

Federal courts and have a determination made if it is constitutional or not." Try to defend that.

We are going to have a vote. We will see who really believes in private property rights in America.

I yield the floor, Mr. President.

Mr. LIEBERMAN addressed the Chair.

The PRESIDING OFFICER (Mr. ENZI). The distinguished Senator from Connecticut is recognized.

Mr. LIEBERMAN. I thank the distinguished occupant of the Chair. Mr. President, I ask unanimous consent that I be allowed to speak without time limit as in morning business.

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

Mr. LIEBERMAN. I thank the Chair.

#### BEYOND THE CULTURE WARS: HOW WE CAN REDISCOVER COMMON MORAL GROUND

Mr. LIEBERMAN. Mr. President, the distinguished leader's reference to the Constitution provides a transition for me today, and I appreciate it.

Mr. President, 222 years and 6 days ago, our Founding Fathers issued what we today regard as America's birth certificate: the Declaration of Independence. We know well the significance of this date which we celebrated, once again, last weekend all across the land and the subsequent events that comprise the remarkable and unique story of our freedom. But sometimes, it seems to me, we have lost sight of the substance of the document itself, and its continued relevance to our polity. So today I would like to revisit this great statement of our American ideals to see what guidance it gives us about our current condition.

Reread Jefferson's master work and you will see that it was not just the declaration of our independence, but also a declaration of our interdependence, a defining statement of the common conditions and values, the shared principles and purposes that would unite a diverse population of English and European pilgrims into a nation.

The original Americans did not all come from the same land, but they all did agree that there are fundamental truths that are self-evident.

They did not all hold the same religious tenets, but they did all hold an unerring faith that those inalienable rights that Jefferson enumerated in the declaration were endowed not by some benign king nor by the grace of a new government, but by their Creator.

I was moved to reflect, Mr. President, upon the declaration's meaning as our latest national birth date passed last Saturday by the recent comments of two prominent contemporary political activists about the state of our values in America in 1998, comments which, when taken together, I fear show how we have lost some of the unity of our founders' national vision.

The first came from Dr. James Dobson, the head of Focus on the Family,

who for sometime now has been ringing a national alarm bell about the Nation's declining morality. It was just a few weeks ago that Dr. Dobson caused a stir by proclaiming to the national press that we are in the midst of a civil war over America's future, pitting the moral haves against the moral have-nots.

Not long after, Jane Fonda gave a speech on teen pregnancy that actually echoed Dr. Dobson's martial proclamation, but from a very different perspective. Ms. Fonda attacked the views espoused by Dr. Dobson and others on abortion and sex education, accusing them of ignoring children that "are not white, middle-class Christians" and warned her audience that our society is in the throes of a "holy war," pitting the forces of tolerance against the forces of intolerance.

It would be easy to dismiss this apocalyptic talk, this talk that seems, in some words, certainly to be intemperate, as just another bout of the hyperbole that dominates so much of our political discourse these days if it were not for the accumulation of evidence suggesting that Dr. Dobson and Ms. Fonda are each in their own ways on to something. Maybe, as the stark contrast and conflict of their views and the way in which they express them suggest, the values that have long held us together are coming unglued. Maybe we are on the verge of abandoning the declaration's premise of interdependence and sliding toward either individual isolation or open conflict.

There is certainly a slew of public opinion polls showing that most Americans are gravely concerned about the condition of our values. There was a Gallup-USA Today survey released in March found that 49 percent of Americans believe that we are in the midst of a moral crisis. And another 41 percent said they believe we have major moral problems. What is driving these numbers, the polls suggest, is a swelling sense that our moral safety net, the interlaced norms of behavior we depend on to maintain a civil society, has become badly frayed, and that this fraying has contributed to some of our most pressing social ills, from the recent outbreak of children slaughtering children, to the ongoing epidemic of children giving birth to children, to the general coarsening of conversation, communication in our shared public places.

Mr. President, then consider, if you will, the vociferous complaints of millions of American parents—I certainly hear them in Connecticut—who feel as if they are locked in a competition with the immensely powerful, popular culture to raise their own children, a culture which more and more rejects, rather than reflects, the fundamental values we Americans have abided by for generations that have served us so well, a culture that glorifies murder, mayhem and drug abuse, promotes promiscuity and the latest perversion of the moment, denigrates authority

with a numbing regularity, and wallowing in titillation and sensationalism and, it seems so often, all things scandalous.

Or closer to home, here in Congress, consider what our investigation of the 1996 campaign finance scandal revealed. We live in a political system where the clear intention of laws governing campaigns are regularly violated, where we have defined political deviancy down so far that it seems the only relevant standard left is what is technically legal—which is another way of saying, "What can we get away with in order to raise vast sums of money to run more television ads, to win more elections?"—and where hustlers cynically compare gaining access to the White House to dropping tokens into a subway turnstile.

