

PHOTOCOPY  
PRESERVATION

CUTTING  
Senate Panel

## Markup Reports

### Panel Approves Bill Limiting Workplace Injury Suits

■ MANUFACTURERS OF WORKPLACE machinery that is more than 18 years old would be immune from certain lawsuits related to on-the-job injuries under a controversial bill approved Wednesday by the House Judiciary Committee, *National Journal News Service* reported.

The Workplace Goods Job Growth and Competitiveness Act, which cleared the panel by a 16-14 vote, would establish a federal "statute of repose" that would prevent many workers from filing product liability lawsuits against manufacturers for injuries occurring more than 18 years after the product was first sold.

The bill would apply only to employees who are eligible for workers' compensation benefits.

The federal legislation would override those state statutes of repose and create a uniform nationwide time limit.

Rep. Steve Chabot, R-Ohio, the bill's chief sponsor, said that after a "reasonable length of time," U.S. manufacturers should not be held liable for "overaged" products that had operated safely for many years.

But most Democrats vehemently opposed the bill — saying it would intrude on states' rights and shortchange U.S. workers who suffer workplace injuries.

### Committee OKs Strategic Petroleum Reserve Extension

■ THE SENATE Energy and Natural Resources Committee Wednesday approved by voice vote legislation that would extend United States participation in the Strategic Petroleum Reserve for the next four years, *National Journal News Service* reported.

The measure is a modified version of the legislation introduced by Energy and Natural Resources

### Chairman Murkowski and ranking member Jeff Bingaman, D-N.M.

A committee spokeswoman said Murkowski decided to strip some provisions from the bill in order to get a "clean authorization" through the Senate as quickly as possible.

United States participation in the reserve, which was set up in 1975

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We should find  
out more about this  
compromise. ↓ BL

### Brownback 'Cultural Crisis' Probe Gets Watered Down

■ LEGISLATION SPONSORED BY Sen. Sam Brownback, R-Kan., to create a special Senate committee for a sweeping bipartisan investigation of the "cultural crisis" in America will be watered down to a task force stripped of its proposed subpoena powers, *National Journal News Service* reported.

A scheduled Senate Rules Committee markup of the resolution creating the special panel was canceled before it began Wednesday — after a huddle that included Rules Chairman McConnell, ranking member Christopher Dodd, D-Conn., and Majority Leader Lott.

Dodd explained later that a compromise measure was being developed with Brownback after the Senate Democratic Caucus opposed the open-ended nature of the proposed probe, which would have covered everything from divorce, out-of-wedlock childbirth, teen sexual activity, alcohol and drug abuse and pop culture — including exploration of any links between movies, music or television and crime.

Lott told reporters that a compromise bill, to be considered this

morning by the Rules panel, would downgrade the committee to a bipartisan task force without the subpoena power proposed by the original measure.

The task force also would have a limited scope, details of which were still being worked out.

### Young Tries to Supersede Efforts On Chugach Land Claims

■ DESPITE STAUNCH OBJECTIONS from Democrats and the White House, the House Resources Committee Wednesday approved a bill designed to override administration efforts to settle a land dispute in the Chugach National Forest, *National Journal News Service* reported.

The bill, which the panel passed by voice vote, would allow the Chugach Alaska Corp. — which represents the Chugach Native tribe — to build a road through the forest.

House Resources Chairman Young has been trying to settle the dispute through legislation for the past four years — and charged the administration with dragging its heels in granting an easement after promising during last October's year-end budget talks it would be completed by the end of 1998.

Young also accused an "environmental bunch of wackos" of trying to thwart the building of a road because of wildlife and habitat concerns.

Resources ranking member George Miller, D-Calif., said the bill would dismantle the ongoing negotiations between the Forest Service and the Chugach.

Miller also charged that the legislation, in pre-empting ongoing administration discussions over the easement, would only invite litigation that could further stall an agreement.

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Daily Variety

September 24, 1999

SECTION: NEWS; Pg. 6

LENGTH: 204 words

HEADLINE: Senate switches plans for culture committee

BYLINE: CHRISTOPHER STERN

BODY:

WASHINGTON --- The Senate has reached an agreement to scuttle its planned special Committee on American Culture in favor of a much less powerful panel that will not have subpoena power.

