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United States Senate

COMMITTEE ON THE JUDICIARY

WASHINGTON, DC 20510-6275

March 21, 2000

The President
The White House
Washington, D.C. 20005

Dear Mr. President:

Thank you for your letter of yesterday regarding the youth violence bill. The letter, together with a similar letter sent to me by Minority Leader Gephardt and other House Democrats earlier this month, leaves me somewhat dismayed.

It has been my impression that you agree with me that the problem of youth violence presents a complicated set of issues requiring a comprehensive response. There also has been an understanding that much of what is contained in the Senate-passed and House-passed youth violence bills provides a prudent and overdue solution. Yet, you continue to hold that solution hostage to controversial gun control legislation. In particular, you insist that a certain gun control provision pertaining to gun shows, which has failed to earn a majority of votes in the Senate or the House, be included in the youth violence bill. In my view, removing gun control-related issues from the package may well enable us to overcome partisanship and pass a bill that contains meaningful responses to the problem of youth violence.

The House and Senate-passed youth violence bills recognize that a variety of factors underlie this national tragedy, including disintegrating nuclear families, child abuse and neglect, drug and alcohol abuse, a lack of constructive values, a revolving-door juvenile justice system, and pervasive media violence. The bills offer a comprehensive approach that targets all of these factors. To understand why such an approach is vital, one need only examine the life of the 6-year-old boy who killed Kayla Rolland. This boy, whose father is in jail and whose mother was homeless at the time of the shooting, was cursed to live in what has been described as a "crackhouse," with drugs and stolen weapons readily available. One can only wonder what harm that environment caused to his mind and soul. Sadly, it appears that this and other similar tragedies are simply symptoms of the breakdown of our families and culture. Thirty years ago, when there was better parenting and fewer gun control laws, there were far fewer children killing people. Few would dispute that the best solution to America's juvenile crime problem can be found in our homes and churches. Congress should do all it can to assist parents and families rather than continuing to undermine their efforts to raise their children.

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We also must not downplay the role played by the media in youth violence. Research shows that media violence constitutes a significant part of the problem. With respect to television violence alone, a report by a University of Washington epidemiologist expressed this startling finding: "[If], hypothetically, television technology had never been developed, there would be 10,000 fewer homicides each year in the United States, 70,000 fewer rapes, and 700,000 fewer injurious assaults. Violent crime would be half what it is." Brandon S. Centerwall, *Our Cultural Perplexities V: Television and Violent Crime*, The Public Interest, March 22, 1993, pp. 56-77.

The problem of youth violence demands a comprehensive response, and both the Senate and the House bills offer just that. They include provisions that would, among other things: (1) establish an antitrust exemption so that the entertainment industry could develop, implement, and enforce voluntary programming guidelines for shielding children from harmful scenes of violence; (2) provide \$25 million to fund a 2-year national media campaign against youth violence; (3) restrict the entertainment industry's use of Federal property, equipment, and personnel if that use would glorify or endorse violence; (4) require Internet service providers to offer filtering technology that parents can use to shield their children from harmful on-line content; (5) establish a National Youth Violence Commission to conduct a comprehensive study to determine the root causes of youth violence; (6) provide more than \$500 million for prevention programs for at-risk youth; (7) provide a \$450 million Juvenile Accountability Incentive Block Grant that states can use to implement graduated sentencing sanctions for juvenile offenders, build juvenile detention facilities, test and treat juvenile offenders for drug use, and require juvenile offenders to complete school or vocational training; (8) provide \$75 million to help states upgrade juvenile records and provide school officials access to such records in appropriate circumstances; (9) provide legal immunity for teachers who take reasonable actions to maintain classroom discipline; and (10) allow Federal education funds to be used for drug testing and locker inspections at schools.

The bill also contains provisions aimed at finding and punishing criminals who use firearms. Our proposal, called Project CUFF, is a proven program that the Bush Administration used with success and that a United States Attorney, several cities, and the State of Virginia currently employ to put hardened criminals who use firearms behind bars. The answer is not simply more legislation; you and your Administration must take responsibility and enforce the extensive laws already on the books.

As you know, your Administration's efforts to find and prosecute firearms violations have been woefully inadequate. Thus, instead of pushing a gun control agenda that simply will not pass in the House of Representatives, your Administration should redouble its efforts to prosecute firearms offenses. News reports suggest that recent killings could have been prevented had the killers been prosecuted earlier for firearms offenses that were brought to the attention of

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Federal authorities. These failures are not isolated instances. According to Attorney General Janet Reno, more than 500,000 felons and other prohibited purchasers have been prevented from buying firearms since the instant check system was enacted. Yet, from 1996-1999, only about 200 of these individuals were referred for Federal prosecution for violating 18 U.S.C. § 922(a)(6). I find this unacceptable. Unless these individuals are arrested and prosecuted when they illegally attempt to purchase firearms, they ultimately will obtain a firearm from criminal sources, perhaps with dire consequences.

Unfortunately, your letter lends credence to the view of some that the Administration and Congressional Democrats are holding the youth violence bill hostage over the gun control provisions to create an election-year issue. The so-called Lautenberg gun show proposal, in addition to lacking political support, suffers from a substantive flaw. If enacted the proposal would eliminate gun shows, which are legitimate venues for firearms transactions and are particularly important for rural Americans, many of whom live a significant distance from a firearms store. If Congress were to eliminate gun shows, private, lawful firearms transactions would still occur, but in a context where background checks would be nearly impossible. I urge you to reconsider your proposal, which, if adopted, would have the perverse effect of foreclosing a viable forum for conscientious, private firearms sellers to conduct background checks on purchasers. The alternative offered by Democratic Congressman John Dingell would preserve gun shows and still require all purchasers of firearms at such shows to undergo such checks. In this way, we can achieve our common goal: keeping firearms out of the hands of criminals.

After failing to convince Congress to accept your entire gun control agenda and neglecting the Administration's obligation to enforce existing firearms laws, the Administration has turned to the judicial system to advance its agenda. Let us see the Smith and Wesson agreement for what it really is: the directors and officers of a British-owned company, facing potential financial ruin from politically driven lawsuits throughout the United States, have put the financial interests of their shareholders ahead of the Second Amendment rights of American citizens. Perhaps that is their duty. Our fiduciary duty as public officers, as you know, is quite different. As public officials we must embrace a solemn obligation: upholding the Constitution of the United States. And each of the rights, including the enumerated rights in the Second Amendment, enshrined in our founding charter—not just those that are politically fashionable—warrant our diligent care and protection lest they be sacrificed to partisan expediency.

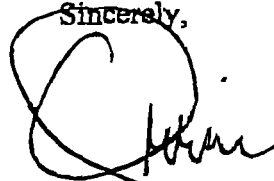
In closing, let me, too, be clear: I will not endorse legislation that fails to deliver a comprehensive response to the problem of youth violence, overlooks the Administration's poor firearms prosecution record, or includes provisions that diminish the Constitutional rights of law-abiding Americans. I urge you to work with me to pass a youth violence bill that satisfies these criteria. Americans are deeply concerned, and they are looking to their elected leaders not for ideological brinkmanship, but for effective, responsible solutions. The lone obstacle blocking

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significant reform of our juvenile justice system and practical measures to reduce violence is the insistence on ill-advised gun control provisions that lack the support of many in your own party and have no chance of being passed in the House of Representatives. I encourage you to reconsider your position.

Sincerely,

A handwritten signature in black ink, appearing to read "Orrin", is written over a large, circular, loopy scribble.

Orrin G. Hatch
Chairman

OGH:jtt

January 6, 2000

MEMORANDUM FOR HILLARY RODHAM CLINTON

FROM: ANN O'LEARY
RUBY SHAMIR

CC: MELANNE VERVEER

SUBJECT: MEDIA RATINGS SYSTEMS

The purpose of this memo is to update you on the President's challenges to the media industry to improve its ratings systems and to lay out some of the policy implications of implementing a uniform ratings system for media and entertainment. To provide you with a reminder of the various ratings systems, we have attached a copy of the memo to the President prepared by Neera Tanden explaining the different ratings systems for the various media and entertainment industries.

As you have pointed out, the main problems with the various ratings systems are that there are far too many ratings each based on different criteria, parents are not given good information on how to best use the ratings in many of the industries, and many of the ratings systems are not being adequately enforced. In order to address some of these concerns, the President has issued a number of challenges to the various industries. By and large, the industries have been working hard to meet those challenges, and should be applauded for their efforts. These various efforts, however, have not been aligned in order to develop one comprehensive system that would be easy for parents to understand and could be more easily enforced. As you recently noted, the industries need to be pushed further to work toward an easily understandable and enforceable system.

In order to move forward on this agenda, we agree that you should meet with industry representatives in order to hear about their progress thus far, to better understand the reasoning behind each system, and to brainstorm with the industry about a uniform system, but also to hear ideas from them on other ways in which the ratings systems could be simplified for parents and could be more readily enforced.

Action Taken on the President's Challenges

Below, we have outlined the President's challenges and the progress the industry has made to meet those challenges. As you will see, there are potential impediments to developing a uniform ratings system.

FTC Report: As you know, the President called for the Federal Trade Commission (FTC) and the Justice Department to jointly study the marketing of violence to children and, specifically, to evaluate the various rating systems. The FTC report will also evaluate the issue of enforceability of movie ratings. The FTC plans to complete the report by the fall of 2000.

Movies: The President made a number of challenges to the motion picture industry. First, he challenged theater and video store owners to enforce more strictly the ratings systems on the movies they show, rent, and sell – a challenge that the theater owners accepted. The National Association of Theater Owners (NATO) accepted this challenge and has been working to promote enforcement of the ratings by disseminating information to its members on the importance of checking ID's, and contacting sellers or theaters when informed of a break with policy. NATO has had on-going consultations with educational associations such as the PTA to develop ways to better educate parents. Although it is not yet public, NATO and the Motion Picture Association of America (MPAA) plan to release a new program which will include on all movie advertisements and posters both the rating, as well as movie-specific content information for each individual movie advertised.

Additionally, the President has challenged the whole industry to stop showing guns in any ads or previews children might see, and in response the MPAA has since implemented a policy of heightened scrutiny on movie advertisements.

Finally, the President challenged the movie industry to reevaluate its entire ratings systems, especially the PG rating, to determine whether it is allowing too much gratuitous violence in movies approved for viewing by children. At this point, we are not sure how far the industry has come to meet this challenge, but the FTC is including an evaluation of the movie industry ratings system in its report.

Television: The major push in the television industry has been to protect children from programming that their parents believe is inappropriate. In order to accomplish this goal, the President fought for legislation that requires the V-Chip to be installed in all new television sets sold beginning January 1, 2000. This goal was accomplished on time so that all televisions now on the market are installed with the V-Chip. The technology of the V-Chip is based on the television ratings system already developed and currently in use by the television industry. V-Chip is technology built into a TV set that "reads" the rating for a particular TV program and is used by parents to block out programs with these ratings. Currently, all programs on the broadcast networks are rated and encoded for V-Chip use (TV7, TV14, etc.), and all the networks, excluding NBC, use content descriptions in their ratings as well (S,V,L, etc.). Additionally, all cable channels, excluding the Black Entertainment Network (BET), encode their programming with the V-Chip ratings.

In order to promote awareness and give parents tools they need to effectively use the V-Chip, the President called for two new initiatives to make sure the V-Chip becomes a useful tool for parents. The first was the establishment of a V-Chip Task Force to ensure that the V-Chip law is implemented effectively. The FCC established the task force to ensure the V-Chip requirement is enforced; promote parental awareness about the V-Chip; encourage adoption of a standard label identifying television sets that contain the V-Chip; study the use of the V-Chip; and

evaluate the effectiveness of the industry's ratings system. The President also announced a major public awareness campaign about the V-Chip. Since the announcement, all four major networks have agreed to run PSAs on the V-Chip and the Kaiser Family Foundation in partnership with the Center for Media Education have produced a free booklet for parents on how the V-Chip works (please find copy of booklet attached).

One potential impediment to developing one uniform rating system is that the V-Chip has been programmed to read the ratings developed by the television industry. These ratings are based on age-appropriateness, as well as whether a program contains violence, sexual content, or explicit language. While the ratings offer a solid indicator on the age appropriateness and general content of the programming, some in the field have criticized these ratings for not being rigorous or substantive enough. If one uniform system was developed, the V-Chip would need to be reprogrammed to align with the new system or the entire system would need to be aligned with the television ratings.

Interactive Electronic Games: The President has also challenged the video game industry to widely inform the public of their ratings and enforce the ratings at the point of sale. In 1994, the Interactive Digital Software Association (IDSA) established an independent board, the Entertainment Software Ratings Board (ESRB) to develop and implement ratings for computer software. These ratings provide the most extensive and comprehensive ratings of any in the system and have been applauded by Senator Lieberman for their comprehensive nature. Recently, the IDSA accepted the President's challenge and worked with ESRB to set tough standards in advertising to ensure that video game software makers are providing appropriate, responsible, truthful, and accurate advertising.

The industry also has developed guides for parents to be able to more effectively use the ratings on video games and has distributed these guides at the counter of video game stores over the holiday season. And, the industry has created a point-of-sale system to remind clerks to ask for identification from buyers to ensure that stores are not selling adult-rated games to minors.

If a uniform ratings system were developed, the IDSA would most likely work very hard to ensure that the standards were as tough as those already developed. The most significant problem in this industry is that the ratings are confusing and not easy for parents to understand, and the industry has been criticized for not enforcing the ratings. They are, however, working to address both of these issues.

Internet: The Administration has been actively working to encourage the Internet industry to self-regulate and to help give parents the tools they need to protect their children from inappropriate material. As a result of the call to action that you and the President issued last May, the Administration has worked with the Internet industry to encourage the 25 largest Internet providers to develop a comprehensive resource for parents. These companies developed "getnetwise" – a one-stop site where parents and teachers can learn how to provide kids with a safe, educational, and entertaining and age-appropriate online experience. Through this web site, parents can access more than 80 technologies that allow them to monitor the amount of time their child spends on the Internet, and provide them with tools to block inappropriate information, as

well as links to report troubling or illegal material. Both the Internet industry and parent advocacy groups have been very supportive of this work.

A number of large companies on the Internet have begun to use the ratings system for their products with little prodding. One example is America On-Line which recently announced that it will require all games played on the AOL service to be rated by the Entertainment Software Rating Board (ESRB), and will work with others in the industry to press for wide adoption of game ratings across the Internet. Games which are rated adults-only or which are not rated will not be available for play on the AOL service. Beyond.com, CNET and eToys joined AOL in this announcement and have agreed that any games in their inventory which have been rated by the ESRB will have their ESRB rating prominently displayed wherever they are sold. Additionally, Amazon.com uses ratings on the music, DVDs and games sold on its web site.

Legislative Action

In June of 1999, Senators McCain and Lieberman introduced the "Media Violence Labeling Act of 1999," which calls for a consistent and comprehensive system for labeling violent content in audio and visual media products (including the labeling of products in advertising and marketing). The bill calls for the various industries to come together and voluntarily submit a joint proposal to the FTC for consideration.

Hillary Clinton Seeks New Sex and Violence Ratings

By ADAM NAGOURNEY

OYSTER BAY, N.Y., Dec. 21 — Hillary Rodham Clinton called today for scrapping the existing array of entertainment rating systems and replacing it with a uniform system intended to warn parents about sex and violence in video games, movies, television and music.

Mrs. Clinton, a candidate for Senator from New York, condemned the "culture of violence" that she said infused some video games and other forms of entertainment aimed at children, and said it was a cause of the recent rash of shootings involving teenagers. The first lady said that parents trying to guard their children against such violence or sex in entertainment were being frustrated by the disjointed voluntary rating systems now in use.

"We have an epidemic of violence in our country, and the violence is everywhere," Mrs. Clinton told parents and children at a forum here. "A parent who is a conscientious parent, looking for information about what to do, is totally confused."

To demonstrate her point, Mrs. Clinton began reading the different ratings used for movies, cable television, video games and music. The audience laughed as Mrs. Clinton rambled through the various combi-

nations of letters and numbers.

"The ratings should be the same," Mrs. Clinton said.

In raising the issue, Mrs. Clinton took a page from one of the most successful tactics of President Clinton's 1996 campaign for re-election, in which he embraced issues that captured the interest of middle-class voters, but offered few specific proposals beyond identifying the problem, thus minimizing political risk.

Mrs. Clinton said that she was not endorsing mandatory rating systems that some congressmen have proposed, though her spokesman, Howard Wolfson, later said the first lady was not ruling out supporting such legislation. Instead, Mrs. Clinton said the industry should move to adopt regulations on its own.

Mrs. Clinton's idea came under quick attack. Carolyn Rausch, the senior vice president for the Interactive Digital Software Association, representing manufacturers and publishers of video games, said her group would vigorously oppose such a program.

"If it ain't broke, don't fix it," she said. "Consumers are well aware of the existing rating system. Implementing a totally new system, where they have to learn a whole new run of new letters and numbers, will only

lead to confusion."

A spokesman for Mrs. Clinton's likely Republican opponent, Mayor Rudolph W. Giuliani, declined to comment on the first lady's remarks.

At the same event here, Mrs. Clinton also appeared to signal her displeasure with an appellate court's decision to move the trial of four New York City police officers charged with murdering Amadou Diallo from the Bronx to Albany, citing a potentially prejudicial atmosphere. Mr. Giuliani has applauded the decision.

"I think it's unfortunate that the trial, apparently for legal reasons, had to be moved," Mrs. Clinton said during a brief news conference here. She ended the news conference without taking further questions on the topic, and her aides declined to say whether she actually was disagreeing with the court decision.

In her comments on violence, Mrs. Clinton urged more parental involvement to protect their children, saying: "We could save a lot of children's lives if all of us were not embarrassed to call any parent whose child plays with our child and say, 'Do you have guns in your home? And if you do have guns, where do you keep them? Are they under lock and key?'"

She also asked how many people had visited a video arcade. "It's a very revealing and sobering experience," Mrs. Clinton said. "I couldn't help but be upset when I read about the two boys from Columbine being obsessed with the game Doom."

But the first lady found her arguments challenged from an unexpected source — Ben Levine, a poised, 14-year-old student who appeared with her on a panel. He first said that a good student who "really thinks about things before he does them" was not about to be turned astray by a James Bond game. The boy then asked what the Clintons had done to keep tabs on what Chelsea Clinton played, a question that stopped Mrs. Clinton, but only for a moment. "I have to say one of the best things about Bill being president is that she was surrounded by Secret Service agents," Mrs. Clinton said.

A moment later, though, Ben returned with a question that seemed to stump even the first lady: "Would you rather have a kid being at a movie that is 'R' rated, or would you rather have him at a party doing drugs, getting drunk and getting arrested?" he asked. Mrs. Clinton acknowledged the question with a smile and a nod. She then called on someone else to speak.

Reno Called Inquiry Too Focused on Scientist

By JAMES RISEN

WASHINGTON, Dec. 21 — Attorney General Janet Reno told Congress in June that she thought federal investigators had prematurely focused on the weapons scientist Wen Ho Lee in their initial inquiry into whether China had stolen United States nuclear secrets, according to newly declassified Senate testimony.

In a secret hearing of the Senate Judiciary Committee, Ms. Reno said that an administrative inquiry conducted in 1995 by the Department of Energy, with help from the Federal Bureau of Investigation, had failed to adequately investigate others who had access to classified information about the United States' most advanced nuclear warhead, the W-88, according to a transcript of the hearing released by the committee to-night.

"The elimination of other logical suspects, having the same access and opportunity, did not occur," Ms. Reno told the committee.

Ms. Reno's testimony came in defense of the Justice Department's 1997 decision to reject an F.B.I. request to seek a court-authorized wiretap of Dr. Lee, who was then a scientist at Los Alamos National Laboratory in New Mexico.

After being the focus of a three-year federal investigation into China's supposed theft of data related to the W-88, Dr. Lee was fired from Los Alamos this March for security violations. The F.B.I. discovered later that he had conducted unauthorized transfers of vast amounts of secret material about nuclear weapons from the laboratory's classified computer system.

Dr. Lee was arrested on Dec. 10 and charged with mishandling classified information. He has pleaded not guilty to the charges. He has not been charged with espionage.

But even as the government has proceeded with its criminal case against Dr. Lee, government officials have acknowledged that the original espionage inquiry was not properly handled.

Testimony that raises questions about early investigations.

In September, Ms. Reno and the director of the F.B.I., Louis J. Freeh, ordered federal agents to broaden the W-88 investigation beyond Dr. Lee and Los Alamos to other possible sources of the secret information. Yet the newly released testimony shows that Ms. Reno was concerned that investigators had prematurely focused on Dr. Lee for months before she ordered the broadened inquiry.

The 1995 inquiry focused on Los Alamos and Lawrence Livermore national laboratories, the two laboratories that design the United States' nuclear weapons. The W-88 was designed at Los Alamos. The theft related to the W-88 was believed to have occurred between 1984 and 1988.

Ms. Reno said the Justice Department turned down the F.B.I.'s re-

quest for the wiretap in that inquiry because other laboratory employees had not been adequately investigated.

Her testimony also provided new insight into Dr. Lee's activities in the early 1980's, when he first came under scrutiny in a separate inquiry.

At that time, the F.B.I. questioned Dr. Lee after a wiretap picked up a phone conversation he had had with a scientist from Lawrence Livermore who had been fired in connection with the government's investigation into China's theft of neutron bomb secrets. On Dec. 20, 1983, Dr. Lee told the F.B.I. that he had been in contact with Taiwanese nuclear researchers since 1977 or 1978, and had done consulting work for them in addition to giving them unclassified research papers, according to Ms. Reno's testimony.

Dr. Lee told the F.B.I. at the time that he had contacted the Lawrence Livermore scientist because he thought he had been fired for doing the same thing that Dr. Lee had been doing for Taiwan, Ms. Reno testified.

On Jan. 24, 1984, Dr. Lee took a polygraph exam, answering questions about whether he had ever passed classified information to a foreign government and about the nature of his contacts with the Lawrence Livermore scientist and the Taiwanese Embassy.

"The polygraph confirmed that he had not passed classified information to any foreign government, and the accuracy of his claims concerning the nature of contacts" with the scientist and the embassy, Ms. Reno testified.

State Department Intensifies Warning on Terrorism

By DAVID STOUT

WASHINGTON, Dec. 21 — The State Department intensified its alert tonight for Americans traveling overseas, warning that terrorists may be planning attacks against large groups in Jordan.

The department said that official Americans and ordinary citizens alike should be cautious, and that groups gathered for religious services or to commemorate the new millennium might be at risk.

The department's alert was similar to one issued on Dec. 11 but considerably more specific, especially in its references to Jordan.

"We have learned that possible

sites in Jordan may have included hotels, tour buses and tourist sites," the latest advisory said.

Although the advisory did not say where the department got its information, it seemed all but certain that much of it came from the questioning by Jordanian authorities of 13 suspected terrorists who were arrested in recent weeks in the Middle East.

Clinton administration officials have said the suspects had links to Osama bin Laden, the wealthy Saudi-born militant who is blamed for the bombing of two American embassies in Africa in August 1998.

Tonight's State Department ad-

visory followed an acknowledgment by Pentagon officials that American military posts around the world had been warned to be extra careful.

