia that meets the standard she believes is required. It is a remarkable thing that she would do that, be that deeply involved.

She is involved and chairman of the board of the foundation that helped create that. She told us how police, de-

fense attorneys, prosecutors, are asking for DNA evidence on cigarettes, on hat bands. They want hair DNA done, hundreds and hundreds of new uses, a Kleenex, perhaps, take the DNA off of that, in addition to the normal objects from which you might expect DNA to be taken. Her view was—and she is quite passionate about this; she has put her own money in it; she understands it deeply—that nothing more could be done to help improve justice in America than to help our laboratories around the country.

We have people on death row who are being charged with capital crimes. We have people who have been charged with rape who are out awaiting trial because they haven't gotten the DNA tests back on semen specimens or blood specimens, and they may well be committing other rapes and other robberies while they are out, if they are guilty. Also, there is evidence to prove they are not guilty if that is the case.

I believe we had a good day today. I believe this Senate and this Congress will listen to the facts about the need for improvement of our forensic laboratories which will respond to the crush of cases that are piling up all over the country and will recognize the leadership that our magnificent and wonderful colleague, Paul Coverdell, gave to this effort and will be proud to vote for the bill named for him, the Paul Coverdell National Forensic Sciences Improvement Act of 2000, and that we can, on a bipartisan basis, move this bill and strike a major blow for justice in America.

I talked with the Attorney General of the United States, Janet Reno, yesterday. She told me this was very consistent with her views. She supports our efforts to improve forensic science capabilities, and she said it is consistent with the Department of Justice's approach to helping State and local law enforcement. I believe the Department of Justice will be supporting this legislation, and we intend to work with everybody who is interested to improve it. At this point, the legislation speaks for itself. It is receiving broad bipartisan support, and I believe we can move it on to passage this year. Nothing we could do would help fight crime more and produce a better quality of justice in our courts over America than passage of this bill.

Mr. President, I ask unanimous consent that Senators HARKIN, MCCONNELL, BUNNING, and GRAMS be added as original cosponsors of S. 3045, which I introduced earlier today.

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

Mr. SESSIONS. I also want to express my appreciation for legal counsel on the Judiciary Committee, Sean Costello, who is with me today, and my chief counsel, Ed Haden, for their support and the extraordinary work they have done in helping to prepare this bill for filing.

## SELLING VIOLENT VIDEO GAMES TO CHILDREN

Mr. SESSIONS. Mr. President, I see my colleague from Kansas, Senator BROWNBACK, is here. I had the pleasure recently to be at a press conference with him, which he arranged. He had written a letter to a number of businesses, which I joined. Senator TIM HUTCHINSON and JOE LIEBERMAN also signed that letter. We asked them to consider whether or not they ought to continue to sell video games rated "M," for mature audiences, to young people without some control. In fact, Sears and Montgomery Ward said they would not sell them anymore. They didn't want them in their stores. Wasn't that a good response? Kmart and Wal-Mart said they are not going to sell to minors without an adult or parent present. We believe that was a good corporate response.

I appreciate the leadership of the Senator from Kansas and his hearing, subsequent to that press conference, with a lot of the manufacturers of this product. I understand, from what I have seen, he was particularly skillful in raising the issues and holding these producers of this product to account and challenging businesses and corporate leadership to be more responsible because we now have a conclusive statement from the American Medical Association and half a dozen other groups that this kind of violent entertainment and video games have the capability of harming young people and leading them on to violence. That is bad for them and our country.

I thank the Senator from Kansas.

The PRESIDING OFFICER. The Senator from Kansas is recognized.

## MARKETING VIOLENT ENTERTAINMENT PRODUCTS TO CHILDREN

Mr. BROWNBACK. Mr. President, I thank my colleague from Alabama, Senator SESSIONS, for his role in this matter. As a former attorney general, he brought up some excellent points about what these do when you put a child and a video game in a first person shooter role and you reward them for mass killings. You give them points. Particularly at the end, some of these games give a reward which is a particularly grisly killing scene. He pointed out that when you train children in this type of situation, this is harmful to them psychologically, and it is something to which we should be limiting their access.

He also brought a lot of personal insight from his background as an attorney general, and that was really helpful. I hope we are going to be able to draw more attention to parents in the country about these products because it has a harmful effect.

