

PROGRAM

Mr. SESSIONS. For the information of all Senators, the Senate will convene on Thursday at 9:30 a.m. and immediately resume consideration of the Hatch-Leahy amendment, with a vote to take place at 9:40 a.m. Following that vote, the Senate will resume consideration of the Hollings amendment on TV violence for the remaining 2 hours of debate. Senators can therefore expect votes throughout the morning session of the Senate, with the first vote occurring tomorrow morning at 9:40.

I further ask that immediately following the 9:40 a.m. vote, Senator BRYAN be recognized for up to 12 minutes for a morning business statement.

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

ORDER FOR ADJOURNMENT

Mr. SESSIONS. If there is no further business to come before the Senate, I now ask that the Senate stand in adjournment under the previous order at the conclusion of the remarks of Senator DORGAN, which he will commence at this time.

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

PRIVILEGE OF THE FLOOR—S. 254

Mr. SESSIONS. Mr. President, if I could, before he begins his remarks, I ask unanimous consent that Kristi Lee, my staff member for the Judiciary Committee, be granted the privilege of the floor through the consideration of this legislation.

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

VIOLENT AND REPEAT JUVENILE OFFENDER ACCOUNTABILITY AND REHABILITATION ACT OF 1999

The Senate continued with the consideration of the bill.

AMENDMENT NO. 328

Mr. DORGAN. Mr. President, I rise as a cosponsor, along with my colleague from South Carolina, Senator HOLLINGS, of the amendment he has just introduced, the Children's Protection From Violent Programming Act amendment.

That is kind of a long title. What it means is Senator HOLLINGS and I would like to restore in television broadcasting a period of time during the evenings when children are likely to be watching television, where the television programming would not be containing excess violence.

The reason we feel that way is study after study, year after year—in fact, for decades—studies have shown the excessive violence in television programming hurts our children. Yet, if you

evaluate television programming during what would normally be considered family viewing hours in this country, you will find the language has become more coarse, words are used that were previously not used, that are not suitable for children. You will also find substantial amounts of programming violence, gratuitous violence, during those shows.

Some would say, what about censorship? I think there are times when it is appropriate for the Federal Communications Commission to establish a family viewing period in the evening where the television broadcasting would be more appropriate, more suitable for our children, when children are watching those programs. We already have an instance dealing with obscenity, and the Supreme Court has upheld the opportunity and the responsibility given the Federal Communications Commission to carve out a period in which certain kinds of words and obscenities cannot be used because it is inappropriate for them to be used at a time when we expect children to be watching television.

We believe the same ought to be true with respect to television violence. One might say, this is much ado about nothing; television violence is nothing new; it is really not very important. Yet that is in defiance of all the conclusions of virtually all the studies. By the time young children graduate from high school in our country, they will have gone to school in classrooms for about 12,500 hours of their lives. But they will have watched television for about 20,000 hours. They have sat in a classroom 12,500 hours and sat in front of a television set 20,000 hours. Regrettably, too many of them are more a product of what they have watched than what they have read.

What is it they are watching? Some years ago I sponsored a project with a college on the North Dakota-Minnesota border that created a television violence report card. Volunteers at that college watched television programs for an entire week and cataloged each and every program and produced a report card on what kind of violence on television was being portrayed to our children. If you simply condense what our children are watching on television—yes, even during what would be considered family viewing hours—it is quite remarkable.

Imagine if someone came to your door tomorrow and said: You know, you have two children. They are age 6 and 9. We would like to put on a dramatic play for them. We have a group of actors out here in our van and we have some stage props. We would like to come into your home, into your living room, and we would like to put on a little play for your children.

So they come in. In the living room they put on a play. In this dramatic play they shoot each other, stab each

other, beat each other up. Blood runs freely. There is screaming, there is horror.

You would probably say to those actors: You are just committing child abuse in my living room, doing that in front of my children. What on Earth can you be thinking of? Yet that is exactly what happens in our living rooms with that electronic box, with programming coming to our children at times when children are watching television, programming that is not fit for children.

So the response they have is, turn the television set off. Easy to say. Of course, most homes have a good number of television sets, probably two or three in different parts of the homes. In many homes there are circumstances where the parents are attentive parents, good parents, who try very hard to supervise the children's viewing habits, but it is very, very hard to do.