The latest alert suggested that Americans abroad check the State Department Web site for advisories. And while it used low-key language and did not advise against travel, it warned Americans overseas to review their own security practices, to avoid large crowds and to vary their routes.

"We cannot rule out the possibility that attacks still may be planned for this and other parts of the world," the alert said, referring to Jordan.

CHILDREN, VIOLENCE, AND THE MEDIA

A Report for Parents and Policy Makers



Senate Committee on the Judiciary
Senator Orrin G. Hatch, Utah, Chairman
Committee on the Judiciary

Prepared by
Majority Staff
Senate Committee on the Judiciary
September 14, 1999

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EXECUTIVE SUMMARY

Americans have grown increasingly alarmed about youth violence. Far too many of our children are killing and harming others. This report identifies and begins to redress one of the principal causes of youth violence: media violence.

The Problem: Youth Violence

According to the United States Department of Justice ("DOJ"), law enforcement agencies arrested approximately 2.8 million juveniles in 1997. Of that number, 2,500 were arrested for murder and 121,000 for other violent crimes. Juveniles accounted for 19% of all arrests, 14% of murder arrests, and 17% of all violent crime arrests.

According to DOJ, the number of juvenile violent crime arrests in 1997 exceeded the 1988 level by 49%.

According to a recent survey by the Centers for Disease Control and Prevention, 5.9% of high school students carried a gun in the 30 days prior to the survey. Eighteen percent of high school students now carry a knife, razor, firearm, or other weapon on a regular basis, and 9% of them take a weapon to school.

A Principal Cause: Media Violence

The Committee report reviewed existing studies and found:

Eighty-seven percent of American households have more than one television, and almost 50% of children have television in their rooms; 88.7% of homes with children have home video game equipment, a personal computer, or both. An average teenager listens to 10,500 hours of rock music during the years between the 7th and 12th grades.

By age 18 an American child will have seen 16,000 simulated murders and 200,000 acts of violence.

Television alone is responsible for 10% of youth violence.

Modern music lyrics have become increasingly explicit concerning sex, drugs, and violence against women.

A preference for heavy metal music may be a significant marker for alienation, substance abuse, psychiatric disorders, suicide risk, sex-role stereotyping, and risk-taking behaviors during adolescence.

Violent video games have an effect on children similar to that of violent television and film. Some experts suggest an even greater pernicious effect, concluding that the violent actions performed in playing video games are more conducive to children's aggression. As one expert concludes, "We're not just teaching kids to kill. We're teaching them to like it."

America's youth are also exposed to violent words, music, and images on the Internet, where there are more than 1,000 websites espousing radical hate and bigotry and violence.

More than 1,000 studies on the effects of television and film violence have been done over the past 40 years. The majority of these studies reach the same conclusion: television and film violence leads to real-world violence.

The existing research shows beyond a doubt that media violence is linked to youth violence. As one expert concludes, "To argue against it is like arguing against gravity."

Responsive, Responsible Steps for National Reform

The Report makes several recommendations for national reform aimed at curbing the effects of violent media on children, including measures that would:

Enact a limited antitrust exemption enabling the entertainment industries to conduct joint discussions and enter into agreements to develop voluntary guidelines and ensure retail compliance with existing ratings systems;

Encourage the television, motion picture, music, and video game industries to develop a uniform rating system for their products;

Establish a biannual "report card" by the Federal Trade Commission detailing the prevalence of media violence and industry efforts to reduce it;

Require that retail establishments disclose music lyrics to parents;

Ensure that parents will have access to filtering technology that will enable them to block access to Internet content they deem unsuitable for children;

Encourage Internet service providers to rid their systems of "hate" material, and criminalize the posting of such material, when posted to incite an act of violence;

Provide for a 2-year national campaign against youth violence;

Limit the use of certain federal property, equipment, or personnel in filming motion pictures or television shows that glorify or endorse violence;

Require a Federal Trade Commission/Attorney General joint study to determine the extent to which the entertainment industries market violence to children;

Provide for a National Institute of Health study to explore further the impact of violent video games and music on children;

Establish a National Youth Violence Commission to study and identify the causes of youth violence;

Establish a national media campaign to educate parents about rating systems, the V-Chip, Internet filters, and other tools available to shield children from media violence;

Create a national clearinghouse on children and entertainment violence, modeled on the National Clearinghouse for Alcohol and Drug Information; and

Create financial incentives for entertainment companies that would use federal property, equipment, or personnel to create programs suitable for children.

Practical Guidance for Parental Empowerment

The report describes in detail the commonly used ratings systems for television, motion pictures, music, video games, and the Internet.

The report provides information about filtering and monitoring technology available for use with personal computers and the Internet.

The report details helpful suggestions from the American Medical Association, the American Academy of Pediatrics, and other experts about limiting the impact of violent television and other media on children.

INTRODUCTION

Americans have felt a growing and nagging uneasiness over the past several years. Yes, we have come to enjoy unparalleled material prosperity, personal freedom, and opportunity. And, yes, we live longer, healthier lives. Yet, for all these achievements, we also sense that our nation suffers from an insidious decay. Americans would hardly be surprised to learn that we lead the industrialized world in rates of murder, violent crime, juvenile crime, imprisonment, divorce, single-parent households, numbers of teen suicide, cocaine consumption, per capita consumption of all drugs, and pornography production.

The horrifying spate of school shootings during the past two years has transformed that uneasiness into an almost desperate alarm. Behind the facade of our material comfort, we find a national tragedy: America's children are killing and harming each other. As Colorado Governor Bill Owens lamented in the wake of the Columbine High School massacre, a "virus" is loose within our culture, and that virus is attacking America's youth, our nation's most vulnerable and precious treasure.

The statistics are chilling. In 1997, law enforcement agencies in the United States arrested an estimated 2.8 millions persons under age 18.¹ Of that number, an estimated 2,500 juveniles were arrested for murder and 121,000 for other violent crimes.² According to the FBI, juveniles accounted for 19% of all arrests, 14% of all murder arrests, and 17% of all violent crime arrests in 1997.³

While the number of arrests of juveniles for violent crimes declined slightly from 1996 to 1997, the number of juvenile violent crime arrests in 1997 was still 49% above the 1988 level.⁴

James Q. Wilson, one of our foremost experts on crime, has observed, "Youngsters are shooting at people at a far higher rate than at any time in recent history."⁵ The Centers for Disease Control and Prevention ("CDC") reports that a recent survey showed that some 5.9% of the American high school students surveyed said that they had carried a gun in the 30 days prior to the survey.⁶ Equally troubling, that survey also shows that 18% of high school students now carry a knife, razor, firearm, or other weapon on a regular basis, and 9% of them take a weapon to school.⁷ While recent studies show that the amount of youth violence has started to decline, the CDC warns that "the prevalence of youth violence and school violence is still unacceptably high."⁸

As a result of demographic trends, the problem of juvenile violence could dramatically worsen as the number of American teenagers will increase significantly over the next decade. According to Department of Justice estimates, the number of juveniles who will be arrested for violent crimes will double by the year 2010.

Fortunately, our nation's growing alarm carries with it a collective will for finding a solution. Americans know that something is wrong, and they are united in their desire to address the problem of youth violence. Americans also realize that a variety of factors underlie this national tragedy, including disintegrating

nuclear families, child abuse and neglect, drug and alcohol abuse, a lack of constructive values, a revolving-door juvenile justice system, and pervasive media violence. Only a comprehensive approach that targets all of these factors has any hope of success, and Americans look to their elected leaders not for demagoguery or partisanship, but for effective legislation and empowering public policies.

Those who would focus solely on the instrumentalities children use to cause harm surely are mistaken. After all, there are unlimited ways that a child bent on violence can harm another person. Thus, limiting the access of troubled children to firearms and other weapons is but one aspect of a comprehensive approach. The remainder of that approach must address this question: Why does a child turn to violence?

A growing body of research concludes that media violence constitutes one significant part of the answer. With respect to television violence alone, a 1993 report by University of Washington epidemiologist Brandon S. Centerwall expresses a startling finding: "[If], hypothetically, television technology had never been developed, there would be 10,000 fewer homicides each year in the United States, 70,000 fewer rapes, and 700,000 fewer injurious assaults. Violent crime would be half what it is."⁹ Plainly, any solution to the juvenile violence problem that fails to address media violence is doomed to failure.

MEDIA VIOLENCE

American media are exceedingly violent. With television, analysis of programming for 20 years (1973 to 1993) found that over the years, the level of violence in prime-time programming remained at about 5 violent acts per hour.¹⁰ An August 1994 report by the Center for Media and Public Affairs reported that in one 18-hour day in 1992, observing 10 channels of all major kinds of programs, 1,846 different scenes of violence were noted, which translated to more than 10 violent scenes per hour, per channel, all day. A follow-up study conducted in 1994, found a 41% increase in violent scenes to 2,605, which translated to almost 15 scenes of violence per hour.¹¹ Like television, our cinemas are full of movies that glamorize bloodshed and violence, and one need only listen to popular music radio and stroll down the aisle of almost any computer store to see that our music and video games are similarly afflicted.

Not only are our media exceedingly violent; they are also ubiquitous. The percentage of households with more than one television set has reached an all-time high of 87%, and roughly ½ of American children have a television set in their room.¹² Forty-six percent of all homes with children have access to at least one television set, a VCR, home video game equipment and a personal computer, and 88.7% of such homes have either home video game equipment, a personal computer, or both.¹³

What does that mean for our children? Most children now have unprecedented technological avenues for accessing the "entertainment" our media industries provide. The average 7th grader watches about 4 hours of television per day, and 60% of those shows contain some violence. The average 7th grader plays electronic games at least 4 hours per week, and 50% of those games are violent.¹⁴ According to the American Psychiatric Association, by age 18 an American child will have seen 16,000 simulated murders and 200,000 acts of violence.¹⁵

The Littleton, Colorado school massacre has spawned a national debate over how to respond to this culture of media violence. In May 1999, a USA Today/CNN/Gallup poll found that 73% of Americans believe that TV and movies are partly to blame for juvenile crime. A TIME/CNN poll found that 75% of teens 13 to 17 years of age believe the Internet is partly responsible for crimes like the Littleton shootings, 66% blame violence in movies, television, and music, and 56% blame video game violence.

In response, many, including the President, have called for studies to determine what effect that culture has on our children. Yet, we should not use such studies to dodge our responsibility to the

American people. At least with respect to television and movies, existing research already demonstrates a solid link between media violence and the violent actions of our youth. Dr. Leonard D. Eron, a senior research scientist and professor of psychology at the University of Michigan, has estimated that television alone is responsible for 10% of youth violence.¹⁶ "The debate is over," begins a position paper on media violence by the American Psychiatric Association, "[f]or the last three decades, the one predominant finding in research on the mass media is that exposure to media portrayals of violence increases aggressive behavior in children."¹⁷ In the words of Jeffrey McIntyre, legislative and federal affairs officer for the American Psychological Association, "To argue against it is like arguing against gravity."¹⁸

A. Television and Film Violence

It has been estimated that more than 1,000 studies on the effects of television and film violence have been done during the past 40 years.¹⁹ In the last decade the American Medical Association, the American Academy of Pediatrics, the American Academy of Child and Adolescent Psychiatry, and the National Institute of Mental Health have separately reviewed many of these studies. Each of these reviews has reached the same conclusion: television violence leads to real-world violence.²⁰ The National Institute of Mental Health reported that "television violence is as strongly correlated with aggressive behavior as any variable that has been measured." A comprehensive study conducted by the Surgeon General's Office in 1972, and updated in 1982, found television violence a contributing factor to increases in violent crime and antisocial behavior; a 1984 United States Attorney General's Task Force study on family violence revealed that viewing television violence contributed to acting-out violence in the home;²¹ and recently, the National Television Violence Study, a 3-year project that examined the depiction of violent behavior across more than 8,200 programs, concluded that televised violence teaches aggressive attitudes and behaviors, desensitization to violence, and increased fear of becoming victimized by violence.²² The majority of the existing social and behavioral science studies, taken together, agree on the following basic points: (1) constant viewing of televised violence has negative effects on human character and attitudes; (2) television violence encourages violent forms of behavior and influences moral and social values about violence in daily life; (3) children who watch significant amounts of television violence have a greater likelihood of exhibiting later aggressive behavior; (4) television violence affects viewers of all ages, intellect, socioeconomic levels, and both genders; and (5) viewers who watch significant amounts of television violence perceive a meaner world and overestimate the possibility of being a victim of violence.²³

The research has also shown that television violence can harm even young children. Researchers have performed longitudinal studies of the impact of television violence on young children as they mature into adults. One such study, begun in 1960, examined 600 people at age 8, age 18, and age 30. The researchers concluded that boys at age 8 who had been watching more television violence than other boys grew up to be more aggressive than other boys, and they also grew up to be more aggressive and violent than one would have expected them to be on the basis of how aggressive they were as 8-year-olds.²⁴ A second similar study, which included girls, arrived at a similar conclusion: children who watched more violence behaved more aggressively the next year than those who watched less violence on television, and more aggressively than anticipated based on their behavior the previous year.²⁵ Professor L. Rowell Huesmann, one of the researchers behind these studies, summarized his findings before a Senate committee earlier this year:

Not every child who watches a lot of violence or plays a lot of violent games will grow up to be violent. Other forces must converge, as they did recently in Colorado. But just as every cigarette increases the chance that someday you will get lung cancer, every exposure to

violence increases the chances that some day a child will behave more violently than they otherwise would. ²⁶

Some experts also believe that children can become addicted to violence. "Violence is like the nicotine in cigarettes," states Lt. Col. Dave Grossman, a former Green Beret and West Point psychology professor who now heads the Killology Research Group. "The reason why the media has to pump ever more violence into us is because we've built up a tolerance. In order to get the same high, we need ever-higher levels. . . . The television industry has gained its market share through an addictive and toxic ingredient." ²⁷

Not surprisingly, many have come to view television and film violence as a national public health problem. The American Academy of Pediatrics, for instance, recently published a report advocating a national media education program to mitigate the negative impact of the harmful media messages seen and heard by children and adolescents.²⁸ Robert Lichter, president of the Center for Media and Public Affairs, a nonprofit research group in Washington, D.C., has framed the issue in language we can all understand: "If you're worried about what your kid eats, you should worry about what your kid's watching."²⁹

B. Other Media Violence

Less research has been done on the effect of music, video games, and the Internet on children. Nonetheless, on the basis of both that research and the research findings concerning television and film, experts confidently predict that violent music, video games, and Internet material also will be found to have harmful effects on children.

Music

Few would doubt the overall effect music has on people. In Plato's Republic, Socrates said that "musical training is a more potent instrument than any other, because rhythm and harmony find their way into the inward places of the soul, on which they mightily fasten." Music affects our moods, our attitudes, our emotions, and our behavior; we wake to it, dance to it, and sometimes cry to it. From infancy it is an integral part of our lives.

As virtually any parent with a teenager can attest, music holds an even more special place in the hearts and minds of our young people. Academic studies confirm this wisdom. One survey of 2,760 14-to-16-year-olds in 10 different cities found that they listened to music an average of 40 hours per week.³⁰ Research has also shown that the average teenager listens to 10,500 hours of rock music during the years between the 7th and 12th grades.³¹

Inadequate attention has been paid to the effect on children of violent music lyrics. Although no studies have documented a cause-and-effect relationship between violent lyrics and aggressive behavior, studies do indicate that a preference for heavy metal music may be a significant marker for alienation, substance abuse, psychiatric disorders, suicide risk, sex-role stereotyping, or risk-taking behaviors during adolescence.³² In addition, a Swedish study has found that adolescents who developed an early interest in rock music were more likely to be influenced by their peers and less influenced by their parents than older adolescents.³³

With good reason, then, parents are concerned about the music lyrics their children hear. And parents should be concerned. Despite historic, bipartisan remedial legislation by the state and federal

governments, it is stunning even to the casual listener how much modern music glorifies acts of violence. Studies show that modern music lyrics have become increasingly explicit, particularly concerning sex, drugs, and, most troubling, violence against women.³⁴ For example, the rock band Nine Inch Nails released a song titled "Big Man with a Gun," which triumphantly describes a sexual assault at gun point. Such hatred and violence against women are widespread and unmistakable in mainstream hip-hop and alternative music. Consider the singer "Marilyn Manson," whose less vulgar lyrics include: "Who says date rape isn't kind?"; "Let's just kill everyone and let your god sort them out"; and "The housewife I will beat, the pro-life I will kill." Other Manson lyrics cannot be repeated here. Or consider "Eminem," the hip-hop artist featured frequently on MTV, who recently wrote "Bonnie and Clyde," a song in which he described killing his child's mother and dumping her body in the ocean.

One should hope that the music industry would, at the very least, ostracize such material. Regrettably, however, the industry has chosen to embrace it. How else would the industry explain a 1998 Grammy nomination for Nine Inch Nails? A 1999 Grammy nomination for Marilyn Manson? MTV's "Best New Artist" award to Marilyn Manson last year and Eminem this year? Or the fact that, despite growing concern about such music, Eminem and Nine Inch Nails performed just last week at MTV's Video Music Awards show, televised across the country during prime time? It would be inconsistent with our First Amendment freedoms for government to prohibit such music. But surely it is not too much to ask that the music industry refrain from rewarding and celebrating these purveyors of filth and violence.

We must not ignore the fact that these violent, misogynist images may ultimately affect the behavior and attitudes of many young men toward women. Writing about such lyrics in 1996, William J. Bennett, Senator Joseph Lieberman, and C. DeLores Tucker posed the following question: "What would you do if you discovered that someone was encouraging your sons to kill people indiscriminately, to find fun in beating and raping girls, and to use the word 'motherf---er' at least once in every sentence?"³⁵ While the authors directed that question specifically to parents, it is best addressed to all Americans.

Video Games and the Internet

Interactive video games and the Internet have become the entertainment of choice for America's adolescents. Nearly seven in ten homes with children now have a personal computer (68.2%), and 41% of homes with children have access to the Internet.³⁶ Annual video game revenues in the United States exceed \$10 billion, nearly double the amount of money Americans spend going to the movies.³⁷ On average, American children who have home video game machines play with them about 90 minutes a day.³⁸

The video games of choice for our youth are those that contain depictions of violence. A 1993 study, for instance, asked 357 seventh- and eighth-graders to select their preferences among five categories of video games. Thirty-two percent of the children selected the category "fantasy violence," and 17% selected "human violence." Only 2% of the children chose "educational games."³⁹

Parents are concerned that the fantasy violence in video games could lead their children to real-world violence. That concern intensified when Americans learned that the two juveniles responsible for the Littleton massacre had obsessively played the ultra-violent video game "Doom." Americans also recalled that the 14-year-old boy who shot eight classmates in Paducah, Kentucky in 1997, had been an avid player of video games. As the *New York Times* observed, "the search for the cause in the Littleton shootings continues, and much of it has come to focus on violent video games."⁴⁰

Here, too, the concern of parents is justified. Studies indicate that violent video games have an effect on children similar to that of violent television and film. That is, prolonged exposure of children to

violent video games increases the likelihood of aggression.⁴¹ Some authorities go even further, concluding that the violent actions performed in playing video games are even more conducive to aggressive behavior. According to this view, the more often children practice fantasy acts of violence, the more likely they are to carry out real-world violent acts.⁴² As Professor Brian Stonehill, creator of the media studies program at Pomona College in Claremont, California, states: "The technology is going from passive to active. The violence is no longer vicarious with interactive media. It's much more pernicious and worrisome." Another researcher characterizes such games as sophisticated simulators, similar to those used in military training.⁴³

Equally troubling, video games often present violence in a glamorized light. Typical games cast players in the role of a shooter, with points scored for each "kill." Furthermore, advertising for such games often touts the violent conduct as a selling point--the more graphic and extreme, the better. For example, the advertisement for the game "Destrega" reads: "Let the slaughter begin"; and for the game "Subspace," "Meet people from all over the world, then kill them." As the popularity and graphic nature of such games increase, so does the harm to our youth. As Lt. Col. Dave Grossman bluntly warns, "We're not just teaching kids to kill. We're teaching them to like it."⁴⁴

C. Marketing of Media Violence

Given the evidence that violent materials in television, films, music, video games, and the Internet have harmful effects, we must be concerned about how, and to what extent, these materials are marketed, sold, and otherwise made available to children. The evidence is not encouraging.

Any frequent visitor to a movie theater could confirm that theater personnel are less than diligent in preventing juveniles from viewing R-rated movies. And for many of these films, such as "teen-slasher" hits "Scream," "Disturbing Behavior," and "I Know What You Did Last Summer," America's youth are in fact the target audience.

The story is maddeningly similar for video games, the Internet, and music. The National Institute on Media and Family found that, despite the rating system in place for video games, in 1998, only 21% of retail and rental stores had any policies prohibiting the sale or rental of adult games to minors. Earlier this year the Senate Commerce Committee heard testimony about a 12-year-old boy who bought the video games "Doom" and "Quake"--both of which are rated for adults only--at a Washington, D.C. video store at the recommendation of the store clerk.⁴⁵ The National Institute on Media and the Family also found that some manufacturers of video games are marketing to children ultra-violent products rated only for adults. One such video game, "Resident Evil 2," was advertised in the magazine "Sports Illustrated for Kids."

As for the Internet, there are thousands of websites celebrating hate, racism, extremism, and violence (not to mention misogyny, drug manufacturing and use, and pornography). One such site is operated by the notorious World Church of the Creator, which claims to be "established for the survival, expansion and advancement of our white race exclusively," and is engaged in a struggle against the "Jewish occupational Government of the United States."⁴⁶ In the past several months several hate crimes (including multiple) murders have been linked to adherents of this "church." Some websites also offer versions of popular video games illegally altered to promote racism and violence. For example, the game "White Power Doom," adapted from the game "Doom," promotes a neo-Nazi agenda; another such game, "White Power Wolfenstein," is replete with Nazi symbols and imagery of the Holocaust. Without filtering/blocking technology and a rating system, such websites can be explored by anyone with a computer and access to the Internet, including children. As discussed in detail below, the Entertainment Software Rating Board ("ESRB") has developed a promising voluntary rating system for Internet material, for which they should be commended. Unfortunately, the effectiveness of the system has been undermined by the unwillingness of web site operators to submit information about their sites to the ESRB.

Finally, with respect to music, the labeling program is voluntary, and many retailers simply choose not to restrict purchasing by minors. It was hardly surprising, then, when the Senate Commerce Committee heard how the same 12-year-old who purchased adult-only video games bought a Marilyn Manson compact disc from a Washington, D.C. record store. Ironically, the warning label on the disc was covered by the price tag.

RESPONSIBLE, RESPONSIVE STEPS FOR NATIONAL REFORM

Former United States Senator Paul Simon observed several years ago that "Thirty seconds of a soap bar commercial sells soap. Twenty-five minutes worth of glorification of violence sell violence." Hence, having fed our children death and horror as entertainment, we should not be surprised by the outcome. But we are not powerless to address the problem. Americans need to respond to the problem of media violence in a responsible manner. If we take steps at both the national level—by dealing with the marketing of, and access to, violent media—and at the most local of levels—by empowering parents to exercise greater control over the material their children access—we can significantly reduce the impact of violent media on our young people.