A spokesman for Sen. Sam Brownback (R-Kan.) confirmed Thursday that an agreement had been reached to create a taskforce, but final details are still being hammered out. Senators are still trying to nail down the scope of the body, which the entertainment industry is concerned will use movies, television and film as a scapegoat for school violence.

Brownback, with the help of Senate Majority Leader Trent Lott (R-Miss.) and other conservative Republicans, had hoped to create the special committee within the next few weeks. But Democrats sank the plan, fearful that the committee would become a forum for conservative critics of popular culture. Republicans backed down only after Democrats insisted that guns be included in the special committee's portfolio.

Brownback spokesman Eric Hotmire said a final vote on the taskforce could come as early as next week. One possible name for the body, which will include an equal number of Democrats and Republicans, is the Taskforce on the State of American Society, said Hotmire.

LANGUAGE: ENGLISH

LOAD-DATE: September 24, 1999

# NATIONAL JOURNAL'S CongressDaily

1 of 1 results | | [Back to Results List](#)

## **POLITICS - Senate Rules To Consider Two New Special Panels**

The Senate Rules Committee today is slated to consider two proposals to establish new congressional committees, a Republican-backed effort to assess the entertainment industry's role in encouraging violence, and a Democratic panel on the role of the gun industry in fostering violence.

The idea for a Special Committee on American Culture with subpoena power was proposed by Sen. Sam Brownback, R-Kan., and has been kicking around for several months.

The idea for a Special Committee on Firearms Violence, proposed by Sen. Barbara Boxer, D-Calif., is newer, and is seen as a rejoinder to Brownback's decision to target a historically Democratic constituency by putting a historically Republican constituency under the gun.

Such trade groups as the Motion Picture and the Recording Industry associations of America are lobbying to kill the Brownback proposal.

"Things could get a little lively" when the Rules Committee takes up the matter, said one Republican lobbyist for the entertainment industry.

A source said the entertainment lobbies have not taken sides on the Boxer proposal.

CongressDailyAM

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**BACK TO  
CLOAK  
ROOM**



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Daily Variety

September 23, 1999

SECTION: NEWS; Pg. 4

LENGTH: 449 words

HEADLINE: GOP may scale back probe of pop culture

BYLINE: CHRISTOPHER STERN

BODY:

WASHINGTON --- Faced with stiff resistance from Senate Democrats, Republicans are poised to downgrade a proposed Special Committee on American Culture to a task force without subpoena powers.

Many angry Democrats want to scuttle the whole proposed inquiry, but Senate Majority Leader Trent Lott (R-Miss.) has begun lobbying hard for some formal review of popular culture.

"This is not a witch hunt," Lott told reporters after an aborted Senate Rules Committee meeting Wednesday. Lott, like other senators at Wednesday's meeting, noted that concern about popular culture has spiked in several major polls. "There is a problem there and we ought to give some serious thought to it."

In addition to its inability to subpoena documents and witnesses, another major difference between a task force and a special Senate committee is that the task force will be equally divided between Republicans and Democrats. Sen. Sam Brownback, (R-Kan.) had hoped to be a chairman of a special panel with a Republican majority.

Opponents of Brownback's effort to create a special committee pointed out that there is already a Federal Trade Commission inquiry that is looking at the marketing practices of Hollywood. In addition, President Clinton has authorized the office of the surgeon general to examine the impact of violent entertainment on kids. Also, the Senate is considering proposals, as part of a pending Juvenile Justice Bill, that would create a national commission on youth violence.

Lott insisted that the Senate could not wait for various commissions and investigations to reach their own conclusions. "None of that will get done for months," he said. If a final compromise is not worked out, the lawmaker promised to put the Special Committee on American Culture to a vote on the Senate floor.

Recording Industry Assn. of America prexy Hilary Rosen predicted Wednesday that a compromise would be reached. But she also said the issue of creating a panel on culture should never have been raised in the first place.

"There is proposal after proposal," Rosen said. "It might just be that these

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are issues are more complex and that there are no neat political fixes."

News that Brownback was pushing for a special committee was greeted with anger by some Democrats. Sen. Christopher Dodd (D-Conn.) described his party's reaction to this news as "explosive."