Some of our military actually buy the same products and train our military personnel on the video games. They use it as a simulator. They do it as a way of trying to get people to

react and also to get them up on what is called their "kill ratio." In World Wars I and II, we had problems with soldiers who would not shoot to kill because it was not a natural reaction. They would tend to shoot around. So they had to figure out how to get that ratio up in the military. The problem is when you do that with a child in an unsupervised game—the same game being used by military personnel as a simulator of combat conditions—that can be very harmful.

We found out yesterday at the hearing that it is not only rated for a mature audience, it is not supposed to be used by a child. The industry itself rates it "mature," but they market it to the child. They are target marketing it to children, according to a Federal Trade Commission study.

I will speak about the Federal Trade Commission report that was aired in the Commerce Committee yesterday on marketing of violent entertainment products to our children. I want to talk about what that report brought forward, what we saw at the hearing yesterday, and some conclusion and things I think we can move forward on in dealing with this problem.

At the outset, I recognize the work of one of my staff members, Cherie Harder, who has done outstanding work in the time she has been with me in the Senate in raising the visibility of this issue.

It has been said that every good idea goes through three stages: First, it is ridiculed; second, it is bitterly opposed; last, it is accepted as obvious.

Over the past 2 years, I have chaired three hearings in the Commerce Committee on the effectiveness of labels and ratings, the impact of violent entertainment products on children. The first hearing on whether violent products are being marketed to our children happened about a month after the Columbine killings took place in Colorado. When we started out in these hearings, these ideas I put forward were ridiculed, bitterly opposed shortly afterwards; but now, in reviewing the FTC report, the fact that harmful, violent entertainment is being marketed to kids is now being accepted as clear and obvious.

We have come a long way. This is an important Federal Trade Commission report. When I introduced the legislation last year to authorize the FTC report, which was cosponsored by several of my colleagues, I did so because of overwhelming anecdotal evidence that violent adult-rated entertainment was being marketed to children by the entertainment industry. It has been said that much of modern research is corroboration of the obvious by obscure methods. This study corroborates what many of us have long suspected, and it does so unambiguously and conclusively. It shows, as Chairman Pitofsky of the FTC noted, that the marketing is "pervasive and aggressive."

It shows that entertainment companies are literally making a killing off

of marketing violence to kids. The problem is not one industry. It can be found in virtually every form of entertainment—music, movies, video games. Together they take up the majority of a child's leisure hours. The message they get and the images they see often glamorize brutality and trivialize cruelty.

Take, for example, popular music. The FTC report notes that 100 percent of sticker music—that is music that has been rated by the industry rating board itself as not appropriate for the audience under the age of 18. The survey by the FTC was of the entertainment industry target-marketing to kids. This is both troubling and fairly predictable—troubling in that the lyrics you see that we previously discussed are target-marketed to young kids—mostly young boys—whose characters, attitudes, assumptions, and values are still being formed and vulnerable to being warped, and predictable in that there are few fans for such music who are over the age of 20.

Movies are equally blatantly marketed to kids, and they are appalling in their content. Movies have great power because stories have great power; they can move us; they can change our minds, our hearts, and even our hopes.

The movie industry wields enormous influence. When used responsibly, their work can edify, uplift, and inspire us. But all too often that power is used to exploit.

I have seen some movies that are basically 2-hour long commercials for the misuse of guns.

The movie industry has the gall to target-market teen slasher movies to child audiences and then insist that the R ratings somehow protect the movie industry. From reading the FTC report, it seems clear that the ratings protect the industry from the consumers rather than the consumers from the industry.

Take video games. When kids play violent video games, they do not merely witness slaughter; they engage in virtual murder. Indeed, the point of what are called the first-person shooter games—that is virtually all of the M-rated games, sticker games that the industry itself says are inappropriate for an under-age-18 audience—the object is to kill as many characters as possible. The higher the body count, the higher your score. Often bonus points are given for finishing off your enemy in a particularly grisly way. Common sense should tell us positively that reinforcing sadistic behavior is a bad idea, and that in itself cannot be good for children.

We cannot expect that the hours spent in school will mold and instruct the child's mind but that hours spent immersed in violent entertainment will not. We cannot expect that if we raise our children on violence, they are going to somehow love peace. This is not only common sense, it is a public health concern.