With respect to national reform, the Senate recently adopted the "Violent and Repeat Juvenile Offender Accountability and Rehabilitation Act of 1999" (the "Juvenile Justice Act"). This legislation, summarized below, adopts a comprehensive approach which confronts youth violence on several fronts, including media violence.

A. The Violent and Repeat Juvenile Offender Accountability and Rehabilitation Act of 1999

The Juvenile Justice Act implements a comprehensive strategy aimed at addressing the problem of juvenile violence. The legislation devotes substantial resources to state and local governments for the continued development and implementation of innovative and effective accountability and prevention programs. The legislation also targets the growing national problem of criminal street gangs, which frequently lure juveniles into illicit activity, and it works to keep firearms and explosives out of the hands of children.

Equally important, the act begins to confront what experts consider a principal cause of juvenile violence: depictions of violence in the media. The relevant provisions, summarized below, seek to reduce children's exposure to media violence by encouraging corporate responsibility and empowering parents.

In the spirit of limited self-government, we believe that corporate responsibility is best spurred through moral suasion, not government compulsion. This approach, reflected in the Juvenile Justice Act, has the added advantage of emphatically respecting our First Amendment traditions. We do not seek to regulate content; we aim instead to facilitate the free expression of corporate responsibility and simple decency.

Promising signs abound that at least some media figures welcome this challenge. Earlier this year Gary Ross, writer and director of movies such as "Pleasantville," "Dave," and "Big," promised that "on each screenplay, I will ask myself what the ramifications are to the culture in which I live and the children who may see these films." "Star Wars" creator George Lucas warned that "films that are extremely violent in a context that violence is fun, hurting other people is fun, is a very negative thing. People in the film industry . . . should take personal responsibility for what they're saying and what they're doing." In the Internet industry, Steve Case, chairman of America Online, has agreed to take steps to limit the access of children to violent video games on the Internet. And from the music business, BMG President and CEO

Strauss Zelnick's views stand as the model we urge others to emulate: "There is no question that the First Amendment would allow us to do whatever we want, but I believe we are all editors, and editors have a social responsibility and responsibility to themselves to decide what they want to publish. . . . There's clearly a line that we won't cross."

Industry Ratings Enforcement

The legislation provides for the voluntary cooperation of the entertainment industries to develop, implement, and enforce voluntary programming guidelines to remove harmful influences on children. The legislation provides a limited exemption from antitrust laws that enables the relevant industries to conduct joint discussions and enter into agreements to develop voluntary guidelines and ensure retail compliance with existing ratings and labeling systems.

Media Campaign Against Youth Violence

The bill provides for a 2-year national media campaign against youth violence. This campaign, for which the Senate has authorized \$25 million, will be developed in consultation with national, statewide, and community-based youth organizations, including the Boys and Girls Clubs of America.

Restrict Access to Federal Property for Production of Violent Media

The act restricts the use of federal property, equipment, or personnel for filming motion pictures or television shows for commercial purposes that glorify or endorse violence.

Parental Empowerment Through Internet Screening

This measure brings the V-Chip concept to the Internet. Internet service providers will be required to offer screening/filtering technology that enables parents to limit their children's access to material on the Internet. Parents can use these tools to block access to on-line content and web sites they deem unsuitable for their children. Many in the Internet industry deserve praise for already moving to develop and distribute this technology.

Studies and Reports

The legislation also provides for further studies concerning media violence and establishes a national commission that will, with the help of parents and children, identify the causes of youth violence.

National Institute of Health Study

This study will explore the impact of violent video games and music on child development and youth violence. The study will eliminate a gap in existing research, which to date has focused largely on the impact of television and film. We need not, however, await the results of this study before taking action to address these forms of media violence. Existing research suggests that violent music lyrics have the same deleterious effect on our youth as television and film violence. And as for video games and the Internet, experts predict that the interactive nature of the violence will cause even more harm than these other media forms.

Federal Trade Commission/Attorney General Joint Study

The legislation provides for a joint study of the marketing practices of the motion picture, recording, and video/personal computer game industries. The study, like previous studies directed at the

practices of the tobacco industry, will focus on the marketing of violent or sexually explicit material to minors, and on whether retail merchants, movie theaters, and others have policies to keep minors away from these harmful products. In carrying out this study the FTC and the Attorney General are authorized to subpoena marketing plans and internal memoranda to determine to what extent these industries are pushing violence to our youth.

National Youth Violence Commission

Finally, the act establishes a National Youth Violence Commission which will conduct a comprehensive factual study of incidents of youth violence to determine the root causes of youth violence. The Commission, comprising 16 members, will examine, among other things, the effect on youth of depictions of violence in the media. In fulfilling its mandate, the Commission may hold hearings, take testimony from parents and students, and subpoena information. The Commission will report its findings to the President and Congress.

B. Proposals for Further Action

While the Juvenile Justice Act represents a promising start, much more needs to be done to reduce media violence. Further steps should be animated by the two imperatives that underlie the Juvenile Justice Act: encouraging corporate responsibility and empowering parents. Many media executives appear sincere in expressing their concerns about media violence. Thus, absent signs that this optimistic view of the industry is mistaken, policy proposals should facilitate, rather than compel, the exercise of corporate responsibility. As for parents, it bears repeating that they remain our most promising allies in this effort. Public policy initiatives therefore must empower them to fulfill their protective responsibilities.

National Media Campaign to Educate Parents

The effectiveness of V-Chips, Internet filters, rating systems and the like depend on the ability and willingness of parents to use those devices. Recent research, however, suggests we have failed to educate parents about these tools. For instance, recent studies conducted by the Annenberg Public Policy Center at the University of Pennsylvania have revealed that parents' knowledge of the V-Chip and the related television rating symbols is actually declining.⁴⁷ This lack of knowledge likely explains why 62% of parents reported that they had not used the age-based rating system in selecting what their children watched on television.⁴⁸

Congress should direct and implement a national media campaign, similar to those used for drugs, smoking, and drunk driving prevention, to educate parents about the tools at their disposal. This campaign, which would be administered by the Department of Justice's Office of Juvenile Justice and Delinquency Prevention,⁴⁹ would make use of all forms of media. We urge the media industries to join the Department of Justice in developing and implementing this campaign.

National Parents' Clearinghouse on Children and Entertainment Violence⁵⁰

Congress should establish a national clearinghouse on children and entertainment violence, which could be modeled on the National Clearinghouse for Alcohol and Drug Information. The clearinghouse would provide material on the following topics, among others: the ways that children learn violence, how to select appropriate toys, how to teach children anger management and conflict resolution skills, and ways that parents can teach their values to their children.

Development of a Uniform Rating System

The television, motion picture, music, video game, and Internet industries currently employ separate rating systems. Asking parents and retailers to master each of these differing systems needlessly complicates their ability to shield children from harmful material. These industries should be encouraged to develop and implement a universal rating system for television, movies, music, video games, and the Internet. We should ensure that there are no regulatory or other governmental obstacles that would prevent these industries from designing and implementing such a system. Senator John McCain has introduced a bill, the "Media Violence Labeling Act of 1999," that would encourage the development of such a rating system.

Document Voluntary Efforts of Media Industries

Rating systems and labels can be effective, yet the entertainment industries should not persist in using the ratings systems as an excuse for failing to take additional steps to reduce media violence. As former Secretary of Education William J. Bennett has noted, "If a toxic-waste dump is polluting the environment, would nearby residents be mollified if the corporate polluters agreed merely to put up a sign saying, 'Danger: Toxic Waste'? Of course not."

While some segments of the entertainment industry are making needed reforms, monitoring is warranted. In the words of President Reagan, "trust but verify." Thus, the Federal Trade Commission should prepare a biannual "report card" detailing the prevalence of violence in the media, as well as the efforts undertaken by the entertainment industry to reduce it.

Disclosure of Music Lyrics

As stated above, a primary policy goal must be to empower parents to shield their children from harmful media influences. Empowerment often means simply ensuring that parents have ready access to relevant information. For instance, parents frequently complain that, with respect to the music their children buy, parents are unable to screen the lyrics beforehand. Consideration should be given to a proposal that would require retail establishments that sell music to make the lyrics of any album, compact disc, tape, or other medium available for on-site parental review.

Use of Government Facilities

As described above, the Juvenile Justice Act contains a provision that will restrict the use of federal property, equipment, or personnel for filming motion pictures or television shows for a commercial purpose that glorifies or endorses violence. Encouragement, through financial incentives, should be given to those who would use federal property, equipment, or personnel to create films or programs suitable for children. To that end, relevant federal agencies should make those items available at reduced rates to individuals or entities who would make such use of them.

Internet Hate Ban

The proliferation of messages of hate and violence on the Internet raises the possibility that federal legislation is needed to protect impressionable youth from such material. Any such legislation should accomplish two objectives: (1) encourage Internet service providers to rid their systems of material intended to incite a person to commit an act of violence, and (2) proscribe, under penalty of criminal prosecution, the posting of such material on the Internet, when posted with the intent to incite an act of violence.

Parental Empowerment and Guidance

While government can play an important role in ending youth violence, we agree with the wisdom expressed by Representative Henry Hyde, the Chairman of the House Judiciary Committee: "Parents ultimately bear the responsibility for the environment in which their children are raised. We can pass laws to keep this garbage out of the hands of kids, but parents have to guide their children away from the polluting environment the greedy purveyors of violence are eager to sell." Yet, as noted above, too many parents lack the necessary information to guide their children away from violent media.

This final chapter provides parents information concerning the existing ratings systems for motion pictures, television, music, video games, and the Internet. In addition, the chapter provides some practical guidance for parents seeking to limit exposure to violent programming and reduce the effect of such programming on their children.

A. Commonly Used Rating Systems

The rating systems used by the various media industries are designed, in part, to empower parents, teachers, and other adults to shield children from media violence. As described above, a national, uniform rating system would prove more useful to parents, and such a system, it is believed, will eventually be implemented. In the meantime, the effectiveness of existing systems is undermined to the extent parents do not know about or understand them.⁵¹ To help remedy that problem, summaries of the current media rating systems are set forth below.

Motion Pictures

Films receive one of the following five rating symbols from the Rating Board of the Motion Picture Association of America ("MPAA"):

(1) "G": General Audiences--All Ages Admitted.

A film with this rating has been judged to contain nothing in theme, language, nudity and sex, violence, or other material that would, in the opinion of the Rating Board, offend parents. Parents, however, should bear in mind that, in the words of the MPAA, a "G" rating is not a "certificate of approval" and does not signify a film for children.

(2) "PG": Parental Guidance Suggested. Some Material May Not Be Suitable For Children.

This rating indicates a film that clearly needs to be examined by parents before their children are allowed to view it. Parents may consider some of the material unsuitable for children, including the theme of the film, profanity, violence, or brief nudity. There is, however, no drug use content in a PG-rated film.

(3) "PG-13": Parents Strongly Cautioned. Some Material May Be Inappropriate For Children Under 13.

This rating represents a sterner warning which should alert parents that they should be very careful about the attendance of their preteen children. This type of film exceeds the "PG" rating in theme, violence, nudity, sensuality, or language. For example, the single use of one of the harsher sexually-derived words will require at least a "PG-13" rating. Such elements do not quite rise to the level of an "R" rated film. A film rated "PG-13" may also contain some drug use.

(4) "R": Restricted, Under 17 Requires Accompanying Parent Or Adult Guardian.

An "R"-rated film may include patently offensive language, tough violence, nudity with sensual

scenes, drug abuse, or some combination of those elements. The MPAA strongly urges parents to find out more about such films before allowing their children to accompany them.

(5) "NC-17": No one 17 And Under Admitted.

A film with an "NC-17" rating is one that, in the judgment of the MPAA, most parents will find highly inappropriate for minor children. Thus, theater owners are instructed not to admit any person less than 18 years to such a film. A film can receive this rating on the basis of violence, sex, aberrational behavior, drug abuse, or other elements that parents would not want their children to view.

Television

The television industry has developed a voluntary rating system comprising six age-based labels and four content-based labels. The system categorizes programs on the basis of age and/or maturity, sexual situations, violence, language, and dialogue. The labels, which are designed for use with new technology commonly called the "V-chip," are displayed for 15 seconds on television screens at the beginning of rated programming.

The aged-based labels, which are modeled after the MPAA rating system for films, are as follows:

(1) "TV-Y": All Children

Whether animated or live-action, the themes and elements in this type of program are designed for very young children. These programs are not expected to frighten young children.

(2) "TV-Y7": Directed to Children Ages 7 and Above

These programs will be more appropriate for children mature enough to distinguish between make-believe and reality. Themes and elements may include mild fantasy or comedic violence, and these programs may frighten children younger than 7.

(3) "TV-G": General Audience

Most parents would find this type of program suitable for all ages, including younger children. These programs contain little or no violence, no strong language, and little or no sexual dialogue or situations.

(4) "TV-PG": Parental Guidance Suggested

This rating indicates that parents might find some of the material in the program unsuitable for younger children. The theme of the program itself may call for parental guidance, or the program may contain moderate violence, some sexual situations, infrequent coarse language, or some suggestive dialogue.

(5) "TV-14": Parents Strongly Cautioned

These programs contain material that many parents would find unsuitable for children younger than 14, including intense violence, intense sexual situations, strong coarse language, or intensely suggestive dialogue. Parents are cautioned against allowing children under the age of 14 watch such a program unattended.

(6) "TV-MA": Mature Audiences Only

This rating is used with programs specifically designed to be viewed by adults only. These programs, which may be unsuitable for children under 17, contain graphic violence, explicit sexual activity, or crude or indecent language.

The content-based ratings, which provide additional information about possibly objectionable material, are as follows:

(1) "FV": Fantasy Violence

This content rating is used with the "TV-Y7" rating for programs where fantasy violence is more intense or more combative than other programs in the "TV-Y7" category.

(2) "V": Violence

(3) "S": Sexual Situations

(4) "L": Coarse Language

(5) "D": Suggestive Dialogue

The content ratings "V," "S," "L," and "D" are used with adult programming, that is, with the age-based ratings of "TV-PG," "TV-14," and "TV-MA."

Parents should note that one major broadcaster, NBC, refuses to use the content-based ratings, believing that they constitute unacceptable government censorship. For a similar reason, one major cable network, Black Entertainment Television ("BET"), does not use any part of the television rating system.

In the Telecommunications Act of 1996 Congress required that all new television sets with 13" inch or larger picture screens contain a feature that would enable viewers to block the display of unwanted television programming.⁵² This technology, commonly called the "V-Chip," is a computer chip that can detect program ratings information that is transmitted with the television signal. The V-Chip works with the television rating systems by reading information encoded in the television program and blocking content based on either the age-based labels, the content-based labels, or a combination of the two, as determined by parents.⁵³

Rules adopted by the Federal Communications Commission require that television manufacturers must include V-Chip technology in at least half of their product models with a 13" or larger screens by July 1, 1999, and the other half by January 1, 2000. In June 1999, the Consumer Electronics Manufacturers Association reported that all of the major television manufacturers had installed V-Chips in at least half of their new sets. These manufacturers, which include Hitachi, JVC, Matsushita, Mitsubishi, Philips, Sanyo, Samsung, Sharp, Sony, Toshiba, Thomson, and Zenith, represent approximately 90% of all sets sold in the United States.⁵⁴ Nonetheless, when purchasing a new television set, parents should confirm that the set has V-Chip technology.

Music

The Recording Industry Association of America ("RIAA") has developed a rating program that alerts parents to music containing coarse language or expressions of violence, sex, or substance abuse.

Under this program, record companies voluntarily identify recordings that contain such material and affix a "Parental Advisory" label to the packaging of the recording.

While this rating program represents a much-needed first step, more must be done to help parents screen harmful music lyrics. As noted above, a uniform rating system should be implemented, and in the interim, the RIAA should adopt content-based ratings similar to those used with other media. In addition, lyrics should be made available to parents upon request.

Video Games

The leading rating system for video games is that developed by the Entertainment Software Rating Board ("ESRB"), an entity established in 1994 by the Interactive Digital Software Association, the leading trade association for the interactive entertainment software industry.⁵⁵ Created by Dr. Arthur Pober, an educational psychologist and former head of the Children's Advertising Review Unit of the Council of Better Business Bureau, this voluntary rating system was developed to provide parents and consumers credible information about the content of video and computer games. As of January 1998, the ESRB had rated more than 5,000 titles. The system covers software for all types of platforms, including personal computers, CD-ROM, and video game cartridge consoles.

The ESRB rating system uses 5 age-based categories supplemented with short phrases called "descriptors," which further explain the content of games. The age-based labels, which can be found on the front of the software package, are as follows:

- (1) "EC"--"Early Childhood": Games with this rating have content suitable for children ages 3 and older and do not contain any material that parents would find inappropriate.
- (2) "E"--"Everyone": These games have content suitable for persons 6 and older. According to the ESRB, these games may contain minimal violence, some slapstick comedy, or some crude language.⁵⁶
- (3) "T"--"Teen": Titles with this rating have content suitable for ages 13 and older, which may include violent content, mild or strong language, or suggestive themes.
- (4) "M"--"Mature": These games, which have content suitable for persons 17 or older, contain more intense violence and/or language, as well as mature sexual themes.
- (5) "AO"--"Adults Only": Games with this rating contain content suitable only for adults, including graphic depictions of sex and/or violence. These products are not intended to be sold or rented to persons under the age of 18.

Parents may find some games with the label "RP" affixed to the front of the package. This label, which is shorthand for "Rating Pending," indicates that the product has been submitted to the ESRB and is awaiting final rating.

The following are the most common ESRB "descriptors," which can be found on the back of the software package:

- (1) "Mild Animated Violence": scenes involving characters in the depiction of unsafe or hazardous acts or violent situations.
- (2) "Mild Realistic Violence": scenes involving characters in the depiction of unsafe or hazardous acts or violent situations in realistic or photographic detail.

(3) "Comic Mischief": scenes depicting activities that have been characterized as slapstick or gross vulgar humor.

(4) "Animated Violence": depictions of aggressive conflict involving characters.

(5) "Realistic Violence": realistic or photographic-like depictions of body parts.

(6) "Animated Blood and Gore": animated or cartoon-like depictions of mutilation or dismemberment of body parts.

(7) "Realistic Blood and Gore": depictions of blood and/or gore in realistic or photographic-like detail.

(8) "Animated Blood": animated or cartoon-like depictions of blood.

(9) "Realistic Blood": scenes involving representations of blood in a realistic or photographic-like detail.

(10) "Mild Language": contains the use of words such as "damn."

(11) "Strong Language": contains common four-letter words, including anatomical references.

(12) "Suggestive Themes": contains mildly provocative sexual references or material.

(13) "Mature Sexual Themes": provocative material, including depictions of the human body in either animated or photograph-like formats.

(14) "Strong Sexual Content": graphic depiction of sexual behavior and/or the human body (e.g., frontal nudity) in either animated or photographic-like detail.

(15) "Gaming": depiction of betting-like behavior.

(16) "Use of Tobacco and Alcohol": images of the use of tobacco and/or alcohol in a manner that condones or glorifies their use.

(17) "Use of Drugs": images of the use of drugs in a manner that condones or glorifies their use.

B. Internet Screening and Other High-Tech Tools

The proliferation of personal computers and the Internet pose daunting new challenges to parents. Unlike other forms of media, the Internet, with its constantly changing content, does not lend itself easily to a rating system. What is more, the efforts of parents to block objectionable content are often frustrated by their children's computer prowess. Not surprisingly, many parents view the Internet as both a blessing and a curse.

Yet, parents do have at their disposal numerous tools to shield children from Internet content they find unsuitable. First, and most basic, parents can place the household computer in a common area frequented by other family members. In this way a child's curiosity would be tempered by a fear of detection.

Parents can also seek a technological fix. Software filters exist that allow parents to block sexual or violent content, restrict their children's e-mail, limit the amount of time children spend over the Internet, and track the Internet sites they visit. Parents can obtain many of these filters on the Internet. In addition, web browsers are available that integrate filtering features. Finally, parents should check with their Internet Service Providers, many of which provide parental filters.⁵⁷

A helpful development in this area is the creation of rating systems for Internet sites and games. Perhaps the most promising is a system based on the one described above for packaged video games. This system, developed in 1997 by the ESRB (the same entity that rates video games), uses the same 5 age-based rating labels ("EC", "E", "T", "M", and "AO") for "contained" sites that do not allow interaction between the site and the user or exchange of content or other information that could influence suitability of use. For interactive sites that provide opportunities for the user to engage in an interactive experience, the system assigns the same labels, except that each label is followed by the letter "I" (thus, "ECI", "EI", "TI", "MI", and "AOI"). The "I" cautions that the user can exchange information with other users who may have differing or controversial opinions, or who may influence game play. Like the video game rating system, the Internet rating system uses "descriptors" to further explain the content of Internet sites and games. As with the V-Chip and television ratings, filtering technology used in conjunction with the ESRB ratings will empower parents to shield their children from unsuitable material.

Another useful, all-purpose tool for parents, called "GetNetWise," can be accessed online at Internet address "www.getnetwise.org." This resource, developed by a group of Internet industry corporations and public interest corporations, provides a glossary of Internet terms, a guide to online safety for families, directions for reporting online trouble to law enforcement and child advocacy groups, a directory of Internet filtering and monitoring technology, and a list of Internet sites deemed to be suitable for children and families.

C. Practical Guidance for Parents

In 1996, the American Medical Association published a guide for parents interested in limiting the media's influence on their children. Among the Association's suggestions:

Do not make the television the focal point of the house.

Limit television use to one or two hours per day.

Keep the television turned off during mealtimes (66% of American families have the television turned on during at least one meal a day), and keep televisions out of children's bedrooms.

Do not use the television, videos, or video games as a baby sitter; set a good example by limiting your own television viewing.

Be alert to the shows and video games your children see. Watch what your children are watching and talk about the program while it is on. Some suggested questions to discuss with your children:

- (1) Where did the story take place?
- (2) Who are the characters? Are they always good or bad? Sometimes? When?
- (3) Do the characters remind them of anyone they know in real life?

- (4) What was the problem presented in the program?
- (5) How was the problem solved? Would the solution work in real life?
- (6) If the program contains violence:
 - (a) How do you think the victim feels?
 - (b) Did the television version of violence omit anything?
 - (c) What would happen if people did this in real life? Why?
 - (d) What would have been a way of solving the problem without anyone getting hurt?
 - (e) Did the characters think about alternatives before using violence as a way to solve the conflict?

Learn about movies that are playing and videos and video games available for rental or purchase? Be explicit with children about what is appropriate for them to see.

Only watch television when there is something specifically worth watching.

Be careful about what your child watches just before bedtime.

Teach your children about advertising and the influence media has.

Set a good example, for children learn by your example. Warns child psychologist Lois Nightingale: "If children see parents watching 'Rambo,' then get 'Power Rangers' turned off, there are some incongruities there."

In August 1999, the American Academy of Pediatrics published a list of recommendations as part of its report on media education. While many of those recommendations mirror those of the American Medical Association listed above, others go even further in an effort to reduce the impact of media on children. For example:

Children under 2 years old should not watch television.

Parents should create an "electronic media-free" environment in all children's rooms.

Pediatricians should begin incorporating questions about media use into their routine child health visits so that they can offer counsel and support.

Pediatricians should alert and educate parents, children, adolescents, teachers, school officials, and other professionals about media-associated health risks.