In fact, if you were watching, one day recently, a television set that depicted the unspeakable horror that was visited upon those students in Littleton High School, in the middle of the live reports with SWAT teams and students running out of school, with the understanding that children had been murdered, in the middle of all that one television network took a break and on came a commercial—of course, louder than everything else because commercials are always louder—advertising that you really needed to pay attention to their next big program. The next program was "Mr. Murder." You really needed to watch "Mr. Murder" because this was going to be exciting.

All of this, coming at our children in television programming, study after study points out, hurts our children. This is not helpful to children. It is hurtful to children.

Newton Minow, many, many years ago—1961 in fact—said, "Television is a vast wasteland of blood, thunder, mayhem, violence, sadism and murder." He said, "In 1961 I worried that my children would not benefit much from television. But in 1991 I worry that my children will actually be harmed by it."

Television executives produce some wonderful programming as well. You can turn to certain programs on television and be struck by the beauty and the wonder and the information. I have sat with my children watching the History Channel, for example, or certain programs on the Discovery Channel. I should not begin naming them. There are some wonderful, beautiful things from time to time on television. But there are some ugly, grotesque things on television as well, some of which come through our television sets during times children are expected to be watching.

What the Senator from South Carolina proposes is very simple: to go back

to a time when we had in this country a period described by the FCC as a "family viewing period" that would be relatively free of gratuitous violence being displayed in those programs.

Is that so extreme, so radical? Do we really believe that we have to hurt our children in order to entertain our adults? I do not think so. It does not make any sense to me. There is plenty of opportunity in a lot of areas to entertain adults in this country, but it seems to me perfectly reasonable that at certain times when you expect families to be watching with children in the household that we could try to reduce the amount of violence on television.

I understand that some will portray this as a terrible idea. They will say we now have some ratings systems, and the ratings will give parents the capability of better supervising their children's viewing habits. That is true. I commend the broadcasting industry for having ratings. Not all do. One of the major networks has declined. The ratings themselves have not been used very much.

We have a V-chip that is coming in all new television sets. I offered the first V-chip bill in the Senate some years ago. That is now law, and that will help parents sort out the programming with certain violent scenes.

The fact is, we need to do more. The Senator from South Carolina and I have offered an amendment that we think will be helpful. We do not believe it has constitutional problems. This is not about free speech. You can say pretty much what you want to say and you can depict violence, but we are saying during a certain period of time, you cannot do it in a way that injures children.

I thought it might be useful to go over a couple of the pieces of evidence that most all of us have become acquainted with in all of the studies and hearings that we have had. I guess I have been involved in this issue for 7, 8 years. We have had hearings in the Commerce Committee and elsewhere.

I have a couple of young children who are now age 12 and age 10. We try very hard to make certain that we monitor their viewing habits. Our 12-year-old said to us: Well, friends of ours are able to go to movies that are PG-13 movies.

We say: That might be something their parents let them do, but we don't. We don't want you to see material that is inappropriate.

Movies have ratings, and so you make affirmative decisions whether you are going to go out or allow your child to go out with someone else and see a movie. But television is different. Television is in our family rooms, in our homes. When we turn that dial on the television, the programming that is shown on that television set is programming that is offered for entertainment and for profit.

The first amendment allows people to produce all kinds of programming. As I

mentioned before, there are some wonderful, wonderful things on television. There is also some trash on television. It seems to me it would be helpful for parents to have the assistance of the Federal Communications Commission and broadcasters in complying with an amendment of this sort adopted by the Congress that will give parents the feeling that during certain periods, they will not have to worry about what kind of violent scenes are going to be displayed to their children on that television set.

I have a fair amount of things I want to say about the amendment in addition to this, but we have a conference committee meeting. The appropriations conference committee is ongoing in the basement of this building, and I am a conferee, so I must return. I know Senator HOLLINGS and I will be back on the floor tomorrow morning and will be speaking on behalf of this amendment.

My hope is between now and then we will be able to encourage other Members of the Senate to be supportive of this amendment. I know others have come out. I have been in the conference committee, and I have not been here for much debate on the juvenile justice bill.