Democrats, led by Sen. Barbara Boxer (D-Calif.), want the impact of guns to be included in the task force's purview. Republicans are generally resistant to the inclusion of guns as part of the inquiry, but Brownback said Wednesday that he would be willing to include them in the discussion, depending on the "framework."

LANGUAGE: ENGLISH

LOAD-DATE: September 23, 1999

2ND STORY of Level 1 printed in FULL format.

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Daily Variety

September 22, 1999

SECTION: NEWS; Pg. 1

LENGTH: 437 words

HEADLINE: BACK ON WARPATH: Culture warriors target H'w'd again

BYLINE: CHRISTOPHER STERN

BODY:

WASHINGTON --- The Senate is poised to establish a Special Committee on American Culture that will have a broad mandate and the power to subpoena documents and witnesses.

Sen. Sam Brownback (R-Kan.) is expected to head the bipartisan Culture Committee. Brownback is a vocal critic of Hollywood, which he has suggested is responsible for creating a culture of violence and profanity that has undermined the morality of America's youth. A Senate subcommittee is expected to vote as early as today to decide whether the full Senate should vote on establishing the committee.

Entertainment industry lobbyists had expected the Senate to reject Brownback's call for a special committee, but are now less optimistic. "If you asked me three weeks ago, I would have said maybe not. Now it looks likely," one industry source said.

Not just violence

Brownback spokesman Erik Hotmire pointed out that the special committee will also look at family issues such as out-of-wedlock births and divorce, not just the entertainment industry. The goals of the committee include collecting data on the impact of pop culture; exploring links between violent entertainment and crime; and investigating possible connections between explicit sexual material and teen sexual activity.

But creative industry lobbyists, who were working Tuesday night to turn back Brownback's efforts, point out that the Federal Trade Commission is already investigating the entertainment industry in connection with marketing violence to young people.

In addition, President Clinton has asked the Surgeon General to look at the effects of popular entertainment on kids. And Congress is also still weighing a proposal to create a national commission on youth violence that would also take a look at popular culture's impact on the behavior of the nation's teenagers.

In addition, D.C. think tank the Center for Media & Public Affairs today is releasing a study on violence in entertainment, including feature films, TV and

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musicvideos.

Congress has been struggling with ways to address youth violence since April, when two students killed 13 people at Columbine High School in Littleton, Colo., before taking their own lives. Republicans have been quick to blame popular culture for inciting the violent spree and a handful of other incidents that have struck the nation's school yards during the last several years. But Democrats insist most of the blame should be targeted at the firearms industry, which is resisting tougher gun control laws.

Under the proposal now circulating, the committee would only be authorized to work until Dec. 31, 2000.

LANGUAGE: ENGLISH

LOAD-DATE: September 22, 1999



5TH STORY of Level 1 printed in FULL format.

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Ventura County Star (Ventura County, Ca.)

September 22, 1999, Wednesday

SECTION: Editorials; Pg. B09

LENGTH: 900 words

HEADLINE: Another crusade by the czars of culture

BYLINE: Charles Levendosky  
Editorial page editor, Casper Star-Tribune

BODY:

Everyone wants to be a culture czar, preferably in capital letters. Culture czars will tell the nation what is good art and what is bad art.

Bad art will be banned -- from music, to films and photography, to paintings and sculpture, to literature, to dance, to television programming. And the nation better be grateful.

In August, U.S. Sen. Sam Brownback, R-Kan., introduced a Senate resolution to create a seven-member Special Committee on American Culture to investigate "the cultural crisis facing America."

"What cultural crisis?" you might ask.

It shouldn't escape notice that Brownback is from the same state where the "science czars" of the state board of education voted to eliminate any mention of evolution from all science texts used in the public schools. As if by majority vote, they could repeal scientific fact. If everyone in America voted to repeal gravity, we still wouldn't float off the face of the Earth -- but the Kansas science czars don't seem to believe that.

According to Senate Resolution 172, the purpose of Brownback's committee of culture czars is: "1) to study the causes and reasons for social and cultural regression; 2) to make such findings of fact as are warranted and appropriate, including the impact that such negative cultural trends and developments have on the broader society, particularly in regards to child well-being; and 3) to explore means of cultural renewal."