Dr. Mark Griffith from the University of Plymouth has developed a checklist to help parents determine if their children are playing too many video games. The checklist asks if your child:

plays video games most days?

- often plays for long periods of time?
- plays for excitement?
- gets restless if he cannot play?
- plays for a personal best?
- often tries unsuccessfully to limit playing?
- plays instead of doing his homework?
- sacrifices social activity?

According to Dr. Griffith, if the answers to more than 4 of these questions are "yes," your child may be playing video games excessively and parents should intervene and impose limits.⁵⁸

Parents should know that the impact on children of television, movies, music, video games, and the Internet arises not only from the kinds of behavior they promote, but also from the other activities they replace. A Canadian study analyzed the changes in how families living in a small town spent their days before and after television was introduced. The study found that after television became available, people spent less time talking, socializing outside the home, doing household tasks, engaging in leisure activities, and being involved in community activities. People even slept less once the television entered the home.⁵⁹ The lesson: Parents should supply their children with alternatives to television, movies, music, video games, and the Internet. Regularly providing things such as art supplies, books to read, athletic activities, or outdoor excursions will reduce the number of arguments about what to watch on television and teach children how to enjoy a broader range of activities.

Finally, parents should realize that there is simply no substitute for close adult supervision of, and involvement in, the lives of their children. Parents must take time to learn what their children are viewing and playing. Even the most seemingly trivial supervision can have a profound effect. For instance, many school and public libraries have found that simply placing computers in conspicuous public view deters children from inappropriate use. Reducing the effects of media violence requires sound parenting as well as responsible, responsive government.

CONCLUSION

The effect of media violence on our children is no longer open to debate. Countless studies have shown that a steady diet of television, movie, music, video game, and Internet violence plays a significant role in the disheartening number of violent acts committed by America's youth. We must now devote ourselves to reducing the amount and degree of violence in our media and to shielding our children from such harmful depictions.

Toward that end, the Senate has passed the Juvenile Justice Act, which forgoes government compulsion in favor of encouraging responsible corporate behavior and empowering parents. As this report advocates, more must be done by government on both of these fronts, but parents must understand and embrace their role in this national effort. While government can set forth, though public policy, what we as a society expect of ourselves, parents ultimately bear the responsibility of shaping their children to meet those expectations. This report, it is hoped, has provided parents some helpful tools for that purpose.

S 1228 IS

106th CONGRESS

1st Session

S. 1228

To provide for the development, use, and enforcement of a system for labeling violent content in audio and visual media products, and for other purposes.

IN THE SENATE OF THE UNITED STATES

June 16, 1999

Mr. MCCAIN (for himself, Mr. LIEBERMAN, Mr. LOTT, and Mr. CONRAD) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

A BILL

To provide for the development, use, and enforcement of a system for labeling violent content in audio and visual media products, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the 'Media Violence Labeling Act of 1999'.

SEC. 2. SYSTEM FOR LABELING VIOLENT CONTENT IN AUDIO AND VISUAL MEDIA PRODUCTS.

(a) DECLARATION OF POLICY- Section 2 of the Federal Cigarette Labeling and Advertising Act (15 U.S.C. 1331) is amended--

(1) by inserting '(a) POLICY REGARDING CIGARETTES- ' before 'It is the policy of the Congress'; and

(2) by adding at the end the following:

'(b) POLICY REGARDING VIOLENCE IN AUDIO AND VISUAL MEDIA PRODUCTS- It is also the policy of Congress, and the purpose of this Act, to provide for the establishment, use, and enforcement of a consistent and comprehensive system for labeling violent content in audio and visual media products (including labeling of such products in the advertisements for such products), whereby--

① FTC opinion?
② update on report

'(1) the public may be adequately informed of--

'(A) the nature, context, and intensity of depictions of violence in audio and visual media products; and

'(B) matters needed to judge the appropriateness of the purchase, viewing, listening to, use, or other consumption of audio and visual media products containing violent content by minors of various ages; and

'(2) the public may be assured of--

'(A) the accuracy and consistency of the system in labeling the nature, context, and intensity of depictions of violence in audio and visual media products; and

'(B) the accuracy and consistency of the system in providing information on matters needed to judge the appropriateness of the purchase, viewing, listening to, use, or other consumption of audio and visual media products containing violent content by minors of various ages.'

(b) LABELING OF AUDIO AND VISUAL MEDIA PRODUCTS- That Act is further amended by inserting after section 4 (15 U.S.C. 1333) the following new section:

'LABELING OF AUDIO AND VISUAL MEDIA PRODUCTS

'SEC. 4A. (a) VOLUNTARY LABELING SYSTEM- (1) Manufacturers and producers of interactive video game products and services, video program products, motion picture products, and sound recording products may submit to the Federal Trade Commission a joint proposal for a system for labeling the violent content in interactive video game products and services, video program products, motion picture products, and sound recording products.

'(2) The proposal under this subsection should, to the maximum extent practicable, meet the requirements set forth in subsection (b).

'(3)(A) The antitrust laws shall not apply to any joint discussion, consideration, review, action, or agreement between or among manufacturers and producers referred to in paragraph (1) for purposes of developing a joint proposal for a system for labeling referred to in that paragraph.

'(B) For purposes of this paragraph, the term 'antitrust laws' has the meaning given such term in the first section of the Clayton Act (15 U.S.C. 12) and includes section 5 of the Federal Trade Commission Act (15 U.S.C. 45).

'(b) REQUIREMENTS FOR LABELING SYSTEM- A system for labeling the violent content in interactive video game products and services, video program products, motion picture products, and sound recording products under this section shall meet the following requirements:

'(1) The label of a product or service shall consist of a single label which--

'(A) takes into account the nature, context, and intensity of the depictions of violence in the product or service; and

‘(B) assesses the totality of all depictions of violence in the product or service.

‘(2) The label of a product or service shall specify a minimum age in years for the purchase, viewing, listening to, use, or consumption of the

product or service in light of the totality of all depictions of violence in the product or service.

‘(3) The format of the label for products and services shall--

‘(A) incorporate each label provided for under paragraphs (1) and (2);

‘(B) include a symbol or icon, and written text; and

‘(C) be identical for each given label provided under paragraphs (1) and (2), regardless of the type of product or service involved.

‘(4) In the case of a product or service sold in a box, carton, sleeve, or other container, the label shall appear on the box, carton, sleeve, or container in a conspicuous manner.

‘(5) In the case of a product or service that is intended to be viewed, the label shall--

‘(A) appear before the commencement of the product or service;

‘(B) appear in both visual and audio form; and

‘(C) appear in visual form for at least five seconds.

‘(6) Any advertisement for a product or service shall include a label of the product or service in accordance with the applicable provisions of this subsection.

‘(c) **FEDERAL TRADE COMMISSION RESPONSIBILITIES-** (1)(A) If the manufacturers and producers referred to in subsection (a) submit to the Federal Trade Commission a proposal for a labeling system referred to in that subsection not later than 180 days after the date of the enactment of the Media Violence Labeling Act of 1999, the Commission shall review the labeling system contained in the proposal to determine whether the labeling system meets the requirements set forth in subsection (b) in a manner that addresses fully the purposes set forth in section 2(b).

‘(B) Not later than 180 days after commencing a review of the proposal for a labeling system under subparagraph (A), the Commission shall issue a labeling system for purposes of this section. The labeling system issued under this subparagraph may include such modifications of the proposal as the Commission considers appropriate in order to assure that the labeling system meets the requirements set forth in subsection (b) in a manner that addresses fully the purposes set forth in section 2(b).

‘(2)(A) If the manufacturers and producers referred to in subsection (a) do not submit to the Commission a proposal for a labeling system referred to in that subsection within the time provided under paragraph (1)(A), the Commission shall prescribe regulations to establish a labeling system for purposes of this section that meets the requirements set forth in subsection (b).

‘(B) Any regulations under subparagraph (A) shall be prescribed not later than one year after the date

of the enactment of the Media Violence Labeling Act of 1999.

‘(e) PROHIBITION ON SALE OR DISTRIBUTION WITHOUT LABEL- Commencing one year after the date of the enactment of the Media Violence Labeling Act of 1999, a person may not manufacture or produce for sale or distribution in commerce, package for sale or distribution in commerce, or sell or distribute in commerce any interactive video game product or service, video program product, motion picture product, or sound recording product unless the product or service bears a label in accordance with the labeling system issued or prescribed by the Federal Trade Commission under subsection (d) which--

‘(1) is appropriate for the nature, context, and intensity of the depictions of violence in the product or service; and

‘(2) specifies an appropriate minimum age in years for purchasers and consumers of the product or service.

‘(f) PROHIBITION ON SALE IN VIOLATION OF AGE RESTRICTION- Commencing one year after the date of the enactment of the Media Violence Labeling Act of 1999, a person may not sell in commerce an interactive video game product or service, video program product, motion picture product, or sound recording product to an individual whose age in years is less than the age specified as the minimum age in years for a purchaser and consumer of the product or service, as the case may be, under the labeling system issued or prescribed by the Federal Trade Commission under subsection (d).

‘(g) INVESTIGATIONS OF IMPROPER LABELING- The Federal Trade Commission shall have the authority to receive and investigate allegations that an interactive video game product or service, video program product, motion picture product, or sound recording product does not bear a label under the labeling system issued or prescribed by the Commission under subsection (d) that is appropriate for the product or service, as the case may be, given the nature, context, and intensity of the depictions of violence in the product or service.’.

(c) CIVIL PENALTY- That Act is further amended by inserting after section 10 (15 U.S.C. 1338) the following new section:

‘CIVIL PENALTY

‘SEC. 10A. (a) IN GENERAL- Any person who violates subsection (e) or (f) of section 4A shall be subject to a civil penalty in an amount not to exceed \$10,000 for each such violation.

‘(b) DURATION OF VIOLATION- In the case of an interactive video game product or service, video program product, motion picture product, or sound recording product determined to violate section 4A(e), each day from the date of the commencement of sale or distribution of the product or service, as the case may be, to the date of the determination of the violation shall constitute a separate violation of subsection (a), and all such violations shall be aggregated together for purposes of determining the total liability of the manufacturer or producer of the product or service, as the case may be, for such violations under that subsection.’.

(d) SHORT TITLE OF ACT- The first section of that Act (15 U.S.C. 1331 note) is amended to read as follows: ‘That this Act may be cited as the ‘Federal Cigarette and Media Violence Labeling and Advertising Act’.

END

February 2, 2000

MEMORANDUM FOR HILLARY RODHAM CLINTON

FROM: ANN O'LEARY

CC: MELANNE VERVEER

**SUBJECT: FOLLOW-UP TO SOTU ANNOUNCEMENT ON A VOLUNTARY
UNIFORM RATING SYSTEM**

I understand that Carol Beach is drafting an op-ed on the proposed voluntary uniform rating system. In case you need additional information, I have attached our background memo explaining the progress each industry has made in developing and implementing ratings and the potential impediments to designing a uniform rating system.

Additionally, you should know that since the State of the Union, we have been receiving calls from friends and industry representatives cautioning us on the problems and difficulties to developing and implementing a voluntary uniform rating system. As an example, I have attached a letter from Jim Wall with Christian Century Magazine who serves as the Protestant representative from the National Council of Churches to the MPAA – he states that he does not believe that a uniform rating system is a viable option. In addition, I have attached the news articles from the Washington Post and the Hollywood Reporter outlining the industries' concerns.

In addition to an op-ed, are there other steps you would like to take at this time to move forward with this proposal? Please advise.

Thank you.

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The Hollywood Reporter

January 31, 2000

LENGTH: 535 words

HEADLINE: No industry applause for Clinton's ratings call
He seeks uniform system to protect kids
Jack Valenti response on page 36.

BYLINE: Jill Carroll

BODY:

and Cynthia Littleton

President Clinton's State of the Union call for a uniform ratings system for all children's entertainment met with confusion and dismay by many in the entertainment industry.

Some thought that Clinton's comments were only to boost his wife's campaign for the U.S. Senate in New York. Hillary Rodham Clinton first raised the idea of overhauling the ratings system in a stump speech last month.

The head of the National Association of Broadcasters worries that a new system would confuse parents, the opposite of the result Clinton said he wants. What's more, the V-chip technology installed in new TV sets under the 1996 Telecommunications Act may not be easily adapted to a new coding system, hence the heated debate three years ago over the design of the current TV ratings system.

"With millions of V-chip equipped television sets in the marketplace, it would be unfortunate for parents and families to be asked to adapt to a new system of program guidelines," NAB president and CEO Edward Fritts said in a statement. Hilary Rosen, CEO of the Recording Industry Association of America, went on record last month criticizing the first lady's "one-size-fits-all" approach (HR 12/23).

In his farewell State of the Union address Thursday, Clinton praised the industry for rating TV programs, movies and Internet and video games but said he believes the ratings are too confusing. "I now ask the industry to accept the first lady's challenge to develop a single, voluntary rating system for all children's entertainment, one that is easier for parents to understand and enforce."

MPAA chief Jack Valenti said the president was ill-advised. "Parents like what we're doing, and I don't want to confuse them with something else. If anybody at the White House had done their homework, they wouldn't have done it," he said. "I think the president just got bad information from his staff because it will be impossible to have a uniform rating."

White House aides did give some network lobbyists advance notice that Clinton would raise the uniform ratings proposal in his address. The networks'

Washington reps have been monitoring the FCC for official requests for rule-making or hearings on the matter since the first lady floated the idea last month.

While industry lobbyists were quick to react last week, representatives for the major TV networks declined to comment on the matter Friday in part because any key executives were either ensconced in storm-battered Atlanta for Sunday's Super Bowl game or returning from the NATPE convention in New Orleans.

Privately, some network executives were dismayed to see the content ratings issue stirred up again, as many felt the industry had done its part to implement a detailed system in 1996 and 1997. Moreover, many are skeptical about whether viewers truly pay much attention to the ratings, based on the low volume of feedback that flows into the standards and practices divisions.

"We never hear about these ratings from anyone that isn't part of the cottage industry" of Beltway-based media watchdog/advocacy groups, according to one senior network lobbyist.

Jill Carroll is a reporter for States News Service.

LANGUAGE: ENGLISH

LOAD-DATE: January 31, 2000

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Television Digest

December 27, 1999, Monday

SECTION: THIS WEEK'S NEWS

LENGTH: 393 words

HEADLINE: HILLARY CLINTON PUTS TV VIOLENCE IN SENATE CAMPAIGN

BODY:

N.Y. Democratic Senate candidate Hillary Clinton last week called for uniform rating system for TV, movies, cable and videogames, saying present system is "totally confusing" and parents "need clear guidance and not alphabet soup." Speaking Dec. 21 at youth violence forum in Oyster Bay, N.Y., she condemned "culture of violence" that she said is a part of many forms of entertainment: "In whatever medium it appears, violence is violence." Saying current ratings are "incomprehensible" because of many codes and letters used for TV, movies and videos, Clinton said if she were elected to Senate next Nov. she would push for changes in system.

While proclaiming "I don't favor censorship," she said "I also think that we as adults have the right to say we're not going to buy this [system] and we're not going to let our children watch it... I don't think that a uniform system would be an imposition on anyone or any industry." Dispute over impact of televised violence on children goes back to surgeon general's report in early 1970s, Clinton said, and "there have been now sufficient numbers of psychological research reports that demonstrate that a steady diet of violence does desensitize children."

After much prodding from govt. officials and parental groups, TV and cable industries 2 years ago adopted existing ratings system that's modeled after MPAA ratings. MPAA Pres. Jack Valenti, chmn. of monitoring group that oversees ratings, had no comment on Clinton's comments. Her proposal was attacked by Carolyn Rausch of Interactive Digital Software Assn.: "Consumers are well aware of the existing rating system. Implementing a totally new system, where [parents] have to learn a whole new run of new letters and numbers, will only lead to confusion."

Hilary Rosen, pres. of Recording Industry Assn. of America, said that on labeling issue Clinton "is just plain wrong. A uniform system is unnecessary and unworkable." Rosen said music is different from other forms of entertainment and "a one-size-fits-all approach simply doesn't make sense." She said record industry has had successful system for 15 years to advise parents that "gives them the information to help them make decisions about their children's music." N.Y.C. Mayor Rudolph Giuliani, likely Republican candidate for Senate, had no comment on Clinton's remarks.

LANGUAGE: ENGLISH

LOAD-DATE: December 27, 1999

DATE: FEBRUARY 3, 2000

PAGE 5

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ENTERTAINMENT RATINGS

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January 29, 2000, Saturday, Final Edition

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HEADLINE: Unlettered in Ratings?; Industry Blasts Clinton's Ratings Proposal

BYLINE: Sharon Waxman; Jacqueline Trescott, Washington Post Staff Writers

BODY:

Why fix the ratings on movies, television, music and computer games? They're not broken, insisted entertainment industry leaders yesterday in response to President Clinton's call for a single, voluntary system to replace the current codes.

Hollywood's silver-haired spokesman, Jack Valenti, was first to fire at the White House for being ill-informed and advocating something "impossible" to carry out.

"I promise you--it can't work. It won't work," said Valenti, who heads the Motion Picture Association of America, which created the movie rating system. "The reason is quite simple: We rated 700 movies last year. There are 2,000 hours a day of television--the equivalent of 1,000 motion pictures every day. There's 1,000 video games every year, 7,000 albums and other materials. To have one panel that's going to apply subjective judgments to this is simply an impossible achievement."

In his State of the Union speech on Thursday night, Clinton said the current systems are "too numerous, diverse and confusing to be really useful to parents," and championed a suggestion by first lady Hillary Rodham Clinton to come up with a single system to replace it.

But other entertainment industry representatives agreed with Valenti. "A move to one rating system for mediums whose content is distinctly different will only create confusion, not clarity," said Doug Lowenstein, president of the Interactive Digital Software Association.

"The Clinton administration should spend its resources ensuring that every American, especially parents, know more about the entertainment ratings systems already in place," he continued. "Empowering parents with the knowledge to make choices that are in the best interest of their families is the most constructive way to address this issue."

Edward O. Fritts, president of the National Association of Broadcasters, said it was the wrong time to change the ratings system, now that televisions are finally entering the marketplace with the V-chip, a parental monitoring device.

"It would be unfortunate for parents and families to be asked to adapt to a new system of program guidelines. We worked for two years with the White House, Congress and children's advocacy groups to develop our pro-family rating system," he said. As of this year, every television set sold in the United States with a screen larger than 13 inches has a V-chip.

An official at the Washington office of the Recording Industry of America Association, the music industry lobby, said the group had no comment.

Valenti accused the White House of criticizing the current system without researching whether it works, and without having an alternative in mind. He said the first he'd heard of Clinton's proposal was in a courtesy phone call from the White House at 5 p.m. on the evening of the president's speech.

"No one has been in touch with us," he said. "Where does he get his information that it's confusing? We have a Web site, a fax, an address. A PSA (public service announcement) that says, 'Tell us what you want.' " He added, "If you're going to say something isn't working, you ought to present some evidence other than your own personal opinion as to why it isn't working."

But Valenti himself has come under fire for refusing to explore changes in the 30-year-old movie rating system that critics charge is vague, secretive and often amounts to censorship. And the young television ratings system, adopted in January 1997, is often skewered as irrelevant. The Washington Post, among many other newspapers, does not publish them in its daily television chart.

A spokeswoman for Hillary Clinton said neither the president nor the first lady is an expert in the ratings issue, and said they want to leave it in the hands of the respective industries.

"They are aware there are people who feel it would be difficult to do that," said Lissa Muscatine in Hillary Clinton's office. "Mrs. Clinton's point is that parents are having a hard time with the ratings system as it currently exists. We should find a way to make it easier. In her view the people in the industry should figure this out without interference from the federal government."

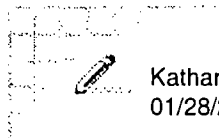
She said Valenti had met with Clinton's domestic policy adviser Bruce Reed in the past six months to explore this idea, though Valenti said otherwise.

The Interactive Digital Software Association, which represents Disney Interactive, Nintendo of America, Sega of America, Dreamcast Inc. and the other creators of video and computer games, has its own ratings board. The manufacturers stamp each of its computer games with a simple lettered guide that shows whether the content is suitable for a young user or adults only.

The television ratings--in which producers rate their own programs--has been used by 54 percent of parents who responded to a Kaiser Family Foundation study. "Every poll shows that the parental guidelines are being used. We're willing to discuss proposals that help empower parents and viewers, but why turn back the clock on a system that is working?" said the NAB's Fritts.

LANGUAGE: ENGLISH

LOAD-DATE: January 29, 2000



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Maureen T. Shea
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Could you pls. get this to the right policy person - Jim is terrific so I would consider his comments seriously.
Thanks.

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JimWal165@aol.com
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Record Type: Record

To: Maureen T. Shea/WHO/EOP
cc:
Subject: Personal note to Maureen from Jim Wall

Maureen Shea
The White House

Dear Maureen:

The President made a brief comment in his address on television ratings. He

said the First Lady was speaking in favor of a common rating for all entertainment media. I haven't seen her proposal but as the Protestant representative (from the National Council of Churches) to the MPAA, I must quickly urge you to be careful in this area. Think delivery system. The motion picture rating system is a long process, involving the film makers and the ratings board which administers a panel of parents that works full time on the assignment of rating around 600 films a year. Television is a vastly different delivery system. Count the number of channels and multiply that by 24 hours a day and you see how impossible it would be to apply the MPAA ratings to television. In addition, the National Association of Theater Owners is responsible for enforcing the movie rating system at the box office. Television does not have that box office barrier. The two systems are totally different.

Could you convey my concern to someone in the First Lady's office and tell them that the people in the various entertainment industries know full well that a common system is an impossibility? I would hate for her and for the President to continue to speak as though that were a viable option.

best regards,

Jim Wall, Christian Century magazine

January 6, 2000

MEMORANDUM FOR HILLARY RODHAM CLINTON

FROM: ANN O'LEARY
RUBY SHAMIR

CC: MELANNE VERVEER

SUBJECT: MEDIA RATINGS SYSTEMS

The purpose of this memo is to update you on the President's challenges to the media industry to improve its ratings systems and to lay out some of the policy implications of implementing a uniform ratings system for media and entertainment. To provide you with a reminder of the various ratings systems, we have attached a copy of the memo to the President prepared by Neera Tanden explaining the different ratings systems for the various media and entertainment industries.

As you have pointed out, the main problems with the various ratings systems are that there are far too many ratings each based on different criteria, parents are not given good information on how to best use the ratings in many of the industries, and many of the ratings systems are not being adequately enforced. In order to address some of these concerns, the President has issued a number of challenges to the various industries. By and large, the industries have been working hard to meet those challenges, and should be applauded for their efforts. These various efforts, however, have not been aligned in order to develop one comprehensive system that would be easy for parents to understand and could be more easily enforced. As you recently noted, the industries need to be pushed further to work toward an easily understandable and enforceable system.

In order to move forward on this agenda, we agree that you should meet with industry representatives in order to hear about their progress thus far, to better understand the reasoning behind each system, and to brainstorm with the industry about a uniform system, but also to hear ideas from them on other ways in which the ratings systems could be simplified for parents and could be more readily enforced.

Action Taken on the President's Challenges

Below, we have outlined the President's challenges and the progress the industry has made to meet those challenges. As you will see, there are potential impediments to developing a uniform ratings system.