Also tomorrow, I want to take a moment to describe a visit I just made to the Oakhill Detention Center in Laurel, MD. I went out there because I wanted to sit down and talk with juvenile offenders. I wanted to try to understand from judges who were there, from prosecutors and from public defenders, and from the juvenile offenders themselves: What is going on?

I sat with a young boy who had been in a gang and shot three times and sold drugs at age 12.

I sat with a girl who was 15 years old. She had a baby 2 years previous to that. She was abused by her mother. She sold drugs at age 13.

I sat with another young boy who was selling drugs at age 12 who had been involved with guns and very serious offenses.

These are kids who shot people, kids who committed armed robbery, kids who were in a lot of trouble.

One of the boys said something that was quite remarkable—most all of them came from circumstances of really difficult conditions, no parental supervision. In fact, the young girl said her mother was a drug addict and told her, from the moment she was able to understand what her mother was saying, that she would never amount to anything. She told this girl: You will never amount to anything and I never wanted you in the first place. That was from a drug-addict mother. This young girl is now locked up and has been convicted of selling drugs and other criminal acts. She has a baby and is only 15 years old.

We talked about supervision, how do you get your life straight? Who cares

about you? Somebody said: But you need to have a parent check up on you once in a while, don't you?

This young boy said: No, you don't need a parent to check up on you once in a while. That's the problem.

If you have maybe a grandparent or uncle and aunt and someone checks in once in a while, once in a while is not enough for children. Children need help, need parental supervision, not once in a while.

I spent a half day out at the Oakhill Detention Center just talking with kids to try to understand. I should also say—I will talk a bit about it tomorrow—there is another part of that Oakhill Detention Center that left me feeling a little buoyant and hopeful.

There were some young men—in this case it was older young boys, some young boys who had committed horrible crimes, who had been drug addicts from age 12 on to about 17, 18, young boys in a program to shed themselves of their drug addiction and to turn their lives around. One young boy was going to be released the Friday I was there. This is a couple weeks ago, and he had a job. He had gone out for an interview and had gotten himself a job.

This young guy had gone through the drug program. He has become straight. It is fascinating to listen to him describe his background, where he wants to go, and what he now knows he needs to do to get his life back in order.

The reason I want to talk about it is part of this issue of juvenile justice is, yes, detention and protection and law enforcement, and another part of it is to say there is something else here that we need to do to help. I know that is a debate that has occurred on this floor now for many, many hours. But mentoring programs, afterschool programs—there are a lot of programs that can make a difference in young people's lives, especially programs dealing with drugs. Drugs were at the root of a lot of the troubled lives of the young children whom I saw at this detention center.

I hope we can come back tomorrow and talk a little bit about the Juvenile Justice Act.

Mr. SESSIONS. Will the Senator yield?

Mr. DORGAN. I will be pleased to yield.

Mr. SESSIONS. Mr. President, it is wonderful that the Senator has done that. I feel as if we are two trains passing in the night on this bill. I hope the Senator will understand something that is extremely, extremely important: that the juvenile accountability block grant—which has been referred to as nothing but a "lock them up" program and that what we need is prevention money—is to encourage just the kind of situation the Senator is talking about because had those children just been released again, and not been sent to a well-run, well-organized

drug treatment school, detention facility, in which they were removed from their community, they probably would be on the streets now, maybe committing a more serious crime or a victim themselves of a serious crime.

So I think there is a false contrast between what is prevention and what is not. I would say that a child who is already running into trouble with the law—as these children are—has to be confronted. There has to be an effective intervention in a life going wrong. And these kinds of facilities are going on around the country.

I visited one in Illinois. Judge Grossman gave us a tour. The county and the State, and some Federal moneys, have helped create a panoply of options when a young person comes before him for sentencing. He has a number of options. Instead of the juvenile going to where there are a few bed spaces in the State pen or released with nothing, the judge has a series of things right there in the community he can do. The accountability block grant, with graduated sanctions, provides that opportunity.

So I would hope the Senator, as he studies this, would realize that the prevention money that we put in would not go to support that, but the block grant accountability money would support the judiciary as it seeks to intervene. Sometimes you have to be tough—some of these kids have really been on a bad road a long time—to intervene effectively.

Thank you for taking the time to personally visit and study one of those centers.