In late July, I convened a Public Health Summit on Entertainment Vio-

lence. At the summit, we released a joint statement signed by some of the most prominent associations in the public health community. These are some of them: The American Medical Association; the American Academy of Pediatrics; the American Psychological Association; the Academy of Family Physicians; the American Psychiatric Association, and the Academy of Child and Adolescent Psychologists. All of them signed the same document. I will only read a portion of that document to you. This portion of it reads this way:

"Well over 1,000 studies point overwhelmingly to a causal connection—not correlation, causal connection—"between media violence and aggressive behavior in some children. The conclusion of the public health community based on over 30 years of research is that viewing entertainment violence can lead to increases in aggressive attitudes, values, and behavior, particularly in children."

There is no longer a question as to whether disclosing children to violent entertainment is a public health risk. It is just as surely as tobacco or alcohol.

The question is, What are we going to do about it? What does it take for the entertainment industry and its licensees and retailers to stop exposing children to poison?

There is an additional element that this generally excellent FTC study fails to cover. That is the cross-marketing of violence to kids.

There is ample proof that the entertainment industry not only directly targets children with advertising and other forms of promotion but also markets to them via toys and products that the entertainment industry itself rates as inappropriate for children.

Walk into any toy store in America and you will find dolls, action figures, hand-held games, Halloween costumes based on characters in R-rated movies, musicians noted for their violent lyrics, and M-rated video games. Maybe I am particularly sensitive to this because I have five children. But I know this is accurate.

There is an equally egregious aspect of marketing violence to children and cross-marketing of violent products to kids—one that has not yet adequately been investigated. We need to do so. I look forward to working with the FTC to ensure that this is done as well.

Another media step we need to take is to ensure that these industries enter into a code of conduct.

Consumers and parents need to know what their standards are for these industries; how high they aim; or how low they will go.

I have introduced legislation—S. 2127—that would provide a very limited antitrust exemption that would enable but not require entertainment companies to enter into a voluntary code of conduct—have them set a floor, a base below which they won't go to get products out to children.

We had a very telling exchange yesterday in committee. We had two executives from the movie industry and two from the video game industry. I asked them several times, Is there any word, is there any image so grisly, so bad, is there any example so horrible that you wouldn't put it in music or into a video game? Is there anything, any word, any image? We have some music that is very hateful toward women and harmful. Is there anything that you wouldn't include, that you could say here today you wouldn't put in music or in a video game? They wouldn't state anything that they wouldn't put in—nothing at all.

We need them to set an industry code of conduct where they would set the standard below which they wouldn't go because many of them are saying if you don't do it, somebody else will. They will chase it. These billion-dollar industries think they don't have to go this low. But why not engage them in setting a voluntary code of conduct? They need to do so, and we need to pass this legislation to allow them to do it.

There are other steps we should consider, but a rush to legislate is not one of them. Frankly, imposing 6-month deadlines on an industry that is actively fleecing money is unlikely to bring about lasting reform such as that suggested by the Vice President. We need to encourage responsibility and self-regulation. We need a greater cooperation from the corporations regarding their view of what they can do to help our children morally, physically, and emotionally—for the well-being of our children rather than harming them. This FTC report is an important step in that direction because although it concentrates on the tip of the iceberg, it does shed light on the magnitude of the problem that we have with the entertainment industry. It shows kids are being exploited for profit and exposes a cultural externality in this market.

Ultimately, we asked the entertainment executives to come in front of the Commerce Committee yesterday—and in 2 weeks the movie industry—to work with us and to appeal to their sense of corporate responsibility and citizenship. Our appeal is this: Please just do the right thing. Stop marketing violence to our kids. If you believe a product is inappropriate for somebody under the age of 18, then don't target-market to that child that same product that you yourselves rate inappropriate for a child under the age of 18. Just stop it. Just do not do it.

If the industry persists, the FTC has stated that they are going to do an investigation into whether or not some members of the industry who are doing this are liable to charges of false and deceptive advertising of these products.

As I mentioned, a code of conduct would be an appropriate step forward for the industry to take.

Yesterday, we discussed the music industry making widely acceptable and

available to parents the lyrics that are in the music because, right now, those are not readily accessible or available to parents. But ultimately, we all protect the first amendment, and nobody is for censorship. I state that again. Nobody is for censorship. But we need to appeal to this industry to just do the right thing and stop target-marketing their products to our children. It is just wrong, and they need to stop it.