FTC Report: As you know, the President called for the Federal Trade Commission (FTC) and the Justice Department to jointly study the marketing of violence to children and, specifically, to evaluate the various rating systems. The FTC report will also evaluate the issue of enforceability of movie ratings. The FTC plans to complete the report by the fall of 2000.

Movies: The President made a number of challenges to the motion picture industry. First, he challenged theater and video store owners to enforce more strictly the ratings systems on the movies they show, rent, and sell – a challenge that the theater owners accepted. The National Association of Theater Owners (NATO) accepted this challenge and has been working to promote enforcement of the ratings by disseminating information to its members on the importance of checking ID's, and contacting sellers or theaters when informed of a break with policy. NATO has had on-going consultations with educational associations such as the PTA to develop ways to better educate parents. Although it is not yet public, NATO and the Motion Picture Association of America (MPAA) plan to release a new program which will include on all movie advertisements and posters both the rating, as well as movie-specific content information for each individual movie advertised.

Additionally, the President has challenged the whole industry to stop showing guns in any ads or previews children might see, and in response the MPAA has since implemented a policy of heightened scrutiny on movie advertisements.

Finally, the President challenged the movie industry to reevaluate its entire ratings systems, especially the PG rating, to determine whether it is allowing too much gratuitous violence in movies approved for viewing by children. At this point, we are not sure how far the industry has come to meet this challenge, but the FTC is including an evaluation of the movie industry ratings system in its report.

Television: The major push in the television industry has been to protect children from programming that their parents believe is inappropriate. In order to accomplish this goal, the President fought for legislation that requires the V-Chip to be installed in all new television sets sold beginning January 1, 2000. This goal was accomplished on time so that all televisions now on the market are installed with the V-Chip. The technology of the V-Chip is based on the television ratings system already developed and currently in use by the television industry. V-Chip is technology built into a TV set that "reads" the rating for a particular TV program and is used by parents to block out programs with these ratings. Currently, all programs on the broadcast networks are rated and encoded for V-Chip use (TV7, TV14, etc.), and all the networks, excluding NBC, use content descriptions in their ratings as well (S,V,L, etc.). Additionally, all cable channels, excluding the Black Entertainment Network (BET), encode their programming with the V-Chip ratings.

In order to promote awareness and give parents tools they need to effectively use the V-Chip, the President called for two new initiatives to make sure the V-Chip becomes a useful tool for parents. The first was the establishment of a V-Chip Task Force to ensure that the V-Chip law is implemented effectively. The FCC established the task force to ensure the V-Chip requirement is enforced; promote parental awareness about the V-Chip; encourage adoption of a standard label identifying television sets that contain the V-Chip; study the use of the V-Chip; and

evaluate the effectiveness of the industry's ratings system. The President also announced a major public awareness campaign about the V-Chip. Since the announcement, all four major networks have agreed to run PSAs on the V-Chip and the Kaiser Family Foundation in partnership with the Center for Media Education have produced a free booklet for parents on how the V-Chip works (please find copy of booklet attached).

One potential impediment to developing one uniform rating system is that the V-Chip has been programmed to read the ratings developed by the television industry. These ratings are based on age-appropriateness, as well as whether a program contains violence, sexual content, or explicit language. While the ratings offer a solid indicator on the age appropriateness and general content of the programming, some in the field have criticized these ratings for not being rigorous or substantive enough. If one uniform system was developed, the V-Chip would need to be reprogrammed to align with the new system or the entire system would need to be aligned with the television ratings.

Interactive Electronic Games: The President has also challenged the video game industry to widely inform the public of their ratings and enforce the ratings at the point of sale. In 1994, the Interactive Digital Software Association (IDSA) established an independent board, the Entertainment Software Ratings Board (ESRB) to develop and implement ratings for computer software. These ratings provide the most extensive and comprehensive ratings of any in the system and have been applauded by Senator Lieberman for their comprehensive nature. Recently, the IDSA accepted the President's challenge and worked with ESRB to set tough standards in advertising to ensure that video game software makers are providing appropriate, responsible, truthful, and accurate advertising.

The industry also has developed guides for parents to be able to more effectively use the ratings on video games and has distributed these guides at the counter of video game stores over the holiday season. And, the industry has created a point-of-sale system to remind clerks to ask for identification from buyers to ensure that stores are not selling adult-rated games to minors.

If a uniform ratings system were developed, the IDSA would most likely work very hard to ensure that the standards were as tough as those already developed. The most significant problem in this industry is that the ratings are confusing and not easy for parents to understand, and the industry has been criticized for not enforcing the ratings. They are, however, working to address both of these issues.

Internet: The Administration has been actively working to encourage the Internet industry to self-regulate and to help give parents the tools they need to protect their children from inappropriate material. As a result of the call to action that you and the President issued last May, the Administration has worked with the Internet industry to encourage the 25 largest Internet providers to develop a comprehensive resource for parents. These companies developed "getnetwise" – a one-stop site where parents and teachers can learn how to provide kids with a safe, educational, and entertaining and age-appropriate online experience. Through this web site, parents can access more than 80 technologies that allow them to monitor the amount of time their child spends on the Internet, and provide them with tools to block inappropriate information, as

well as links to report troubling or illegal material. Both the Internet industry and parent advocacy groups have been very supportive of this work.

A number of large companies on the Internet have begun to use the ratings system for their products with little prodding. One example is America On-Line which recently announced that it will require all games played on the AOL service to be rated by the Entertainment Software Rating Board (ESRB), and will work with others in the industry to press for wide adoption of game ratings across the Internet. Games which are rated adults-only or which are not rated will not be available for play on the AOL service. Beyond.com, CNET and eToys joined AOL in this announcement and have agreed that any games in their inventory which have been rated by the ESRB will have their ESRB rating prominently displayed wherever they are sold. Additionally, Amazon.com uses ratings on the music, DVDs and games sold on its web site.

Legislative Action

In June of 1999, Senators McCain and Lieberman introduced the "Media Violence Labeling Act of 1999," which calls for a consistent and comprehensive system for labeling violent content in audio and visual media products (including the labeling of products in advertising and marketing). The bill calls for the various industries to come together and voluntarily submit a joint proposal to the FTC for consideration.

THE WHITE HOUSE
Office of the Press Secretary

For Immediate Release

June 1, 1999

REMARKS BY MRS. CLINTON
ON CHILDREN, VIOLENCE AND MARKETING

The Rose Garden

11:46 A.M. EDT

MRS. CLINTON: Good morning, and please be seated, and thank you for joining us today in the Rose Garden as we continue a national conversation about how to address the problems of youth violence in our communities and schools.

I want to thank everyone for coming this morning, and I'd like to acknowledge Congresswoman Sheila Jackson Lee, Mayor Deedee Corradini, Mayor Timothy Kaine, and County Executives Wayne Curry and Charles Ruppertsburger. In addition to the Chairman of the FTC, whom you will hear from in a minute, Robert Pitofsky, we also have Commissioner Sheila Anthony and Commissioner Mozelle Thompson. I'm also pleased that Pamela Eakes, who led the very innovative group, Mothers Against Violence in America, has worked with us on this event as she has on past events that are also part of our efforts to try to create ways in which every American can take his or her part in doing whatever we can against youth violence.

As a nation, we've reacted to the shootings at Columbine High School like almost no other event I can remember in recent memory. It has literally pierced the heart of America. Yet, in my conversations with young people and parents over the past few weeks, I've heard less talk about people feeling helpless or hopeless and more about a growing consensus that finger-pointing doesn't lead to solutions and that we have to move forward together to take steps to end the violence, not only in our schools, but in our broader community. And that it is time—some might say past time—that we all play a role in making a positive difference in the lives of our children.

I want to thank the Attorney General and the Chair of the FTC for joining us today, as well as the many parents, educators, religious leaders, members of the media and students who are here as well. I'm pleased that we will be hearing from a 4th grader this morning who will tell us how he became part of the solution in his home state of Washington.

I think all of us recognize that there is no single answer or solution to the problem of violence in our society, but that we must move on many fronts—from passing common-sense gun control efforts to helping parents understand better how to exercise authority over the media that their children are exposed to, and enabling more parents to spend more time with their own children.

We've come together to talk about some of the ways we can begin to reverse the culture of violence that is engulfing American children every day, particularly the role that the media plays in shaping the lives and values of our children and young people.

In 1972, a Surgeon General report said, and I quote: "We know that children imitate and learn from everything they see—parents, fellow children, school, the media. It would be extraordinary, indeed, if they did not imitate and learn from what they see on television."

The report went on to say that violence on television causes children either to mimic directly the actions they see or to act generally in a more aggressive way. Yet, today, more than 25 years after this report was written, our culture is even more saturated with TV programs, movies and songs that romanticize and glorify violence. What kind of values are we promoting when a child can walk into a store and find video games where you win based on how many people you can kill or how many places you can blow up.

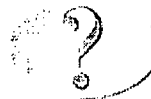
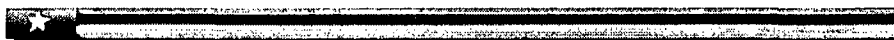
We can no longer ignore the well-documented connection between violence in the media and the effects that it has on children's behavior. One study has found, for example, that if an actor is rewarded for violent behavior, children are more likely to imitate it. Another tells us that media violence has a particularly negative effect on children who already have a tendency toward aggressive or antisocial behavior.

According to the American Psychiatric Association, viewers of violence not only become desensitized and fearful, they begin to identify with an aggressive solution to their own personal problems. America's culture of violence is having a profound effect on our children, and we have to resolve to do all we can to change that culture.

One of the ways we can do that is to give parents the tools they need to control what their own children are exposed to. And we've already moved forward in that direction. Today's announcement is another important step in the fight against violence. We know there is a lot of work to be done. But I'm encouraged that so many leaders and citizens are coming together and talking honestly not only about the challenges we face, but what we have to do, together, to meet those challenges.

I'm particularly heartened that as a result of the meeting the President convened at the White House a few weeks ago, there was general agreement from a broad cross-section of Americans that we would launch a national grass roots campaign to prevent youth violence. We would model the campaign on successful national efforts like Mothers Against Drunk Driving, which showed us that we can change the culture when enough people from all walks of life say enough is enough. So I look forward to seeing everyone working together on this new nationwide effort to prevent youth violence.

Now, I'd like to introduce someone who cares deeply about the future of our children and who has fought tirelessly to create safe schools and communities. Our Attorney General, Janet Reno. (Applause.)



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June 4, 1999

Lieberman to Introduce New Bill Requiring Standard Warning Labels for Media Violence

WASHINGTON -- Senator Joe Lieberman announced today that he will join Senator John McCain (R-AZ) in introducing legislation next week to create a uniform rating system for all entertainment media violence. The "21st Century Media Responsibility Act" amends the Cigarette Labeling and Advertising Act to apply that law's warning label requirements to violent media products.

"This is a common-sense, forward-looking response to the growing culture of violence surrounding America's children," Lieberman said. "It won't singlehandedly stop media standards from falling, or substitute for industry self-restraint. But it will help make ratings a more useful tool for parents who want to shield their kids from potentially harmful entertainment products -- particularly in the years ahead, as technologies converge and the bulk of our entertainment will be delivered through a single wire into the home. We're about to enter a radically different media universe, and it only makes sense to modernize the ratings concept to fit the new contours of the Information Age."

The McCain-Lieberman bill would give the various entertainment media industries six months to work together to develop a common rating system for motion pictures, television programs, interactive video games, and recorded music. The standard warning labels would have to reflect the nature, context, intensity of violent content, and age appropriateness of the media product. Retail outlets would be responsible for enforcing age restrictions in accordance with the new system.

The Federal Trade Commission would be given the authority to accept, reject, or modify the proposed industry rating system to reflect the intent of the law. To gain approval, the warning labels would have to include symbols, or icons, and written text, and accurately reflect the violent content, and age appropriateness of the product. Labels would have to be identical, regardless of product or service, and be conspicuously displayed. Responsibility for labeling would be placed on the manufacturer of the media product and enforced by the FTC.

This proposal is the latest in a series of initiatives Lieberman has pushed in recent weeks to *reduce the threat of media violence to children*. Last month, he cosponsored legislation that calls for a Federal investigation of the entertainment industry's marketing practices to determine to what extent that ultraviolent, adult-rated products are being targeted to kids. The bill would also encourage the various entertainment media to adopt stronger codes of conduct to help limit the access of children to potentially harmful products. The Senate unanimously approved this package as an amendment to the recently-passed juvenile justice bill, and it now awaits action by the House of Representatives.

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✓ Senator Lieberman
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Spone & Dan Gerskin 3:00pm

Movies

✓ Jack Valenti, MPAA
202/293-1966

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Records

✓ ✓ Hillary Rosen, Recording Industry
202/775-0101

President & CEO of Telephony Industry
Assoc / America

Computer Software

✓ Doug Lowenstein, President of the Interactive Digital Software Association (IDSA)
202/833-4372

7:00pm - 8:00pm - 833-4372

Television

Eddie Fritts, President and CEO, National Association of Broadcasters

Main Line: 202/429.5300

Direct Line: 202/429.5444

11:00am - 12:00pm - 429-5444

Robert Saks, President, National Cable Television Association

Main Line: 202--775--3669

377-1010

TV Networks

✓ - Les Monves, President and CEO of CBS
323-575-2345

Suzanne Fickinger
Marty Finkler

3:00pm

Spone Assistant

✓ - Bob Eiger - ABC/Disney
212-456-7777

202-457-4501

212-975-5245

LLM

TV Studios

- Matt Gerson - Universal

- Tim Boggs - Time Warner

Connie

Spone / We
3:00pm

Sumner Redstone with Viacom

Parent Advocate

LM Pam Eakes, Mothers Against Violence in America

206-323-2254 (w)

206-679-5095 (cell)

425-254-8873 (home)

LM

3:00pm

Put out V-Chip guide for Parents and produced PSAs for Parents:

[Drew Altman, President and CEO, Kaiser Family Foundation
Main Line: 650/854-9400

Kathryn Montgomery, President, Center for Media Education
202/331-7841

TALKING POINTS ON VOLUNTARY UNIFORM RATING SYSTEM
FOR THE MEDIA AND ENTERTAINMENT INDUSTRY

- The President plans to applaud the television, computer software, and internet industries for joining the movie industry in developing rating systems for parents. And, he will applaud the work that all industries have done to begin to more effectively enforce these systems.
- He will then call on the industry to do more by challenging them to work together to develop one voluntary uniform rating system that could be used by the entire industry.
- The President and the First Lady will work with the industry to push them to develop this system in order to make the ratings more accessible and understandable for parents.
- The President and First Lady believe strongly that the uniform system should be developed voluntarily by the industries not by the Federal government.

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Newsbytes

September 3, 1999, Friday
Correction Appended

LENGTH: 956 words

HEADLINE: Upcoming Munich Conference Worries Privacy Advocates

BYLINE: Robert MacMillan;Newsbytes

DATELINE: WASHINGTON, DC, U.S.A.

BODY:

Online free-speech groups say they are worried about an upcoming conference of Internet industry heavyweights that could result in an international ratings standards code that could lead to government censorship.

As Newsbytes reported in May, the Internet Content Rating Association(ICRA) was formed by a group of mostly big-time industry players bent on developing its own regulations to avoid the potential government regulation of Internet content.

The association has planned a meeting in Munich, Germany, from Sept. 9 to Sept. 11, at which it will hear two conflicting proposals for a worldwide ratings system, one of which features input from former White House Special Policy Adviser Ira C. Magaziner and Internet Corporation for Assigned Names and Numbers (ICANN) Interim Chairwoman Esther Dyson.

ICRA Executive Director Stephen Balkam told Newsbytes that the idea of establishing an international ratings system certainly will not please everyone.

ICRA Executive Director Stephen Balkam told Newsbytes that the idea of establishing an international ratings system certainly will not please everyone.

The Bertelsmann Foundation-sponsored plan that will come up next week was developed by an "expert network," and drafted mainly by Yale Law School professor Jack Balkin. It calls for the ratings system, Website conduct codes and about 10 other points. It will go up against a program sponsored by the Internet Content Rating for Europe (INCORE) proposal, which contains some difference that reflect the European Union's own involvement in the online content debate.

"I think that there have been some within certain organizations who have always viewed this as a potential threat for government censorship," Balkam said. "Yes...governments can do all kinds of things to their people, but we should remain vigilant in everything from ratings systems to the electric chair."

ICRA, which has absorbed the US-based ratings group the Recreational Software Advisory Council, supports the use of Internet filtering to keep children away from harmful content online, but does not necessarily support governmental imposition of these systems.

Newsbytes September 3, 1999, FridayCorrection Appended

"We do support filtering because we are a rating and filtering service, but our second mission is to protect free speech because we see our efforts as discouraging governments from creating legislation," Balkam said. "Everything to do with policy on the Internet is a tricky balance."

According to David Sobel of the Electronic Privacy Information Center (EPIC), however, a system of international content regulations leads one step closer to governments requiring the use of such a system for the Internet community.

"It is being put forward as a means of self-regulation and a way to ward off government regulation, but I think there's a very strong and obvious possibility that governments are going to consider mandating the use of such a system," Sobel said.

Sobel and Balkam both confirmed that they held a dinner meeting to discuss EPIC's concerns, but Sobel did not characterize it as a great step toward progress.

Bruce Taylor, president and chief counsel for the conservative group National Law Center for Children and Families - which supports the Child Online Protection Act (COPA) - said that the meeting likely would produce few valuable results because of groups like EPIC and the Electronic Frontier Foundation's objections to what they perceive as free speech restrictions.

"It's like (Center for Democracy and Technology President) Jerry Berman blasting (AT&T Corp. Chairman) Mike Armstrong because he voiced objection to the amount of violence, pornography and hate speech on the Internet," Taylor said. "They'll throw an industry wet blanket on anyone who wants to take responsible measures to use this technology."

Whether industry will try to subvert the system is unclear, but judging by the list of ICRA founding members - AOL Europe, Bertelsmann Foundation, British Telecom, Demon Internet (UK), EuroISPA, IBM, Internet Watch Foundation, Microsoft, Software & Information Industry Association, and T-Online Germany - there may be more support for the system than initially anticipated.

Nevertheless, some media outlets and other companies have indicated that they would not support a uniform ratings system.

Much of the furor and renewed interest in a ratings system came in the wake of the murder rampage at Columbine High School in Littleton, Colo., the latest and most bloody in a more than year-long string of school shootings.

Vice President Al Gore summoned a group of industry executives to develop some ideas toward an Internet ratings system, and several legislators on Capitol Hill - notably presidential candidate Sen. John McCain, R-Ariz., and Sen. Kent Conrad, D-N.Y., have proposed other types of content alerts for a variety of media.

President Clinton also has called for "Hollywood" to get together and try to settle on a code of conduct for its content, while Republican Congress members have built similar legislation into juvenile crime bills.

With fears that the government would ~~stray too far~~ into censorship territory, some industry leaders have started GetNetWise.org, which offers a one-stop

resource for parent- and guardian-controlled filter technology.

Sobel said that "to the extent that it focuses on education, it's great, but...there's a little too much emphasis on filtering."

"It's hard for people to say this, but this really comes down to a matter of parents being involved," he said. "To popularize the idea that all you need to do is spend \$ 30 and buy the software program... is irresponsible."

Reported by Newsbytes.com, <http://www.newsbytes.com> .

The Bertelsmann Foundation-sponsored plan that will come up next week was developed by an "expert network," including Magaziner and Dyson, and drafted mainly by Yale Law School professor Jack Balkin. It calls for the ratings system, Website conduct codes and about 10 other points. It will go up against a program sponsored by the Internet Content Rating for Europe (INCORE) proposal, which contains some difference that reflect the European Union's own involvement in the online content debate.

"I think that there have been some within certain organizations who have always viewed this as a potential threat for government censorship," Balkam said. "Yes...governments can do all kinds of things to their people, but we should remain vigilant in everything from ratings systems to the electric chair."

ICRA, which has absorbed the US-based ratings group the Recreational Software Advisory Council, supports the use of Internet filtering to keep children away from harmful content online, but does not necessarily support governmental imposition of these systems.

"We do support filtering because we are a rating and filtering service, but our second mission is to protect free speech because we see our efforts as discouraging governments from creating legislation," Balkam said. "Everything to do with policy on the Internet is a tricky balance."

According to David Sobel of the Electronic Privacy Information Center (EPIC), however, a system of international content regulations leads one step closer to governments requiring the use of such a system for the Internet community.

"It is being put forward as a means of self-regulation and a way to ward off government regulation, but I think there's a very strong and obvious possibility that governments are going to consider mandating the use of such a system," Sobel said.

Sobel and Balkam both confirmed that they held a dinner meeting to discuss EPIC's concerns, but Sobel did not characterize it as a great step toward progress.

Bruce Taylor, president and chief counsel for the conservative group National Law Center for Children and Families - which supports the Child Online Protection Act (COPA) - said that the meeting likely would produce few valuable results because of groups like EPIC and the Electronic Frontier Foundation's objections to what they perceive as free speech restrictions.

Newsbytes September 3, 1999, FridayCorrection Appended

"It's like (Center for Democracy and Technology President) Jerry Berman blasting (AT&T Corp. Chairman) Mike Armstrong because he voiced objection to the amount of violence, pornography and hate speech on the Internet," Taylor said. "They'll throw an industry wet blanket on anyone who wants to take responsible measures to use this technology."

Whether industry will try to subvert the system is unclear, but judging by the list of ICRA founding members - AOL Europe, Bertelsmann Foundation, British Telecom, Demon Internet (UK), EuroISPA, IBM, Internet Watch Foundation, Microsoft, Software & Information Industry Association, and T-Online Germany - there may be more support for the system than initially anticipated.

Nevertheless, some media outlets and other companies have indicated that they would not support a uniform ratings system.

Much of the furor and renewed interest in a ratings system came in the wake of the murder rampage at Columbine High School in Littleton, Colo., the latest and most bloody in a more than year- long string of school shootings.

Vice President Al Gore summoned a group of industry executives to develop some ideas toward an Internet ratings system, and several legislators on Capitol Hill - notably presidential candidate Sen. John McCain, R-Ariz., and Sen. Kent Conrad, D-N.Y., have proposed other types of content alerts for a variety of media.

President Clinton also has called for "Hollywood" to get together and try to settle on a code of conduct for its content, while Republican Congress members have built similar legislation into juvenile crime bills.

With fears that the government would stray too far into censorship territory, some industry leaders have started GetNetWise.org, which offers a one-stop resource for parent- and guardian-controlled filter technology.

Sobel said that "to the extent that it focuses on education, it's great, but...there's a little too much emphasis on filtering."

"It's hard for people to say this, but this really comes down to a matter of parents being involved," he said. "To popularize the idea that all you need to do is spend \$ 30 and buy the software program... is irresponsible."

Reported by Newsbytes.com, <http://www.newsbytes.com> .

13:15 CST Reposted 14:05 CST

(19990903/WIRES ONLINE, LEGAL, BUSINESS/PRIVACY/PHOTO)

CORRECTION-DATE: September 6, 1999

CORRECTION:

(Note: Corrects information on the Bertelsmann expert network). Online free-speech groups say they are worried about an upcoming conference of Internet industry heavyweights that could result in an international ratings standards code that could lead to government censorship.