ADJOURNMENT UNTIL 9:30 A.M.
TOMORROW

The PRESIDING OFFICER. Under the previous order, the Senate now stands adjourned until 9:30 a.m. tomorrow.

Thereupon, the Senate, at 6:42 p.m., adjourned until Thursday, May 13, 1999, at 9:30 a.m.

NOMINATIONS

Executive nominations received by the Senate May 12, 1999:

DEPARTMENT OF STATE

JOSEPH LIMPRECHT, OF VIRGINIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF ALBANIA.

IN THE COAST GUARD

THE FOLLOWING INDIVIDUAL FOR PERMANENT APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES COAST GUARD UNDER TITLE 14, U.S.C., SECTION 211:

To be lieutenant

JAMES W. SEEMAN, 0000

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTIONS 624 AND 628:

To be major

DONNA R. SHAY, 0000

IN THE ARMY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY AND FOR REGULAR APPOINTMENT (IDENTIFIED BY AN ASTERISK (*) UNDER TITLE 10, U.S.C., SECTIONS 531, 624, AND 628:

To be major

JOSEPH B. HINES, 0000
*JOYCE J. JACOBS, 0000
*PETER J. MOLIK, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTIONS 624 AND 628:

To be lieutenant colonel

TIMOTHY P. EDINGER, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTIONS 624 AND 1552:

To be lieutenant colonel

CHRIS A. PHILLIPS, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTIONS 624 AND 628:

To be lieutenant colonel

ROBERT B. HEATHCOCK, 0000
JAMES B. MILLS, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADES INDICATED IN THE UNITED STATES ARMY MEDICAL CORPS AND FOR REGULAR APPOINTMENT (IDENTIFIED BY AN ASTERISK (*) UNDER TITLE 10, U.S.C., SECTIONS 531, 624, 628 AND 3064:

To be colonel

PAUL B. LITTLE, JR., 0000

To be lieutenant colonel

*THEODORE A. DORSAY, 0000
JOHN M. SHEPHERD, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY AS CHAPLAIN UNDER TITLE 10, U.S.C. SECTIONS 624 AND 3064:

To be lieutenant colonel

BRYAN D. BAUGH, 0000
DAVID J. COLWELL, 0000
THOMAS C. CONDRY, 0000
THOMAS E. DRAKE, 0000
PATRICK O. EASLEY, 0000
GORDON G. GROSECLOSE, 0000
JEFFERY S. HARTMAN, 0000
HARDIE M. HIGGINS, 0000
CHARLES E. JACKSON, 0000
RICHARD C. JACKSON, 0000
KENNETH L. KERR, 0000
RICHARD D. KING, 0000
LARRY R. LAWRENCE, 0000
THOMAS A. MACGREGOR, 0000
MARC A. MINTEGUI, 0000
DAVID C. MORAN, 0000
MARKKU J. NURMESVIITA, 0000
STEPHEN R. PAINE, 0000
DANIEL M. PARKER, 0000
JAMES J. PUCHY, 0000
KENNETH B. RATLIFF, 0000
JOHN D. READ, 0000
GARY K. SEXTON, 0000
CHARLES E. SMITH, 0000
JAMES R. STEPHEN, 0000
THOMAS C. VAIL, 0000
CHARLES R. WALKER, 0000
JACK A. WOODFORD, 0000

IN THE MARINE CORPS

THE FOLLOWING NAMED LIMITED DUTY OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

DALE A. CRABTREE, JR., 0000
JOHN C. HOLT, JR., 0000
ALLEN M. JACOBS, 0000
WILLIAM E. JENNINGS, 0000
LAWRENCE KOCIAN, 0000
JAMES J. KRAUS, 0000
THOMAS R. LASHBROOK, 0000
JAY H. LIETZOW, 0000
MATTHEW J. O'DONNELL, 0000
CARLOS L. SANDERS, 0000
JAMES B. SCRUGGS, JR., 0000
ROGER STEPHENS, 0000
KEVIN P. TOOMEY, 0000

THE FOLLOWING NAMED LIMITED DUTY OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be major