#### MEASURE PLACED ON THE CALENDAR—H.R. 2090

Mr. BROWNBACK. Mr. President, I understand there is a bill at the desk due for a second reading.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

A bill (H.R. 2090) to direct the Secretary of Commerce to contract with the National Academy of Sciences to establish the Coordinated Oceanographic Program Advisory Panel to report to the Congress on the feasibility and social value of a coordinated oceanography program.

Mr. BROWNBACK. I object to further proceeding on this bill at this time.

The PRESIDING OFFICER. Under the rule, the bill will be placed on the calendar.

#### MEASURE READ FOR THE FIRST TIME—S. 3046

Mr. BROWNBACK. Mr. President, I understand S. 3046 has been introduced by the majority leader and it is at the desk, and I now ask for its first reading.

The PRESIDING OFFICER. The clerk will read the bill for the first time.

The assistant legislative clerk read as follows:

A bill (S. 3046) to amend title 11 of the United States Code, and for other purposes.

Mr. BROWNBACK. Mr. President, I now ask for its second reading, and I object to my own request.

The PRESIDING OFFICER. The objection is heard.

The bill will be read the second time on the next legislative day.

#### ORDERS FOR FRIDAY, SEPTEMBER 15, 2000, MONDAY, SEPTEMBER 18, 2000, AND TUESDAY, SEPTEMBER 19, 2000

Mr. BROWNBACK. I ask unanimous consent that when the Senate completes its business today, it adjourn until the hour of 10:00 a.m. on Friday, September 15. I further ask consent that on Friday, Monday, and Tuesday, immediately following the prayer, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day, and on Friday the Senate then resume consideration of H.R. 4444, the China PNTR bill, as under the previous order.

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

Mr. BROWNBACK. Mr. President, I further ask consent that the Senate convene on Monday at 12 noon, with the time until 2 p.m. designated for morning business, with Senators speaking for up to 10 minutes each, with the following exceptions: Senator THOMAS or his designee, 1 to 2 o'clock; Senator GRAHAM of Florida, or his designee, 12 to 1 p.m.

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

Mr. BROWNBACK. On Tuesday, September 19, I ask that the Senate convene at 9:30 a.m., as under the previous order, and the Senate stand in recess from the hours of 12:30 p.m. until 2:15 p.m. for the weekly policy conferences to meet and, upon reconvening, there be a vote on final passage of H.R. 4444, and that paragraph 4 of rule XII be waived.

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

#### PROGRAM

Mr. BROWNBACK. For the information of all Senators, at 10 a.m. tomorrow the Senate will resume consideration of H.R. 4444, the China trade bill. Those Senators who would like to make statements as in morning business may also come to the floor at any time during tomorrow's session.

On Monday, the Senate will be in a period of morning business from 12 noon until 2 p.m. and then resume consideration of the China PNTR legislation. Also on Monday, the Senate may begin consideration of the water resources bill if an agreement can be reached.

On Tuesday, under previous order, the two leaders will have from 9:30 a.m. until 12:30 p.m. for closing remarks on the PNTR bill. Following the weekly party conferences at 2:15 p.m., a vote will occur on final passage of the PNTR bill. Senators can expect the first vote of next week on Tuesday.

#### ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. BROWNBACK. Mr. President, if there is no further business to come before the Senate, I now ask unanimous consent the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 7:24 p.m., adjourned until Friday, September 15, 2000, at 10 a.m.

#### NOMINATIONS

Executive nominations received by the Senate September 14, 2000:

##### DEPARTMENT OF COMMERCE

ELWOOD HOLSTEIN, JR., OF NEW JERSEY, TO BE ASSISTANT SECRETARY OF COMMERCE FOR OCEANS AND ATMOSPHERE, VICE TERRY D. GARCIA, RESIGNED.

##### OVERSEAS PRIVATE INVESTMENT CORPORATION

MELVIN E. CLARK, JR., OF THE DISTRICT OF COLUMBIA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE OVERSEAS PRIVATE INVESTMENT CORPORATION FOR A TERM EXPIRING DECEMBER 17, 2002. (REAPPOINTMENT)