Newsbytes September 3, 1999, FridayCorrection Appended

As Newsbytes reported in May, the Internet Content Rating Association(ICRA) was formed by a group of mostly big-time industry players bent on developing its own regulations to avoid the potential government regulation of Internet content.

The association has planned a meeting in Munich, Germany, from Sept. 9 to Sept. 11, at which it will hear two conflicting proposals for a worldwide ratings system, one of which features input from former White House Special Policy Adviser Ira C. Magaziner and Internet Corporation for Assigned Names and Numbers (ICANN) Interim Chairwoman Esther Dyson.

LANGUAGE: ENGLISH

TYPE: NEWS

LOAD-DATE: September 3, 1999

26TH STORY of Level 1 printed in FULL format.

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The Hollywood Reporter

August 06, 1999

LENGTH: 493 words

HEADLINE: Hatch: Force
adult ads out of kids' view

BYLINE: Brooks Boliek

DATELINE: WASHINGTON

BODY:

GOP Sen. Orrin Hatch wants to ban commercials of movies, television programs, video games and music created for adults from the airwaves during times when children are likely to see or hear them as a way of protecting kids from the pernicious influences of the media.

Hatch's call for the advertising ban is included in a report by his committee that examined the impact of the media following the Columbine High School massacre. The Utah senator, chairman of the Senate Judiciary Committee and a candidate for the Republican presidential nomination, pushed the report's recommendations in a speech on the Senate floor on Thursday.

"Our children's lives are dominated by the media," Hatch said. "As any parent can attest, kids spend an enormous amount of time watching television and motion pictures, listening to music, playing video games and to an increasing degree surfing the Internet."

Hatch thinks that time spent with the media is contributing to violent behavior in children and wants to get media companies to tone it down.

"The report confirms what most of us have suspected for some time: this pervasive media violence leads to real-world violence," he said. "Exposure to media portrayals of violence increases aggressive behavior in children. As one expert put it, arguing against the link between media violence and the violent actions of youth is 'like arguing against gravity.' "

The report claims that Americans have become increasingly concerned about the impact of advertising on children, particularly alcohol and tobacco companies targeting youth with adult products. To guard against this, advertising restrictions have been enacted or, in some cases, negotiated with the appropriate industry. The report contends that this ban should be extended to entertainment products.

"Similar action would appear to be justified for media products that glorify or gratuitously depict violence," the report states. "Sadly, in the words of University of Virginia professor Dewey Cornell, 'We protect adults from consumer fraud and deceptive advertising better than we protect our children from these salesmen of hate and violence.' "

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Hatch committee
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The Hollywood Reporter, August 06, 1999

It also suggests that advertising for movies, music, TV shows and video games designed for adults should be banned from publications designed for children.

Along with banning advertising for adult products, the report recommends:

Congress enact a limited antitrust exemption enabling the entertainment industries to enforce their ratings systems;

The starting of a national media campaign to educate parents about the different ratings and the V-chip program blocking device;

Encouraging the various segments of the entertainment industry to develop a uniform ratings system;

Establishing a biannual "report card" prepared by the Federal Trade Commission that details the prevalence of violence in the media;

Ensuring that parents have access to filtering technology for the Internet.

LANGUAGE: ENGLISH

LOAD-DATE: August 06, 1999

34TH STORY of Level 1 printed in FULL format.

Copyright 1999 Crain Communications Inc.
Electronic Media

June 07, 1999

SECTION: News; Pg. 1

LENGTH: 661 words

HEADLINE: LEADERS PEN SINGLE VIOLENCE GUIDE

BYLINE: DAVID HATCH, Staff Reporter

BODY:

Washington

Two powerful lawmakers on Friday said they'll offer legislation this week that requires the entertainment industry to use a uniform ratings system for violent content.

The one-size-fits-all scheme would be adopted by TV, movies, video games, music and the Internet. It would replace any ratings systems or icons that now alert viewers to violent material.

It's sponsored by Republican presidential contender Sen. John McCain, R-Ariz., who heads up the Senate Commerce Committee, and Sen. Joe Lieberman, D-Conn.

Ratings or icons, warning of sexual content or graphic language, could be used as add-ons to the new ratings but are not required by the bill.

Dan Gerstein, press secretary to Sen. Lieberman, said the bill requires the new ratings to feature symbols or icons and content descriptions.

The minimum age allowable for viewing must also be included. The ratings must be prominently displayed on the screen or box, and in the case of programming, the ratings must be in both audio and visual form. They would have to appear on screen for at least five seconds.

The legislation -- which amounts to a radical overhaul of widely accepted ratings systems -- is part of the continuing congressional fallout from the recent school shootings.

Both lawmakers backed other proposals in recent weeks that aim to curb media violence, including the creation of a national commission on youth violence.

Sen. McCain formally announced plans for the bill Friday at two separate Hollywood gatherings of programming industry executives, said Howard Opinsky, press secretary for McCain 2000.

The bill appears to be a move of political oneupmanship for the lawmakers, who unveiled their plans only days after President Bill Clinton held a White House press conference urging new restrictions on video game manufacturers.

Electronic Media June 07, 1999

The president was criticized in some circles for taking video game manufacturers to task while failing to single out other media industries.

"Parents are confused by the myriad of different ratings. One way to help parents is to provide consistent and clear information about what their children are purchasing," said Sen. McCain.

"With digital convergence, all of these products will increasingly be advertised and distributed over the Internet. We must implement a standardized, information-based labeling system that will be an easy, useful tool for parents in the digital age."

Added Sen. Lieberman: "We're about to enter a radically different media universe and it only makes sense to modernize the ratings concept to fit the new contours of the Information Age."

The legislation gives the entertainment industry six months to create a universal ratings system that would be subject to approval by the Federal Trade Commission.

"These labels must reflect the nature, context, intensity of violent content and age appropriateness of the media product," the lawmakers said in a statement.

In a move that effectively puts the entertainment industry on a par with cigarette manufacturers, the bill requires the FTC to expand the Federal Cigarette Labeling and Advertising Act so it encompasses the labeling of violent content. The law would become the Federal Cigarette and Media Violence Labeling and Advertising Act.

The McCain-Lieberman bill also waives antitrust laws so the various industries can work together on a new ratings standard.

To enforce the new ratings, the lawmakers would ban the domestic sale or commercial distribution of unlabeled media products after one year. Retailers would be fined up to \$10,000 each for failing to enforce the ratings and manufacturers and producers would face fines up to \$10,000 a day for any products that reach the market without labels.

The ~~National Cable Television Association~~ and ~~National Association of Broadcasters~~ said they were reviewing the proposal. The Motion Picture Association of America could not be reached for comment.

LANGUAGE: ENGLISH

LOAD-DATE: June 07, 1999

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June 9, 1999

SECTION: No. 110, Vol. 6; Pg. NA

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LENGTH: 361 words

HEADLINE: Senators Propose Common Entertainment Ratings System.

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BODY:

In what could be a milestone in the history of the entertainment industry, Sens. Joseph Lieberman (D-Conn.) and John McCain (R-Ariz.) will introduce legislation this week to create a uniform media rating system.

Under the proposed legislation, entertainment media industries would have six months to develop an across-the-board rating system for video games, television and music. The warning labels would have to reflect the nature, context, intensity of violent content and age appropriateness of the media product, Sen. Lieberman's office says. The Federal Trade Commission (FTC), the office says, would be given the authority to accept, reject, or modify the proposed industry rating system. Once implemented, each media product would carry warning labels similar to those found on cigarette packaging.

The bill will help make ratings a more useful tool for parents who want to shield their kids from potentially harmful entertainment products, Lieberman said in a statement.

It's not clear to what extent the Entertainment Software Ratings Board (ESRB) ratings currently used by game publishers will influence an eventual cross-media system, but key Senators, including Lieberman, are known to admire the ESRB's ratings structure. "Lieberman has always thought [ESRB was] the most comprehensive ratings system in the country," ESRB Executive Director Arthur Pober tells mmWire. "If anything we're the model" for how a ratings system should be constructed, he says.

With that in mind, could the ESRB model be adopted by the other entertainment industries? Pober declines comment.

Separately, Rep. Henry Hyde (R-Ill) proposed legislation that would restrict youth access to video games, movies and other media containing violent and sexually explicit material, the Associated Press (AP) reports. "The First Amendment is not absolute and does not protect obscenity," Hyde stated in a

summary of the proposal.

In related news, President Clinton won pledges from thousands of movie theaters that they will check the identification of younger patrons seeking admission to R-rated movies, AP reports. (ESRB, Arthur Pober, 212/759-0700)

LANGUAGE: ENGLISH

IAC-CREATE-DATE: June 21, 1999

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National Public Radio (NPR)

SHOW: TALK OF THE NATION (2:00 PM ET)

May 19, 1999, Wednesday

LENGTH: 7294 words

HEADLINE: WHETHER THE VIDEO-GAME INDUSTRY IS RESPONSIBLE FOR THE LATEST RASH OF SCHOOL SHOOTINGS AND TEEN VIOLENCE

ANCHORS: RAY SUAREZ

REPORTERS: JOHN MCCHESENEY

BODY:

RAY SUAREZ, host:

This is TALK OF THE NATION. I'm Ray Suarez.

The world of video games has gotten a lot of attention lately, as a swirling maelstrom of arguments and counterarguments followed the Littleton killings. But Starkweather and Whitman didn't need video games to fuel their murderous rampages. The growing ease of access, the rapidly advancing technological sophistication and the graphic violence now available through your computer screen has sharpened interest in what effect, if any, playing games has on a person's behavior.

Earlier in May, as commentators were dissecting the Littleton killers and their influences, the computer game industry met at the Los Angeles Convention Center.

(Soundbite of video game sounds; conversation)

Unidentified Computer Voice: Until then, G police must keep this escalating gang situation under control.

(Soundbite of music; video game sounds)

SUAREZ: NPR's John McChesney covered the industry meeting and found the increasing scrutiny was on a lot of people's minds. John.

JOHN MCCHESENEY reporting:

It was. In fact, Ray, the keynote speaker spoke at length about the overhang--the cloud hanging over the convention because of Littleton. And Doug Lowenstein, who's the head of the association that owns the show, also spoke extensively to the press about it. It wouldn't have been on their minds.

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What would have been on their minds had Littleton not happened would have been the tremendous success of this industry. It is now expected this year to outstrip the movie industry in revenue. It's just shy of the \$ 6.9 billion last year that the film industry made, and this year it's expected to exceed it. This was a huge show, just filled the Los Angeles Convention Center; three very large halls, 400 exhibitors, 2,000 new games. It's a very big industry, and it's grown in the last four or five years just immensely. I can't believe how small it was four years ago and how big it today. And it's a still very young industry. God knows who big it's going to get, you know, over the next 10 years with the Internet, which in a way...

SUAREZ: I think that there are a couple of ways of looking at this growth. I guess if you look at the raw number of titles and the overall number of games available, first-person shooter games, where you, the player, are the trigger man, are only a small minority of the biggest games. But then when you look at a show like this, it's the violence, high-adventure, high-tension, hair-trigger response sort of games that are the ones that get the ink, get the attention and the huge revenues.

McCHESNEY: And they do get a huge revenue. They sell very well. As you say, they're called first-person shooters, one of the charming names I think the industry's come up with. Which means simply that you're looking out on a screen over a gun--some kind of gun, a shotgun, machine gun or a flame thrower or whatever. Doom, as you know, was the first big game of this kind, and that was followed by the same guys who made it by Quake and Quake 2. And then Descent and Half-Life over the last couple of years have been very big.

We searched out a new first-person shooter game we'd seen advertised in many of the game magazines. It's called Kingpin. The ads caught our eye because they promised that you could target specific body parts and see actual exit wounds. It seemed a little bit over the top. The game is distributed by a company called Interplay. Interplay's Kyle Shuble(ph) demonstrated it for us with kind of a mixture of pride and embarrassment.

Mr. KYLE SHUBLE (Interplay): It's definitely the darker side of society, shall we say? The situation is you've got a gang who has beaten you up and you're goal is to gather your own gang and get some revenge. You know, the oldest motivation of them all, correct?

But it's very dark. It's one of the most beautiful ones I've seen in a long time; high resolution, a high-bit color; one of the most realistic backgrounds. I mean, just the debris in the hallways and items on the walls--dirt, grime. It looks real.

McCHESNEY: Wading through the game's underground sewers, Kyle showed off the weaponry and the colorful colloquialism, I should say, of the inhabitants of this underworld.

(Soundbite of video game)

Unidentified Player #1: Turn that (censored) off. (Sounds of gunshots)

McCHESNEY: He showed us his favorite weapon which was a flame thrower.

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(Soundbite of video game)

Mr. SHUBLE: They actually run around on fire for a brief time, and their bodies are a little bit--but that's not something everybody's going to want to do. That's only for the darker individuals.

McCHESNEY: After we got that demonstration, we asked Interplay's Cal Morrell about how he felt releasing this game just after the shootings at Columbine High.

Mr. CAL MORRELL (Vice President, Marketing, Interplay): As the VP of marketing, it's one of those bittersweet type of things. Obviously, with the most recent things that have happened and tragedies, you know, you look at what you've published in the normal day and you look back and say, 'Esh, what bad timing and bad taste.' And so to some extent, obviously, if we had known things like this would happen, we would have done it a little bit differently. I don't think we would have not put out the game. I think the timing of the advertising, the marketing it couldn't have been worse for us.

SUAREZ: But I guess we have to point out that there's a lot more out there that--a blanket condemnation of gaming on your personal computer or in an arcade is not really a very well targeted kind of critique of this business.

McCHESNEY: No, it's not. There's an awful lot that was at this show that has nothing to do with these first-person shooters. On the other hand, I do have to say that when you walk around this show, the predominant image is violence. It just is there because every one of these games that stick out at you, I think partly because they make a lot of noise, are the violent ones, the first-person shooters. There were some really nice games. There was Lego's MindStorms there, where you make little robots and program them with your PC. That was the only truly educational program that I saw. There's another game there that you will like called The Sims, which is made by the guy who made SimCity, and what it is it's a suburban neighborhood where you create your own neighborhood and your own characters who get married, buy cars, buy houses and have fights with their neighbors.

SUAREZ: But, boy, do you have to wait a whole lifetime to see whether it works out or not? Usually SimCity you get a payoff in a couple of hours.

McCHESNEY: I asked them if any of them owned guns and they said no. So I guess it won't be that violent.

SUAREZ: That's NPR's John McChesney, who will be with us for the rest of the hour. Joining us now to discuss the worlds that these games create and whether those worlds intrude on the real one, is Douglas Lowenstein. He's the president of the International Digital Software Association. Welcome to the program. Mr. Lowenstein. ~~Mr. Lowenstein. It appears that Mr. Lowenstein can't hear us.~~

Mr. DOUGLAS LOWENSTEIN (International Digital Software Association): I can hear you now.

SUAREZ: Oh, OK. Great. Our number in Washington is (800) 989-8255. Douglas Lowenstein, how would you describe the health of your industry as we move into the middle of 1999?

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Mr. LOWENSTEIN: Well, I think generally the health of the industry is very good, from an economic standpoint. As John said, the industry has been growing at a very dramatic rate. It's the fast-growing entertainment industry in the world today. We would expect in 1999 that computer game sales are going to grow at around a 10 percent to 15 percent clip over the 1998 levels, and video game sales in the 15 percent, 25 percent or 30 percent range. So very healthy, robust growth as we move toward the end of the year.

SUAREZ: I think there is nationally, you could argue, a sense that legislating our way out of this isn't necessarily the answer. There is a reluctance to slap requirements and restraints on any private business. But there is, I think, a widespread cry for some kind of responsibility. How does your industry answer to that?

Mr. LOWENSTEIN: Well, we agree that industry has a significant responsibility and that's--five years ago, we voluntarily established a rating system which even critics of the industry have called the best entertainment rating system in the country. And it's called the Entertainment Software Rating Board and it gives consumers information about the age appropriateness and the content of the games, and that's the key issue.

It's not just an age guidance but it's also content information that gives specific information that might influence the consumer's purchase. We need to do more to promote that rating system, and that's one of the things that we're very focused on right now. The rating system's been around for five years. It's rated 5,000 products and 70 percent of the ones that have been rated have been rated as appropriate for all audiences and only about 7 percent have been rated as mature.

We also need to work cooperatively with retailers to improve the visibility of the rating system at the retail level and hopefully to improve the enforcement of mature ratings so that retailers are in some ways limiting the ability of young consumers, who are a relatively small portion of the market, to actually buy those games. So I think we have a number of responsibilities and we've acknowledged them in the past and we continue to acknowledge them as we go forward.

SUAREZ: What do we know about how people interact with these games? Have you seen compelling research on any side of the argument that it helps you conclude or helps confirm your suspicion that these games hit people different ways at different ages? Can work on the brain in a certain way because we're so hard wired visually, especially males? What have you seen?

Mr. LOWENSTEIN: Well, I'm not a psychologist, but we've looked at a number of people who've done comprehensive studies of all the available research on the specific issue of video game violence as well as other violence related to video games, and to my reading and as they've analyzed the research, those people who looked at it across the board have, I think, generally agreed that there's simply no basis at this point for the belief that violent video games leads to aggressive behavior.

There is a considerable body of research that is unrebutted that talks about the positive impacts of video games on cognitive development and spatial skills and critical thinking skills. So that's often lost in this focus on the small substantive gains that have some significant violent content, but I think it's

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an important variable.

SUAREZ: So, John, a lot of the heat that's going to be put on the industry is going to be done absent what we might consider objective proof that one leads to another, that playing these kinds of games leads to a violent nature?

MCCHESNEY: I (technical difficulties) understand, and I think (technical difficulties) is we don't have a conclusive body of evidence, partly because these games haven't been studied the way the film industry has been studied yet. But I think people are worried that because they haven't been studied and we don't understand them and because they are so, as the industry calls it, immersive--that is, they take you inside a world in a much, much different way, a much more intense way than a movie does--that people are concerned that they may have an impact we're not aware of. So yes, if legislation happens, it will be in the blind, but that's because the studies haven't been done.

Mr. LOWENSTEIN: If I could just add, I don't really disagree with anything John's said. One of the things that's very interesting about the research recently is the--some preliminary data--far from conclusive--but some data that starts to suggest that, in fact, for people who have aggressive tendencies playing (technical difficulties) experience. It turns out to be an outlet and a relief. It was interesting reading some of the comments from kids after the Columbine shooting, and a number of news organizations went to talk to kids who played some of these games and that was a real recurrent theme that I noticed, anecdotally certainly and I'm not suggesting it's scientifically established, but...

SUAREZ: Douglas Lowenstein, thanks for being with us.

Mr. LOWENSTEIN: No problem. I enjoyed it. Thank you for having me.

SUAREZ: Douglas Lowenstein is president of the International Digital Software Association. We're going to take a short break right now. When we return, we'll talk with Connecticut Senator Joseph Lieberman about what to do about video game violence, and we'll start taking your calls at (800) 989-8255. You can also e-mail us at totn@npr.org.

At 21 past the hour, it's TALK OF THE NATION from NPR News.

(Announcements)

SUAREZ: Welcome back to the program. I'm Ray Suarez. Today we're talking about video games and violence. Is there a connection? My guest this hour, John McChesney, NPR technology correspondent. If you want to join the conversation, our number here in Washington is (800) 989-8255. That's (800) 989-TALK. We'll go first to Portland, Oregon. Wendy, welcome to the program.

WENDY (Caller): Glad to be here. Great show.

SUAREZ: Thanks.

WENDY: Very timely. I've got an (technical difficulties) opinion on this subject by proxy (technical difficulties) in school, of course. And I just wanted to say living in a gun-loving state like Oregon and having come from a very gun--anti-gun state of Massachusetts, sort of an unusual perspective, but

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this week my kid's (technical difficulties) poetry, played musical instruments, designed a Web site for me for Mother's Day, but also is a total fanatic about (technical difficulties) games. And he really thinks it's a completely individual thing (technical difficulties). It depends on your family, where (technical difficulties) that the movies are far more violent than the FPS games.

SUAREZ: Well, knowing that he likes those games the way you do, what do you do with that piece of intelligence, Wendy? You just figure, Well, here's a kid whose getting off on blowing people away? Do you and he talk about it much?

WENDY: All the time. All the time. He actually plays with a group from all over the world; people mostly in their 20s, 30s and 40s, interestingly.

McCHESNEY: Yeah, I have been known to be an addict of Quake myself, and I know a lot of people who are not kids play these games.

WENDY: Yeah.

McCHESNEY: But I wonder if the addictive nature of them doesn't worry you more than the violence sometimes.

WENDY: He's always been a high-stemmed kid. And it was "Ninja Turtles" when he was four and it always like--he gets really into things. You know, he was a magic card fanatic. Now he's into--this is just the next phase. And we know that (technical difficulties). You know, for a while it was skateboarding, too. So...

SUAREZ: At least you get some exercise on a skateboard.

WENDY: Yeah. He was very thin when he skateboarded. But the addictive part is always a concern for us, for him. But I don't know that they're--all kids are as high-stemmed as he is. And again, I think the most important thing is to just talk to your kids early. We started at one, when he started making his own guns out of curtain rods--or one and a half. He's just been one of those kids. Yeah, always talk to your kids. And don't start talking at 14. We start talking at, like, one and two.

SUAREZ: Wendy, thanks a lot for your call.

WENDY: Great show. Thanks. Bye.

SUAREZ: Wendy from Portland, Oregon. Joining us now is Connecticut Senator Joseph Lieberman. Welcome back to the program, Senator.

Senator JOSEPH LIEBERMAN (Connecticut): Glad to be back, Ray. Thank you.

SUAREZ: Well, here we are talking about these games again. And in the years intervening they've gotten nothing but more graphic, more responsive, more quick and more deadly but I think also the jury for a lot of Americans is still out on whether there is an intimate connection between playing them and your real life away from the screen.

Sen. LIEBERMAN: Right. Well, the video games were strangely, actually, the first entertainment medium, the medium that I got interested here and it

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broadened to a broader concern about the effect of the message that the media sends. To the credit of the video game industry, I think that they have the best--which is to say the most informative, easily understood rating system of any of the entertainment industry. And over the years, as I've followed it--in fact, there seemed to be fewer violent games. But the violent games that are out there, in my opinion, are more violent and probably more consequential. They have more of an effect on kids because the technology has improved so they're more realistic.

But, you know, there's a lot of data, a lot of studies done on the impact on children who watch violence on television and movies. Very few on video games. We would assume--or at least I would--that if you tend to become more aggressive sitting and watching violence in movies and television then you're even more likely to become aggressive or violent if you're actually doing the violence, at least in the virtual sense of a video game. But one of the amendments that passed on this bill that's on the Senate floor last week would authorize and direct the National Institute of Mental Health to do a study of the effect on children's behavior of playing video games so that we develop a body of some social science research here to back up our suspicions.

SUAREZ: In the meantime, are you confident that the code that (technical difficulties) from this software industry is actually being enforced at the cash register level?