Now if this sounds suspiciously like the former Soviet Union's committees of cultural czars, you would be correct. Art in the USSR was bent to the furtherance of the government's goals. While workers languished in prisons for expressing contrary political views, painters and sculptors and writers lauded the "Worker" as the backbone of the Soviet state. The worker lived at poverty level; the leadership ate caviar -- but no artist expressed this truth without landing in jail.

Brownback has already been involved in recent Senate hearings regarding music and its supposed relationship to youth violence. The hearings attacked rock,

rap, hip-hop and shock rock. Rap and hip-hop arose from ghettos. Rap is accused of fomenting violence simply because it sometimes accurately describes life in urban ghettos -- racism, police brutality, poverty. Instead of attempting to solve the social problems of poverty and racism, the music czars attacked rap. It's easier. It doesn't cost much. And one can conveniently turn one's back on the poor.

The "well-being of children" has become a code phrase for banning adult expression, artistic or otherwise. It shows up in the Senate resolution. You can see the underlying intent: Art and cultural expression will be pushed toward what is appropriate for elementary school children.

Congress tried this same tactic to limit expression on the Internet, but a unanimous U.S. Supreme Court told Congress that approach violates the First Amendment. Not even Congress -- with its sound-bite politics -- is above the Constitution, although it forgets that from time to time.

David Lowenthal, professor emeritus of political science at Boston College, recently claimed in an article published in The Weekly Standard that Hollywood is dishing out too much sex and violence. He continued: "Government, and government alone, has a chance of blocking this descent into decadence. The choice is clear, either a rigorous censorship of the mass media -- or an accelerating descent into barbarism and the destruction, sooner or later, of free society itself."

Clearly, Lowenthal doesn't equate freedom of speech and expression with a free society. And clearly he doesn't think Americans have the good sense to choose what to watch or read for themselves. Lowenthal would give that power to Congress.

Members of Congress can't even pass a law to reform the laws regulating campaign contributions so that they aren't bought and paid for by wealthy special-interest groups. How are they going to stop this so-called "descent into decadence"? If that is truly a problem in America, members of Congress are as much a part of it as any media mogul.

The September issue of the American Family Association Journal calls the American Library Association a radical organization. What apparently is so radical about the ALA is that it insists that parents must be the guides of what their children read or pull up on library computers that have access to the Internet. The ALA takes the position that it isn't a librarian's job to restrict what a child reads or sees on the Internet.

Ironically, the ultraconservative American Family Association wants a government agent (a county or state librarian) to tell our children what is proper for them to read or view. Apparently, "family" in the American Family Association doesn't mean parental control but government control.

In a nation with a proud free speech heritage and a First Amendment legal tradition that resolutely supports it, the re-emergence of speech and culture czars is, paradoxically, not surprising. Our nation has a long history of puritan prudishness. There is always someone, somewhere underlining the "dirty" language in books; titillated, but off to warn the nation -- pretending in his or her obsession with sex to be saving us from ourselves.

Ventura County Star, September 22, 1999

The culture czars never seem to trust the basic axiom of a democracy: The people can and must choose for themselves.

LANGUAGE: English

LOAD-DATE: September 22, 1999

SRES 172 IS

106th CONGRESS

1st Session

**S. RES. 172**

To establish a special committee of the Senate to address the cultural crisis facing America.

**IN THE SENATE OF THE UNITED STATES**

**August 4, 1999**

Mr. BROWNBACK (for himself, Mr. MOYNIHAN, Mr. LOTT, Mr. DORGAN, Mr. ALLARD, Mr. CONRAD, Mr. ABRAHAM, Mr. COVERDELL, Mr. SESSIONS, and Mr. CRAIG) submitted the following resolution; which was referred to the Committee on Rules and Administration

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**RESOLUTION**

To establish a special committee of the Senate to address the cultural crisis facing America.

*Resolved,*

**SECTION 1. ESTABLISHMENT OF THE SPECIAL COMMITTEE.**

(a) ESTABLISHMENT- There is established a special committee of the Senate to be known as the Special Committee on American Culture (hereafter in this resolution referred to as the 'special committee').

(b) PURPOSE- The purpose of the special committee is--

(1) to study the causes and reasons for social and cultural regression;

(2) to make such findings of fact as are warranted and appropriate, including the impact that such negative cultural trends and developments have on the broader society, particularly in regards to child well-being; and

(3) to explore means of cultural renewal.