JAMES C. ADDINGTON, 0000

THOMAS E. BECKER, JR., 0000
MITCHELL D. BLACK, 0000
TONY W. BRILL, 0000
MICHAEL E. BROWN, 0000
WILLIAM J. BUDDS, 0000
LEO E. CAMPBELL, 0000
ROBERT L. CAMPBELL, 0000
RICHARD A. CLARK, 0000
RONALD W. COCHRAN, 0000
DONALD E. DAVIS, 0000
BRIAN R. DUVAL, 0000
DONALD A. DYKSTRA, 0000
DONALD E. EVANS, JR., 0000
JAY E. FERRISS, 0000
DARYLL E. FULFORD, 0000
JAMES A. GAVITT, 0000
GARY P. GONTHIER, 0000
CYNTHIA A. GREENLEE, 0000
GERALD J. GRIFFIN, 0000
WILLIAM E. HIDDLE, 0000
DANNY A. HURD, 0000
JOHN F. IRVING, 0000
LARRY D. JOHNSON, 0000
JOEL F. JONES, 0000
MICHAEL J. KOEHLER, 0000
LYLE G. LAYHER, 0000
DAN M. MIELKE, 0000
TERRANCE W. MORROW, 0000
JOHN C. MOTT, 0000
MICHAEL S. NISLEY, 0000
DARRYL S. PHILLIPS, 0000
WALTON S. PITCHFORD, 0000
RONALD K. POSEY, 0000
CHRISTOPHER A. PROSSER, 0000
EDWARD R. RANES, 0000
BRENDA L. ROBERTS, 0000
CHARLES A. ROTONDA, 0000
JOHN J. SCHWARZEL, 0000
JOHN F. SISSON, JR., 0000
MICHAEL P. SMITH, 0000
KENNETH O. SPITTLE, 0000
DAVID M. TIFFT, 0000
ROBERT J. TURPIN, 0000
EARNEST R. WALLS, 0000
JAMES A. WALTER, JR., 0000
DAVID J. WILSON, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

JAMES C. ANDRUS, 0000
FRANK A. BALESKIE, 0000
GARY L. BEAVER, 0000
JOHN W. BERKLEY, 0000
BARRY L. BOULTON, 0000
WILLIAM H. BUCKLEY, 0000
ANITA E. BURGESS, 0000
STEPHEN W. CLAYTON, 0000
THOMAS V. COLELLA, 0000
JEFFREY A. CORY, 0000
MICHAEL N. DAILY, 0000
MARY A. DEVLIN, 0000
TERESA L. DILLON, 0000
WILLIAM V. GALLO, 0000
RODNEY J. GERDES, 0000
BRUCE A. GIRON, 0000
LEON J. HASKINS, 0000
ROBERT N. HERING, JR., 0000
KEVIN P. HUGHES, 0000
ROBERT A. JAKUCS, 0000
TIMOTHY J. KAMINSKI, 0000
JOHN F. KAYSER, JR., 0000
KENNETH R. KNAPP, 0000
GEORGE S. KOVACK, 0000
JOHN T. LARSON, 0000
PAUL S. LOSCHIAVO, 0000
PATRICK W. MCDONOUGH, 0000
PAUL F. MCHALE, JR., 0000
CHARLES R. MIZE, JR., 0000
STEVEN W. MYHRE, 0000
DONNA J. NEARY, 0000
JAMES J. NEUBAUER, 0000
FRANK D. OGORZALY, 0000
ROBERT D. PAPA, 0000
ROBERT E. PARCELL, 0000
JONATHAN D. PEARL, 0000
JERRY L. PHILLIPS, 0000
MARK A. PILLAR, 0000
DAVID E. PRUETT, 0000
WILLIAM A. RADTKE III, 0000
CURTIS G. RAETZ, 0000
MARK W. ROGERS, 0000
EDWARD P. RUSSELL, JR., 0000
CRAIG R. SCOTT, 0000
DENNY G. SEABOLT, JR., 0000
GREGORY L. SMITH, 0000
MARGARETE A. VINSKEY, 0000
CHARLES E. WARD, 0000
ROBERT E. WARD, JR., 0000
RAYMOND W. WERSEL, 0000
ARTHUR E. WHITE, 0000
PHILIP A. WILSON, 0000

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR TEMPORARY APPOINTMENT TO THE GRADE INDICATED IN THE U.S. NAVY UNDER TITLE 10, U.S.C., SECTION 5721:

To be lieutenant commander

NORBERTO G. JIMENEZ, 0000