Sen. LIEBERMAN: No, I'm not. And that's the other big problem. At the hearing of a Commerce Committee a couple of weeks ago, a few of us presented evidence I think strongly suggests that video game industry is rating certain games as not good for kids under 17 and then turning around and directly marketing those games to those same kids under 17. And, you know, that's wrong. And we have asked the Federal Trade Commission to investigate them for both video games and movies, which are doing the same thing. I'm sure we could make the same case for ultra-violent music if the music industry was rating their records but they haven't even deigned to do that. But, you know, some people always ask, well, what can they do about it? What can the video game industry do about it?

In the first instance, I wish they would stop producing the ultra-violent games. If they're not willing to do that, then I think the least they can do is stop marketing it to children on whom it can have the most serious effect. I mean, ultimately, as your previous caller, Wendy, made clear, this is a struggle for parents, and parents and kids are the place where it ultimately can best be resolved. But the industry is making it harder for parents and that's really, in some sense, all we're asking, that they make it easier for parents to raise their kids as most parents want to raise them.

SUAREZ: David is with us now from St. Louis, Missouri. David, welcome to the program.

DAVID (Caller): Hello. Thank you (technical difficulties) I'm somewhat amused that songs like "Mack The Knife," that have plenty of blood and evil undercurrent aren't attributed as the cause (technical difficulties) manner of all social ill. We used to be an agricultural nation where we personally slaughtered stuff within a family group to eat and now we get most of our food from McDonald's and we have no real contact with things losing their lives. And I keep thinking that what happened in Littleton has nothing to do with video

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games as much as it has to do with the fact that riot is the speech of the unheard. And all you have to do to feel that that's a serious problem is be a parent aware of a problem in a school where adults are acting inappropriately and discover really how little impact you can have on that through any formal media whatsoever. I think that generates an awful lot more of the violence in kids in schools than video games or songs from this decade or any other.

SUAREZ: Senator Lieberman? Well, David, I'm not--is the senator still with us?

Sen. LIEBERMAN: I'm sorry. I couldn't hear you.

SUAREZ: No, I guess the senator didn't hear your question.

McCHESNEY: Senator, I had a question for you. I wonder if you think that the way these games are displayed in the retail outlets is a problem as well. And my experience is that they're all mixed together, that there's no separation of violent titles, no separation by labeling or anything like that. They're all right there together. And as the industry will point out to you, they say nine out of 10 of these violent games are bought by parents, and they say that must prove that the parents are giving these to their kids. But any case, I'm curious about how you think about the display in the retail shop, whether that they should be changed, whether these games should be segregated somehow.

SUAREZ: Well, actually, I'm going to ask David in St. Louis to give us his opinion, because I'm not sure where the senator is.

DAVID: Hi.

SUAREZ: David, you seem to be pretty serene about these things, that it's not the cause and that maybe we're overreacting a little bit?

DAVID: Yeah. Well, I think that the focus is misdirected. You know, as a small kid I went out and played World War II and then Vietnam happened. And as soon as I was old enough to know what that really was, I was not so interested in seeing my kids play war games. But the fact is that I think it's a matter of expression and the opportunity for expression that squelches violence, not overcontrol of violent images.

SUAREZ: And I think it would be a mistake--I think people on all sides of this issue would see it as a mistake to control one variable out of this vast range of variables in young Americans' lives and say, Well, then, we don't have to worry about anymore school shootings now that we've taken care of that.' David, thanks a lot for your call.

DAVID: Thank you.

SUAREZ: David in St. Louis. Jerry's with us now from Indianapolis. Hi, Jerry.

JERRY (Caller): Hi, Ray. I'm sorry I missed you in Indianapolis there.

SUAREZ: I took attendance, you know.

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JERRY: Yes, I know. I heard. I just wanted to kind of second what David was talking about. You know, I don't want to be too philosophical, but we are animals and if you look in the wild kingdom, violence has always been there, always will be there. And the more we try to repress it in ourselves in terms of, you know, not committing violence on each other--but it is part of our nature, and we need some form of catharsis with that. Whether it be television, movies, music, it will always be with us, and I think the more we try to repress it the more it's going to have explosive content when it does come out.

SUAREZ: Well, I understand your natural order of argument, Jerry, but even in the wild a lion doesn't kill a wildebeest for the heck of it...

JERRY: That's true.

SUAREZ: ...or run down into a herd of wildebeest, kill a bunch and not eat of them--and just walk away.

JERRY: Right. That's true.

McCHESNEY: They live in a world that has consequences, whereas the games do not have any consequences.

JERRY: Well, they don't, but I think if a game like Doom is going to encourage you to commit violence, you have something wrong with you long before you boot up the game.

SUAREZ: Ah-ha.

JERRY: I have many, many friends that have subsisted for hours and hours on Doom, and most of them are peace-loving hippies. You know, I think there's something deeper there, is basically my point.

I have to confess, as I did earlier, that I've spent many, many hours playing Quake, and I haven't run out into the streets and shot anybody. But I am curious now--and I think I was quite casual about it at first--but now I am more curious about what happens to a child experiencing these games. I don't think that you can compare a person like myself or an adult, their reaction to these games, to the reaction of a child.

JERRY: Right. I think it has something to do with age, definitely. I think there's a certain point where you realize, This is wrong. I understand it's make-believe.' And there's an age that if you played it you might not understand the complexity of moral going on. You know, This is make-believe. This isn't real,' you know.

SUAREZ: Jerry, thanks a lot for your call.

JERRY: Thank you.

SUAREZ: Sean is with us now from Philadelphia. Sean, welcome to the program.

SEAN (Caller): Thank you. My point--I'm 31 and I'm part of the video game generation. I grew up with Pong, Space Invaders, etc. And I think people are just forgetting the fact that, you know, these are just games, and they're for escape, they're for fun. People are taking them way too seriously. And

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although I agree with the labeling of video games for various ages and the enforcement of the label and labeling, it should be done on a household-to-household level. If you think your child, you know, can play such a game, then that's fine. I agree with your last caller, you know, there's something wrong with you if you can't, you know, make the difference between Doom being a game and not being a game. I don't think kids are going to emulate that. I don't think it's going to spur them on to any violent behavior that wasn't already in them.

Like anything, though, it's something that needs to be--you talked earlier about the addictive nature of video games. It needs to be done in moderation, but, you know, that's just something that needs to be done, once again, on a house-to-house level.

SUAREZ: Sean is in Philadelphia. You're listening to TALK OF THE NATION from NPR News.

Well, Sean, can we pull different media apart and compare them a little bit? I mean, if you're watching "The Matrix" in a darkened theater...

SEAN: Right.

SUAREZ: ...even if you're someone who's pretty able to give a willing suspension of disbelief and you're very much wrapped up in the Dolby Surround Sound and the wide screen and watching it, is that different somehow from sitting with a joystick and controlling the action of the game, making people die, sometimes tearing them limb from limb, the kind of pressure that you may feel that you're under if also around that next corner something may come out at you. I mean, don't you think you might have--you know, your breathing, your pulse, your reaction time--they might be a little different if you're in Duke Nukem as opposed to watching "The Matrix."

SEAN: Right. But--I mean, this is something that's happening, I mean, as technology improves, you know, both movies and video games. Everything's become more immersive and it's something that we need to look at and be aware of. I don't think it's necessarily a bad thing. You know, games are getting more realistic and more violent, but, you know, you look in the golden age of video games like, you know, Space Invaders, you know, nobody's complaining about Space Invaders. You know, here you are shooting--you know, shooting things. I mean, although that--I don't think the basic idea of video games have changed much over time, just the way that they're presented has changed and, you know, this hasn't become a big deal--you know, the nature of video games is, for the majority of them, you know, it's conflict resolution and in this, you know, it's bad guys vs. good guys. You know, in order to make a marketable game that's going to sell and be interesting, it's gotta have flash, it's got to immerse you, it's got to make you think you're there.

But I don't think that it's something that--I mean, should a nine-year-old be playing them? No. But once again, it's up to the parents to make sure that your child isn't doing them.

SUAREZ: John McChesney.

MCCHESNEY: Well, I mean, I think that's true, it is up to the parent, and it's up to the parent to watch over Internet time, and many of these games, at

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least small chunks of them, that can be played as demos, can be downloaded off the Internet. And the parent has to be as vigilant about the Internet as they are about what happens at the retail level. I think the realism of these games has grown awesomely. I'm just amazed at how real they are. There are now companies, engineering companies, that hire out to the game companies to make the weapons perform exactly as a weapon would perform in the real world. The wounds that are inflicted, the blood and the way the bodies fall are now depicted in absolutely realistic detail. And it's going to get better, or worse, depending upon your perspective, as the process of power increases and as bandwidth increases on the Internet.

SUAREZ: You're listening to TALK OF THE NATION. I'm Ray Suarez. My guest is NPR technology correspondent John McChesney. We're going to take a short break right now. When we return, we'll continue talking about the growth of the video game industry, whether or not these games promote violence, and we'll take more of your calls at (800) 989-8255. If you'd like to comment on the program, you can e-mail us here at totn@npr.org or send us a card or a letter. The address, TALK OF THE NATION Letters, 635 Massachusetts Avenue Northwest, Washington, DC 20001.

At 40 minutes past the hour, it's TALK OF THE NATION from NPR News.

(Announcements)

SUAREZ: Welcome back to the program. I'm Ray Suarez. Tune in at this time tomorrow for TALK OF THE NATION's Book Club of the Air. We'll be talking about George Orwell's "Down & Out in Paris & London." Today we're talking about the popularity of video games and the growing concern about their increasingly violent content. John McChesney is here with me in studio 3-A in Washington, NPR's technology correspondent. If you want to join the conversation, the number here in Washington is (800) 989-8255.

Walt writes from Ann Arbor, The game developers are completely immersed in the creation of the virtual violence, yet I see no evidence of these same game developers committing acts of atrocity against society.'

And Dean writes from Salina Beach, California, My concern over the video game industry and violence is that there appears to be a fair number of games that simulate people shooting other people. My question: Does the fact that these newer games A, immerse the child in the excitement and thrill of hunting and killing, and B, give them the experience of shooting other people do something to desensitize these children not only to violence but in doing harm to others. These games are much more violent than the asteroids game that I was the top scorer of when I was growing up.'

And Joe writes from San Jose, Violence sells. It sells because it's advertised in a slick fashion, full of flash and bang, packaged to be very attractive to the consumer. If violence were actually packaged the way it is in the real world, we, for the most part, would be turned off by it--the screaming, the begging, the groveling, the guilt and then finality and the grieving of family members that accompanies 99.99 percent of all deaths. Instead, the heavy rock music plays as Jason or Freddie slashes another teen-ager to death.'

Another correspondent writes, It's nice that video games help develop hand-eye coordination, but why would anyone think the development stops at

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hand-eye coordination? Of course, the violent game helps develop violent behavior. That would be self-evident. That said, it's also obvious the effect of violent games is different for each player. Some will find the effect cathartic; others will find the effect a stimulant to violent behavior. One size does not fit all. The Achilles Heel of regulation.'

And David Brown writes from Cambridge, I do not believe that games or movies create violent activity. What concerns me most about violent games and movies is that they give the message that violent is acceptable, that killing is an appropriate activity. Games and movies desensitize kids and adults to the consequences of violent action.'

And, John, the Achilles Heel of regulation is that when you put 100 drivers in an automobile, they're all going to drive differently. Well, perhaps violent games in the main don't do anything to change your personal behavior, but there is that one person who will then do something disproportionately horrible.

McCHESNEY: And the game industry and other people will come back and say, That's the risk you take in a free society. You don't put the lid on in order to protect us from that tiny minority that may go over the edge.' Something, though, has changed in the culture. I've been thinking about this, and when I was a kid growing up in the Midwest, we all had guns. My friends did. We went out and we went plinking every weekend. I even rode the street car in Kansas City, Missouri, with a .22 Rifle exposed and it didn't even bother the streetcar driver back in the late '50s.

We had easy access to guns in those days--I suspect easier access than kids have today--but we weren't killing each other in high school, at least that I'm aware of, and kids are today. So something's changed, and it's not just the accessibility to guns, I think.

SUAREZ: Let's go next to University Heights, Ohio. Shoshana, welcome.

SHOSHANA (Caller): Hi. Thank you for taking my call. I (technical difficulties) avid fan of your program.

SUAREZ: Thank you.

SHOSHANA: I wanted to say that on Diane Reams' show on the same topic, she had a guest who cited the following statistic, that the military used video games to increase the willingness-to-kill rate from 15 percent to 90 percent, which I found pretty extraordinary. And I think people are very unwilling to look at the potential for violence within themselves, and clearly the people who are most at risk for committing violent acts are not about to go out and say, Well, I won't associate with this person or I won't play video games. I'll try to associate with people who will help me and situations that will help me control this.' So I think that the people who are--that everybody needs fences in order to help control this type of behavior. Video games are only a tiny factor. I'm not saying that video games cause violent behavior, but they do help people who have tendencies to express them.

SUAREZ: Are there any in your house, Shoshana?

SHOSHANA: What?

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SUAREZ: Are there any of those games in your house?

SHOSHANA: No.

SUAREZ: No.

SHOSHANA: Although my husband would disagree with me, so there could be. I'm not saying that there never will be. There could be.

SUAREZ: Yeah, I...

SHOSHANA: The other thing that the expert on the Diane Reams show said was that the natural instinct is to empty your gun into your target, and video games help people learn how to use one bullet per person, since they can kill more people in a single act of aggression.

McCHESNEY: This is--you're talking of Colonel David Grossman, who taught behavioral sciences at West Point and lives in Jonesboro, Arkansas, where the other shooting happened not too long ago. And I think he's a consultant in the Paducah, Kentucky, case, where parents are suing film companies and video companies for what happened down there. Grossman points out that these games are used by the military and by police to teach people how to shoot and desensitize them to killing. He says the Marines use Doom, which I find rather amusing. I think Doom is sort of a lightweight game in terms of violence, actually.

SUAREZ: But the government always owns old technology. That's...

McCHESNEY: That's true. Well, they should get ahold of Half-Life, which is a new game, which is far more realistic and which you're not shooting monsters, you're shooting human beings.

SUAREZ: And David Grossman is also a noted theorist on his battlefield behavior ideas about how many people in the infantry actually do ever discharge their weapon, and of that proportion, how many actually try to shoot at another person. So, yeah. I mean, it's perfectly logical to see why the infantry would want to have more of its deployed people on the field actually shooting. I'd have to see more about just how the video game plays into that, whether they really can show that it makes you a more useful killer on the battlefield.

Beth is with us now from Davenport, Iowa. Hi, Beth.

BETH (Caller): Hi, there. I question the fact that the video games would cause the violent behavior. I think that video games are certainly a certain type of entertainment where parents can have more control based on the fact that the games are expensive, the tools in which the kids are playing them on are expensive and oftentimes it's the parents that are buying those or giving the money to the kids to buy them. Whereas with a movie--you know, you don't have as much control when a kid's going to a theater to see what movie they're going to watch. Whereas, the kids are assuming--you assume (technical difficulties) those games at home or at a friend's home.

So I think there could and should be more parental influence on the games that are being played in that you can't completely depend on the industry for the ratings, obviously. The parents should be there.

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SUAREZ: Well, thank you for making the point that these media are different from each other and need to be accessed differently. You point out that you can't control the movie as much, but the movie does end after two hours and 10 minutes, and then can't--to play again you have to pony up seven and a half dollars...

BETH: That's...

SUAREZ: ...unlike the game, which the design of many games requires that you play over and over and over again to get past certain barriers, to learn the machine and learn the pattern--the kill pattern in effect--what you have to get past. It requires you to play a lot.

BETH: Well, I agree with you on that, but the other thing is, a lot of these kids are going to see the movies over and over again. I think the case in Kentucky, in fact, the kids there may have seen "Natural Born Killers" like a dozen times. So it's just as easy for them to get back into line to see that movie or rent that video for \$ 2. And again, wondering if it's in the home, how is it getting by the parents or how is the change in behavior getting, you know, by the parents. And if the parents are the people that--again, taking in the case in Kentucky, you know, are the parents that had the kids that committed the crimes, will they be accessories if they're the ones that bought the video game or bought the computer? I mean, it's kind of a domino effect if you really look at every individual that could ultimately be involved with the kids playing these video games.

McCHESNEY: I think that's true. I mean, I don't know how parents today, you know, watch over all this activity when so many of them are at work in the afternoon and the computer is there and online. One thing I wanted to add to what Ray said is that the repetitive nature of these games--if you're playing these games on the Internet, you're not playing against a computer anymore, you're playing against other people, and the games are never the same. And I think that's far more addictive, quite frankly, than playing against the machine and playing the game and learning the game. Once you've played through the game, you've played through it and it's over; you kind of put it aside. But online games, you're playing against other people and you can just play them forever.

SUAREZ: In Davenport, Iowa, thanks a lot for your call.

I'm Ray Suarez with John McChesney. You're listening to TALK OF THE NATION from NPR News.

Jim writes from Seattle, I'm a computer game developer--please don't reveal the company I work for--and I'd like to make some comments about our industry. I did not join this industry to be a baby-sitter of America. If all the lessons a parent teaches their children can be unlearned by playing one of my games, they were poor (technical difficulties) to begin with. (Technical difficulties) not about kids learning violence from the media or even about access to guns. It was about kids who were (technical difficulties) to the point of insanity. If they had run off, like thousands of kids before, and after, and then committed suicide, we never would have heard about this. Please stop looking outside for the errors we make ourselves. It would be lovely if everything that went on in society were someone else's fault and we would be absolved from responsibility. However, I do not feel responsible for influencing the

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behavior of a person that I've never met.'

And Maria writes, I do not like violent video games. Why can't the industry make more educational video games? They can still be fun and we can teach our children something more than just how to be violent and how not to interact with others.'

Jean writes from Louisville, Parents should be more restrictive on types of games they allow children to have. Also, I think the level of these games go to much younger children than your commentators realize. 007 is a Nintendo 64 first-person shooter game that is specifically targeted at very young children. The whole premise of the game is stalking and killing people. The simplest answer is for parents to refuse to buy violent games for their children. If there is no market for these games, the designers and manufacturers will (technical difficulties) different and less violent games.

Roy is with us now from Cedar Rapids, Iowa. Hi, Roy.

ROY (Caller): Well, hi, Ray. Great show.

SUAREZ: Thank you.

ROY: Hey, I just want to make one quick comment. I think John referred to Half-Life as just killing people. I think he has it confused with Kingpin. Half-Life is kind of that combination "Aliens" "X-Files" game.

But anyways, my comment was--you know, I'm about 29 years old and I kind of grew up--I was an adolescent in the early 1980s--and a lot of these hand-wringing sounds a lot like the criticism of heavy metal acts in the early '80s and that people who played Dungeons & Dragons were going to turn into Satan worshipping, Black Mass-going individuals and...

SUAREZ: And they didn't?

ROY: Well, I don't know. I haven't been to any Black Masses lately.

SUAREZ: No, I remember--I was in a network newsroom during those years and people were watching Ozzy Osbourne like a hawk to see what he did at his next concert, and there was a lot of speculation about what all the symbols meant on albums. Yeah, that was kind of silly, wasn't it?

ROY: Yeah, it was. And, you know, I've been reading a little bit on the topic, and it seems like comic books in the '60s were another scourge to society, that they were turning kids into vegetables or whatever. And it just kind of seems to me that every once in a while an event comes by that, you know, really galvanizes public opinion, but maybe it's not the huge influence that people perceive it to be. And the one comment about the lieutenant general, or whoever he is--I find his whole idea that somehow playing Quake 2 equips you to go out and buy an AK-47 and mow down crowds of people just totally absurd.

SUAREZ: Roy joining us from Cedar Rapids, Iowa. That's all the time we have for today. I'd like to thank everyone who called and wrote this hour, and especially my guest, NPR technology correspondent John McChesney. Thanks, John.

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McCHESNEY: Thank you, Ray.

SUAREZ: Earlier we spoke with Douglas Lowenstein, president of the International Digital Software Association. He joined us by phone from Washington, DC. And Senator Joseph Lieberman, Democratic senator from Connecticut, who spoke to us by phone from his office on Capitol Hill.

Join us tomorrow for the Book Club of the Air this hour of the program, George Orwell's "Down & Out in Paris & London."

In Washington, I'm Ray Suarez, NPR News.

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DOUGLAS LOWENSTEIN
PRESIDENT

INTERACTIVE DIGITAL SOFTWARE ASSOCIATION
BEFORE THE SENATE COMMITTEE ON COMMERCE, SCIENCE AND TRANSPORTATION

BODY:

Good morning. My name is Douglas Lowenstein and I am President of the Interactive Digital Software Association/1, the trade body representing U.S. video and computer game software companies that publish games for use in the home. In 1998, the industry generated \$5.5 billion in retail software sales. IDSA's 35 members account for 90% of the edutainment and entertainment software sold in the US.

The Committee has asked me to discuss its concerns about the marketing of violence to children. Since the tragedy in Littleton, Colorado, there's been a great deal of discussion, not all of it informed or balanced, about the nature of the American entertainment software industry. Thus, in my testimony, I would like to offer some background on our industry, our markets, and our past and continuing commitment to effective self regulation that will be responsive to the Committee's stated interest and, I hope, add to the understanding of the Committee and others about this fastest growing segment of the US entertainment industry. The Market Demographics: Adults Predominate

I'd like to start by looking at who plays video and PC games.

Early in this decade, the large majority of PC and video game players were adolescent males. This is no longer the case. The industry has changed dramatically and the perception that its primary audience is children is no longer accurate. In fact, 70% of the most frequent users of PC games are over 18; and 38% of these are over 36. The picture is similar for video game consoles: 57% of the most frequent users are over 18, and 20% are over 36. In other words, the majority of those who most frequently use video and computer games are adults.

There's a misperception that the violent video games that have attracted so much attention these last few weeks are the most popular games on the market. This is also inaccurate. In fact, in 1998, only two of the top 20 best selling video games were rated Mature and only three of the top 20 best selling PC games carried that rating. Instead, the charts are dominated by titles such as the adventure game Myst, sports games like Madden Football and NFL Gameday, racing games like NASCAR '99 and Gran Turismo Racing, board games like Monopoly and Mahjong, sophisticated flying games like Flight Simulator, hunting and fishing games like Cabela's Big Game Hunter and Trophy Bass Fishing, and character action/adventure games like Zelda: Ocarina of Time, Crash Bandicoot, and Banjo Kazooie. Over the last two years, one of the most popular titles was a series

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of Barbie games. Of the 20 best selling entertainment software games in 1998, 15 were rated in the Everyone category, three were rated in the Teen category, and two were rated in the Mature category. A complete list is attached to my testimony.

The breadth of popular titles reflects the development of a mass market for games. Just as some books and films are appropriate for different groups, so too now are there video games for people of all ages, tastes, and genders. In fact, the traditional gaming population which sustained the industry in the late 1980's and early 1990s is not primarily fueling the current growth surge. Rather, the emergence of millions of new, mostly adults players buying lower cost and lower tech, casual games like Monopoly are among the hottest trends today.

I offer this background not to suggest that there are no violent games, or that some violent games don't sell. Clearly, some violent games are successful and popular. Instead, I offer the data to put matters in perspective. The perception that the ultra-violent titles like Doom dominate the market is wrong. In fact, these so-called first person shooter games made up only 6% of the total entertainment software market in the United States in 1998.