No proposed legislation shall be referred to the special committee, and the committee shall not have power to report by bill, or otherwise have legislative jurisdiction.

(c) TREATMENT AS STANDING COMMITTEE- For purposes of paragraphs 1, 2, 7(a) (1) and (2), and 10(a) of rule XXVI and rule XXVII of the Standing Rules of the Senate, and section 202 (i) and (j) of the Legislative Reorganization Act of 1946, the special committee shall be treated as a standing committee of the Senate.

**SEC. 2. MEMBERSHIP AND ORGANIZATION OF THE SPECIAL COMMITTEE.**

(a) MEMBERSHIP-

(1) IN GENERAL- The special committee shall consist of 7 members of the Senate--

(A) 4 of whom shall be appointed by the President pro tempore of the Senate from the majority party of the Senate upon the recommendation of the Majority Leader of the Senate; and

(B) 3 of whom shall be appointed by the President pro tempore of the Senate from the minority party of the Senate upon the recommendation of the Minority Leader of the Senate.

(2) VACANCIES- Vacancies in the membership of the special committee shall not affect the authority of the remaining members to execute the functions of the special committee and shall be filled in the same manner as original appointments to it are made.

(3) SERVICE- For the purpose of paragraph 4 of rule XXV of the Standing Rules of the Senate, service of a Senator as a member, chairman, or vice chairman of the special committee shall not be taken into account.

(b) CHAIRMAN- The chairman of the special committee shall be selected by the Majority Leader of the Senate and the vice chairman of the special committee shall be selected by the Minority Leader of the Senate. The vice chairman shall discharge such responsibilities as the special committee or the chairman may assign.

### **SEC. 3. AUTHORITY OF SPECIAL COMMITTEE.**

(a) IN GENERAL- For the purposes of this resolution, the special committee is authorized, in its discretion--

(1) to make expenditures from the contingent fund of the Senate;

(2) to employ personnel;

(3) to hold hearings;

(4) to sit and act at any time or place during the sessions, recesses, and adjourned periods of the Senate;

(5) to require, by subpoena or otherwise, the attendance of witnesses and the production of correspondence, books, papers, and documents;

(6) to take depositions and other testimony;

(7) to procure the services of individual consultations or organizations thereof, in accordance with the provisions of section 202(i) of the Legislative Reorganization Act of 1946; and

(8) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a nonreimbursable basis the services of personnel of any such department or agency.

(b) OATHS FOR WITNESSES- The chairman of the special committee or any member thereof may administer oaths to witnesses.

(c) SUBPOENAS- Subpoenas authorized by the special committee may be--

(1) issued over the signature of the chairman after consultation with the vice chairman, or any member of the special committee designated by the chairman after consultation with the

vice chairman; and

(2) served by any person designated by the chairman or the member signing the subpoena.

(d) OTHER COMMITTEE STAFF- The special committee may use, with the prior consent of the chairman of any other Senate committee or the chairman of any subcommittee of any committee of the Senate and on a nonreimbursable basis, the facilities or services of any members of the staff of such other Senate committee whenever the special committee or its chairman, following consultation with the vice chairman, considers that such action is necessary or appropriate to enable the special committee to make the investigation and study provided for in this resolution.

(e) USE OF OFFICE SPACE- The staff of the special committee may be located in the personal office of a Member of the special committee.

#### **SEC. 4. REPORT AND TERMINATION.**

The special committee shall report its findings, together with such recommendations as it deems advisable, to the Senate prior to December 31, 2000.

#### **SEC. 5. FUNDING.**

(a) IN GENERAL- From the date this resolution is agreed to through December 31, 2000, the expenses of the special committee incurred under this resolution--

(1) shall be paid out of the miscellaneous items account of the contingent fund of the Senate;

(2) shall not exceed \$500,000, of which amount not to exceed \$150,000 shall be available for the procurement of the services of individual consultants, or organizations thereof, as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i)); and

(3) shall include sums in addition to expenses described under paragraph (2), as may be necessary for agency contributions related to compensation of employees of the special committee.

(b) PAYMENT OF EXPENSES- Payment of expenses of the special committee shall be disbursed upon vouchers approved by the chairman, except that vouchers shall not be required for disbursements of salaries (and related agency contributions) paid at an annual rate.

*END*