In sum, the fact is that the vast majority of games made by the U.S. entertainment software industry provide users, above all, with a first rate entertainment experience. Some also increase users' comfort and knowledge about computers and technology, educate them, and enhance problem solving and critical thinking, skills. All this better explains their enormous and surging popularity.

Game Ratings Provide Information on Age and Content

The fact that these violent games represent a small percentage of the total market does not mean they are not a legitimate concern. There is no question that many of them are not intended for children. Thus, let me address what the industry has done to keep these games out of the hands of those for whom they're not rated as appropriate.

Five years ago, the IDSA created a rating body called the Entertainment Software Rating Board (ESRB) to rate video and PC games. We hired Dr. Arthur Pober, an educational psychologist, former head of the Children's Advertising Review Unit of the Council of Better Business Bureau and Principal of the Hunter College Elementary School in New York City, to design and implement a system which would provide credible, reliable, and easily understood information about games to consumers. Dr. Pober built the system after significant research and consultation with consumers, psychologists, and child advocates. Among those consulted were such experts as Parker Page, Ph.D., President, Children's Television Resource and Education Center, Lewis Lipsitt, Emeritus Professor of Psychology, Medical Science, and Human Development, and Founding Director, Child Study Center, Department of Psychology at Brown University, Karen Jaffe, Executive Director, KIDSNET, and Jeffrey Goldstein, Ph.D, University of Utrecht. All these experts, along with Mary Ellen Fise, Product Safety Director, Consumer Federation of America, Jeffrey Cole, Ph.D., Director, Center for Communication Policy at UCLA, Rosemarie Truglio, Ph.D., Director of Sesame Street Research, Children's Television Workshop, and Vincent Ferandino, CEO and Executive Director, New England Association of Schools and Colleges, serve on the ESRB's Academic Advisory Board which meets periodically to discuss the efficacy of the rating system.

ESRB ratings are based on prior review of actual game content by panels of demographically diverse individuals. Three persons review each game and generate a consensus rating in two areas: age appropriateness and, if necessary, content. There are five rating categories: Early Childhood, Everyone, Teen, Mature, and Adults Only. To date, the ESRB has rated over 5,000 products: 71% have been

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rated in the Everyone category; 19% in the Teen category; and only 7% in the Mature category. In addition, many games also carry one or more of 20 content descriptors - simple but clear phrases that give information on the content which influenced the rating. These include mild animated violence, realistic violence, animated blood and gore, strong language, use of tobacco and alcohol, suggestive themes, to name a few. All of the first person shooter games containing the intense type of violence associated with Doom carry an M rating as well as several content descriptors flagging their violent content, such as animated violence and animated blood and gore. A complete description of the rating service is attached as part of the ESRB's Guide to Interactive Entertainment brochure.

To the best of my knowledge, ESRB is the only entertainment rating system in the United States that gives such complete and understandable information. Indeed, your colleague, Sen. Joseph Lieberman (D-CT), while objecting strenuously to the content of some games, has called this rating system the best entertainment rating system in the country.

Over a year ago, the ESRB expanded its activities with the launch of the ESRBi service to rate interactive websites for entertainment software companies. This service gives a standard ESRB rating to sites where the content is static and unchanging, and an ESRBInteractive rating to sites where the users can change or influence a site's content. The latter symbol advises consumers that the site's content is ever changing and thus potentially could be inappropriate at given times for certain users. ESRBi is compatible with the Platform for Internet Content (PICs). This means that parents may set their browsers to screen out sites carrying certain ratings to protect their children.

Commitment to Ratings Implementation

Ratings, of course, do not work if parents either don't know about them or don't use them. To that end, the ESRB has made significant efforts to publicize its ratings. In addition to a web site, esrb.org, and a toll free phone number, 1-800-771-ESRB, it has distributed five million copies of its brochure A Parents Guide to Buying Video Games. These brochures are carried by such national retailers as Wal-Mart, Toys 'R Us, Blockbuster, Funco, and Best Buy and smaller retailers in 33 states. And IDSA has supported efforts by retailers over the years to make the ESRB system as effective as possible. In its early days, we encouraged retailers to carry rated software and to display ratings information prominently. This was a major factor resulting in quick industry use of the rating system. In fact, 100% of all video games are rated by the ESRB and about 80% of all PC games are ESRB-rated, with the majority of non-rated games in the early childhood category. Most recently, last October, we wrote to major retailers asking that they publicize and enforce the ratings.

I understand that there is concern that ratings are not adequate to prevent games from being bought by persons for whom they are not rated as appropriate. But it's important to understand that unlike many other entertainment products, such as books, films, or CDs, the typical newly released PC or video game cost \$40-60, considerably more than the average adolescent carries around. Thus, it's not surprising that nine out of every ten games is actually purchased by someone over 18 - that is, the actual sales transaction involves an adult. This is significant because it suggests that if we can educate adult consumers, these ratings can be a very effective tool to empower parents to regulate what they bring into the home.

This is a critical point. I am a parent, as many of you are. It's a 24 hour a day job. We must monitor the books they read, the kids they hang out with, the toys they play with, their schoolwork, their peer relationships, their self

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esteem and the video and PC games they play. But I have a sense in talking to many parents that when it comes to interactive entertainment, the technology is intimidating. They perceive the PC, the game console, and the Internet as something their child understands better. So they do not bring to it the same sense of vigilance that they bring to other more traditional forms of entertainment. They must. Is the game you buy, or the one you're asked to buy, rated as appropriate for your child? Once the game is at home, take a look at it, watch your child play it to see if it meets your tastes, and monitor the time they spend playing it. The on/off switches on computers and game consoles should be used.

Advertising and Marketing Regulation and Enforcement

When the ESRB was established, we recognized that we needed a companion advertising code to ensure that ratings were properly displayed. Thus, the IDSA Advertising Code of Conduct was born in September, 1994. All companies that receive ESRB ratings are required to comply with the ad code. Among other key provisions, the code requires that ratings information be placed on the front and back of the box so it can be seen by consumers. The Code also requires use of ratings in television and print advertising, as well as certain marketing materials, and on web sites promoting rated product. In addition, the code prohibits companies from targeting kids for whom a game is not rated as appropriate in their marketing campaigns. Thus, an advertisement for a violent game in the Barbie Magazine would violate the code. IDSA invests considerable resources in working with companies to ensure compliance with the code. We also periodically update it to take account of new industry marketing practices. Thus, we recently added a provision requiring demo disks for rated games to carry ESRB ratings.

An additional check on inappropriate targeting is the presence of the Children's Advertising Review Unit of the Better Business Bureau. CARU reviews and evaluates child directed advertising in all media. When an ad is found to violate CARU's guidelines, which include the directive that "portrayals of violence and presentations that could frighten or provoke anxiety in children should be avoided," CARU seeks changes through voluntary cooperation of advertisers.

Internet Challenges

Another area of concern is the marketing and delivery of games via the Internet. There's a legitimate concern that if games are widely available over the Internet, the efficacy of ratings will be compromised.

At this time, very few members of the IDSA, or other companies in the entertainment software business, make full games available for direct download. Moreover, if they do so, they would require consumers to provide a credit card to pay for the product, making it unlikely that kids are able to acquire games in this way without parental permission.

Demos - samples of games to stimulate demand - are, as noted, a new form of marketing. Under the ad code, if the game has been rated, the demo should carry the rating as well. IDSA approved funding in March to commit new resources to surf sites seeking to ensure that companies are placing ratings on appropriate web pages. Separately, ESRB is working to persuade companies to submit entire sites for rating. However, unlike the retail environment where retailers helped create a de facto mandatory rating regime, there is no parallel force on the Internet. Let me cite another example of our effort to control access to material on the Internet. Late last year, IDSA issued voluntary Guidelines on Privacy and Fair Information Practices designed to address, among other things, communication by our members with kids. We recently testified on the details of the Guidelines and the implementation challenges before the Senate Judiciary Committee. But one area is especially relevant to this discussion. Our Code

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incorporates the requirements of federal law requiring companies obtaining personal information from kids 12 and under to get parental consent prior to collecting that information. In addition, we go beyond the requirements of federal law, which only address kids 12 and under, to require companies who adopt the guidelines to give parental notice when collecting personal information from kids between 13-17.

Under these guidelines, it's likely that if a child accesses a web site to obtain a game or demo version of a product, the company would collect personal information, thus triggering the parental notice and, depending on age, parental consent provisions. This privacy policy should, in some cases, regulate access by kids to inappropriate material via the on line world.

I understand the concern about ratings being sidestepped through Internet marketing. In truth, though, a far more serious way the ratings are sidestepped is through the availability of massive numbers of counterfeit versions of games over the Internet. Even the Internet illiterate can enter a few words into a search engine and, within seconds, be directed to dozens of sites offering pirate games, including many of those commented upon by Members of this Committee. In many cases, these sites are closely associated with pornography sites that offer games for free download as a way of attracting customers to the more lucrative porn areas of the site. We have launched active programs to shut down these pirate sites but I will tell you it's a very arduous and costly effort which will take years to succeed and requires considerable cooperation from Congress and law enforcement.

State of Academic Research

In the last two weeks, much has been written about the possible role of video games in the school shootings and youth violence generally. I am not a behavioral psychologist. But there has been considerable research in the academic community since the 1980% on video games. In 1995, the Government of Australia commissioned Kevin Durkin, Ph.D., Associate Professor of Psychology at the University of Western Australia to review all the research on video games, pro and con, as part of its consideration of whether to regulate them. Durkin reviewed dozens of studies on the issue of video games and aggression, including those which suggest a link and those which do not. His conclusion follows in full:

"A small number of experimental studies have been reported. Either no or minimal effects have been obtained.

Some very tentative evidence indicates that aggressiveplay may be cathartic (promote the release of aggressive tensions) for some individuals, though this work is open to methodological criticisms. Overall, evidence is limited, but so far does not lend strong support to the claims that computer game play promotes aggressive behavior."

I think most objective researchers would agree that more work in this area would be helpful. But I think most would also agree that bold statements that claim as fact that video games cause violent behavior are, at best, overstated and, at worst, at odds with the prevailing academic literature. Finally, I would caution you to review any research or claims in this area carefully. Opinions not backed up by empirical, peer reviewed research involving video game players should not be a basis for policy. Moreover, examine the research carefully. Methodology does matter, sample size matters, and accurate interpretation of the data matters.

Meeting Industry's Responsibility

In a sense, though, the issue of what the research shows is largely academic. While millions of people who play the ultra-violent games are adults, we would agree that some games are not appropriate for children. But we also believe

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that parents are the first and last decision makers on what games they will permit their kids to play. I would guess that some of the staff and audience in this room play some violent games, and even permit their kids to do so without concern. Those decisions are based, one hopes, on knowledge of the game's content and, more important, knowledge about their child. Five years ago, we as an industry voluntarily instituted the ESRB rating system described above. But our responsibility does not end there. The job of ensuring that the rating system is effective is ongoing. We continually review it and our advertising code. Both have been changed several times over the years to try to keep pace with technology and to fulfill the objectives of providing reliable and credible information to permit consumers to make informed purchasing decisions.

I'd like to tell you about some additional efforts we're undertaking now. First, we will take new steps to publicize and increase the visibility of the ESRB ratings, increase parent awareness of them, and encourage their use. The IDSA Board will meet shortly to evaluate options to accomplish this goal, including the possibility of paid media, public service announcements, retailer outreach, and outreach with parent and teacher groups to explore whether there are ways to get ESRB materials into parent's hands through the schools. We welcome your help in this endeavor. Second, IDSA will explore ways to encourage retailers to enforce the ratings. While our industry has the ability to rate the product, we cannot require retailers to enforce them. Each retailer must adopt its own policies. We understand this is a difficult issue for them. Retailers display products differently and handle checkout differently. Our goal is to work cooperatively with retailers to put in place systems, directly or indirectly, that limit the ability of persons under 17 to buy Mature rated products, and better educate their consumers and employees on the use of the rating system. In this regard, I'm pleased that the trade publication Games Business, which is distributed to 60,000 retailers around the country, will include a major insert in its mid-May edition on ESRB ratings.

Third, we will review our advertising code of conduct to see what steps we can take to moderate the promotion of violence in ads. Some ads do go too far and this is an area for renewed focus. I am pleased that the magazine GamePro, a leading publication for game enthusiasts, has recently written major advertisers asking them to communicate to their ad agencies, marketing departments, and PR representatives to "pursue higher creative standards" in promoting games and advising them that it is tightening its own standards regarding graphic violence and will reject such ads.

A focus on better education, better retail enforcement, and advertising restraint will, I believe, continue to allow us to strike the proper balance between effective self regulation and protecting freedom of expression guaranteed by the Constitution.

Conclusion

Let me end on a personal note: I don't like many of the extremely violent games. I do not buy them for my kids. But, as I noted earlier, tens of millions of people of all ages play video games of all kinds; many also play the ultra-violent games covered in this hearing, and they are perfectly capable of separating fantasy from reality. They know that the difference between fighting to save the world from animated aliens with a controller in the living room and carrying out premeditated murder at the schoolyard with real guns. Something else was terribly amiss with these boys in Colorado. I do not have a simple explanation for what happened there. But video games did not teach them to become Nazis, to hate, to single out athletes, and video games did not isolate them from their peers. As an industry, we have a track record of making serious efforts to address concerns about a minority of game content. We will

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continue to try and meet that obligation. Recently, the Journal of the American Medical Association ran an article on protecting adolescents from harm. It sought to identify risk and protective factors at the family, school, and individual levels as they relate to health and morbidity, emotional health, violence, substance use, and sexuality. It found that parent-family connectedness and school connectedness were protective against every health risk behavior except pregnancy. I hope in the weeks ahead the dialogue we've started today can move beyond targeting video games and focus on ways we can make our kids feel loved, valued, and connected to the anchors of home and friends.

Thank you.

FOOTNOTE:

1 IDSA's members only publish software for the home. The arcade game business is a different sector with its own representatives.

END

LANGUAGE: ENGLISH

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8TH STORY of Level 1 printed in FULL format.

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Fort Worth Star-Telegram

April 24, 1998, Friday

SECTION: ENTERTAINMENT NEWS

KR-ACC-NO: K3714

LENGTH: 1503 words

HEADLINE: Should lewd, rude concert acts be rated X?

BYLINE: By Dave Ferman

BODY:

Imagine buying a concert ticket with a rating stamped on it, just like a movie ticket. Or going to a show by shock-rocker Marilyn Manson or some other rock or rap act, and seeing a sign saying the concert is rated and off-limits to anyone younger than 18 unless accompanied by a parent or guardian.

It sounds unlikely, but it's possible. A ratings system that would effectively restrict people younger than 18 from certain concerts, based on lyrical content or onstage behavior such as nudity or drug use, is being proposed by state legislators in Michigan and South Carolina.

And the bills could be the first volley of a long fight in state legislatures and, ultimately, on Capitol Hill. Several music industry groups, including the Recording Industry Association of America, are already strongly opposed to the measures, saying they fly in the face of the First Amendment.

In theory, the measures could affect dozens of bands, from Pantera to Aerosmith to Cypress Hill, all of whom perform songs with sexual or violent lyrical content, or have smoked marijuana onstage. And although the proposals haven't raised the controversies launched when ratings systems were imposed on records and tapes (in 1985) and on television programs (in 1997), they've attracted the attention of such music industry experts as Hilary Rosen, president and CEO of the Recording Industry Association of America. She's among those who call the idea of rating concerts unenforceable.

"Rating something that hasn't happened yet is ludicrous," said Nina Crowley, executive director of the Massachusetts Music Industry Coalition.

"A community can't take away free speech when they feel like it. That's what's at stake here. I don't think a rating system on a government level would stand a constitutional challenge it's censorship based on content."

Those leading the charge for concert ratings say it's not as ominous as that. They aren't anti-rock 'n' roll, say state Reps. Daniel Tripp, a Republican from South Carolina, and Dale Shugars, a Republican from Michigan, the legislators who plan to introduce concert-rating bills in their respective states, possibly this fall. They say they're just trying to protect young people from the antics of such rockers as Marilyn Manson, whose past stage shows have featured the star wearing sexual aids and tearing pages out of a Bible.

Fort Worth Star-Telegram April 24, 1998, Friday

"This would be consistent with the traditional basis of dealing with young people," Shugars said. "It supports parents' authority."

Such ratings, they say, are merely a logical extension of other safeguards that protect youth, such as ratings on movies and television shows and laws against underage drinking.

Ratings systems that inform consumers about entertainment content have increased in the past decade. The movie industry adopted the first entertainment rating system, a voluntary one policed by the industry, in 1968. Not until 1985 did the record industry adopt a similar tactic, placing stickers on records and tapes with explicit content. And only last year was a television rating system introduced.

Neither of the proposed concert-rating bills would ask for a G-PG-R-system. Instead, both would attempt to restrict the attendance of people younger than 18 at certain shows.

The proposed bills have differences. Shugars of Michigan wants to give a community the power to restrict anyone younger than 18 from a show that "promotes sex, drugs, suicide or satanism" unless accompanied by a parent.

Tripp's legislation would apply only to two state-owned venues. Under his proposal, performers would have to sign a contract agreeing they will have no nudity or illegal drugs onstage. If they don't, the concert would automatically be rated meaning no one younger than 18 could attend without a parent.

There's been no similar movement in Texas and other states. Still, the issue is of interest to those caught in the middle: venue operators, such as Fort Worth Convention Center director Melvin Morgan. Many venue operators have endured widespread community protests surrounding Manson appearances in their town.

"It's not unreasonable for people to want to know what their children are being exposed to," Morgan said. "But then again, concerts are a rite of passage for young people they're somewhere Mom and Dad aren't. This is open for a lot of debate."

Most of the above do agree that a concert-rating system could have a "chilling effect" on performers coming to a given community or state.

"Economic pressure on the artists will mean they'll be forced to edit material to be able to play," Crowley said. "If it happens on a wide scale, some music will disappear. If Marilyn Manson can't play live, his record company can't make any money."

There is not widespread support for either bill so far. For example, the American Family Association, which has repeatedly called for less violence and sex in entertainment, has not endorsed them.

But Al Menconi, a "concerned moral parent" and head of Al Menconi Ministries near San Diego, said both measures are excellent ideas.

"These will help parents make wise decisions," said Menconi, who describes his organization as "looking at the entertainment media from a biblical

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perspective." "And I think they're fair. Rock stars always say, 'It's the parents' decision not us.' Well, these are tools for parents. And ratings are not censorship." But opponents such as Rosen don't buy it.

"Mr. Tripp has to understand the fundamental difference between a voluntary rating system, which films have, and a government-imposed system," she said. "There's a huge difference between live shows and recorded mediums. This would be creating an advance judgment on an event that hasn't happened yet."

Rosen and others also say that the effect of a rating system would be to take regulating what a child sees or hears away from parents and to put it in the hands of the government.

Jane Cohen, editor-in-chief of Fort Worth's Performance magazine, which looks at the concert industry, agreed.

"Parents need to be more involved in their kids' lives don't leave it to the government," said Cohen, who has three teen-agers. "If a kid wants to go to a show, and the parent doesn't want him to, then it becomes a family issue. This is nothing more than censorship."

There's also the argument that by the time a performer is popular enough to play an arena, there's more than enough information about him or her available (including stickers on CDs, music videos and articles in the press) for parents to make an informed decision about a child attending a show.

Protests by local and national groups surrounding Manson performances have been common in cities nationwide. And there's evidence that his reputation is already costing him concert dates.

In South Carolina, for example, Manson was booked last year to play the Carolina Coliseum Arena in Columbia. But that aroused the ire of so many in town that he was asked and paid well to go away, according to venue director JohnBo lan.

"We had tickets on sale, but we got pressure from everybody not to do the show," he said. "Thousands of phone calls. Piles of letters. We paid them their guarantee so they wouldn't play here, \$ 40,000. So I think people know what they're going to see. People do need to be informed, but they already are."

Several venue directors said they would support an industrywide rating system, some on the grounds that it would help them be better informed, others because it would simply take the burden off them to decide which shows to take and which not to take.

But there isn't one on the horizon, said John R. Zimmer, executive director of the International Association of Assembly Managers, the world's largest association of facility managers.

"For one thing, as a parent I have a hard time with someone telling me what is acceptable," said Zimmer, whose organization is based in the Dallas/Fort Worth Metroplex. "And it's impossible to come up with every scenario. Who does the rating? There's hundreds of live acts out there."

Fort Worth Star-Telegram April 24, 1998, Friday

Zimmer added that an outside rating system would mean venue managers would be held accountable for performances they have no real control over.

(STORY CAN END HERE)

Ultimately, though, the debate may only help Manson and other controversial groups just as television shows with ratings aimed at limiting their audience to adults, such as "NYPD Blue" and "South Park," have flourished.

After all, parental-advisory stickers certainly haven't stopped Manson's CDs from selling well. He's a more popular concert attraction than he was before conservative groups began protesting his appearances. In the end, the old show business adage any publicity is good publicity may still apply.

ARCHIVE PHOTO (from KRT Photo Service, 202-383-6099):

Photo of Marilyn Manson available on PressLink Online.

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December 22, 1999, Wednesday, Final Edition

SECTION: A SECTION; Pg. A06

LENGTH: 370 words

HEADLINE: First Lady Urges Inclusive Media Ratings

BYLINE: Liz Leyden, Washington Post Staff Writer

DATELINE: NEW YORK, Dec. 21

BODY:

Mixing holiday cheer with the upcoming business of her Senate campaign, Hillary Rodham Clinton served as keynote speaker for the New York State Democratic Committee's fifth annual holiday gala.

The party at the Pierre Hotel on Fifth Avenue attracted a powerhouse of state politicians, including Attorney General Eliot Spitzer and Rep. Charles B. Rangel (D).

Earlier in the day, speaking to a Boys' and Girls' Club in Oyster Bay, N.Y., she proposed the creation of an all-inclusive ratings system that would cover movies, video games and television. She said the current rating system--which differs from one medium to the next--is too confusing.

She said she would fight for an all-inclusive ratings system if she is elected to the Senate next fall over her likely opponent, New York Mayor Rudolph W. Giuliani (R).

During her 10-minute speech tonight, she touched on familiar issues such as the need to expand health care coverage, to improve education and to curb youth violence.

Clinton and other prominent speakers, including Robert F. Kennedy Jr. and Kerry Kennedy Cuomo, gathered onstage about 6:40.

At the evening reception (there was an earlier one for about 100 people), about 450 guests clustered around tables and stood on chairs throughout the speeches. Each had paid \$ 125 to attend the dinner, which was to be followed by a less pricey (\$ 50) dessert reception for young Democrats.

Though the party honored the two members of the Kennedy clan--Cuomo for her human rights activism, Kennedy for his environmentalism--both used their time at the lectern to praise Clinton.

Kennedy recalled his late father in discussing Clinton's senatorial bid.

"Then there are the Saturday morning gas bags--they say there isn't room in New York state for Hillary Rodham Clinton," Kennedy said, his voice rising.

The Washington Post, December 22, 1999

"These are the same guys who were saying there wasn't room for Robert F. Kennedy in 1964. It's always the same guys. And they're always Republicans."

The program lasted about one hour, during which some in the crowd were boisterous. As Kennedy, who spoke before Clinton, began to wrap up, one guest stormed from the front tables toward the noisemakers and shouted for silence.

LANGUAGE: ENGLISH

LOAD-DATE: December 22, 1999

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