Or consider the hostile tone of the debates we often hear in this Congress about visceral, values-based issues, particularly such as abortion or homosexuality or school prayer. The rancor of these discussions, which is eagerly amplified by the news media, only reinforces the impression that values are something that divides us as Americans today rather than defining us.

So there is ample evidence, I think, to suggest that something is deeply wrong with America's moral health today. Nor is it a stretch to conclude that Dr. Dobson and Ms. Fonda, together with the legions of other culture warriors who have seconded their respective convictions, raised some legitimate and consequential questions about what it is that ails us in our capacity to remedy it.

Among them are, What has happened to the founding principles that undergirded the Declaration and, for that matter, the Constitution and have sustained us for generations? Have we, in some sense, taken tolerance too far? Is our commitment to a common moral code on a set of fixed points of right and wrong self-evident truths that we declared in the Declaration disintegrating? And if it is, can a house so divided against its own values stand strong for long?

Mr. President, in my remarks today I will try to offer some answers that may add to our understanding of the controversial and complicated values debate, with the hope I may help to, in some small way, move it beyond the warped groove we seem to be stuck in these days. I do so convinced that America's moral Cassandras are on to something, that our Nation is in the grip of a crisis of values, that there really is a conflict at our core, and that the recent spate of school shootings and murders are a warning sign of even greater trouble ahead.

But I also do so convinced that we are misdiagnosing this conflict by framing it as a civil war, and that those who do, in fact, make it harder to overcome the very divisions that they bemoan and we, as a people, must repair if we are to fix what is, indeed, broken in our society.

Let me first try to say a bit more about what I mean by common values, because I know from experience that these words carry heavy baggage with them today and, as such, are often interpreted differently by different people which is, in itself, a symptom of the larger problem we face.

The best reference point I can think of is the Declaration of Independence, the Constitution, and the Bill of Rights, which are the great founding expressions of American values.

What are those core principles? Equal opportunity, freedom of religion and expression, particularly individual autonomy, self-rule, personal and civic responsibility, tolerance, and a respect for the basic dignity and underlying pervasive respect for the basic dignity of human life. All of these are derived, I believe, and can be seen from the documents—the Declaration particularly—all of these are derived from our faith in God, in our belief in the existence of moral truth and a higher law, and all of which, I suggest, are essential to living and sustaining a free and democratic society.

These Founding Fathers, we know, had their roots in the Judeo-Christian ethic, the Declaration's drafters, but the values are not exclusive to any one religion. In fact, over the years, they evolved into an American civic religion—principled, purposeful, moral, public, and not least of all inclusive—an American civics religion that cemented our common bonds as Americans for generations and made real the ideal of *e pluribus unum*—"one out of many."

But there is a profound tension that I think we have to acknowledge in these founding values between rights and freedoms, which we, as individuals, have been endowed, as the document says, by our Creator on the one hand, and in the mutual responsibilities and common obligations we must accept to form a government capable of securing those freedoms on the other hand—in other words, the coinciding claims of independence and interdependence that Jefferson articulated so brilliantly in the Declaration.

And it is in these tensions, I think, that we find the antecedents of the conflict that today engages Dr. Dobson, Ms. Fonda and so many others. It is, at its heart, not a conflict, I think, between warring camps of American citizens so much as a clash of competing fundamental American values—*independence versus interdependence, the belief in moral truth versus the value of communal tolerance.* It seems to me that we are not experiencing a wholesale repudiation of the basic common values I have described, but rather a shift in our national moral equilibrium in which tolerance has emerged as the more popular principle of the day.

A great challenge we face in our time, given this shift, is how to sustain tolerance without inviting immorality and how to uphold moral truth without

becoming intolerant. This tension is illuminated by the research that Boston University sociologist Alan Wolfe did for his recent book "One Nation After All," which was based on interviews with 200 middle-class Americans from eight different communities across the country.

Wolfe set out to test the conventional wisdom reflected, particularly in Dr. Dobson's comments that "a deep divide existed between upholders of traditional cultural and moral values and those attracted to more modern themes of personal or group identity," end of quote from Alan Wolfe. What he found, to the surprise of many, is a high degree of agreement across ideological, theological, racial and ethnic lines on a core set of common values, on the basic questions of right and wrong that still bridge our many differences as Americans.

But Wolfe also found a correspondingly high degree of reluctance to translate those privately held values into public expressions that hold others accountable to those shared standards.

The common refrain Wolfe heard was that people did not want to appear intolerant and did not feel comfortable imposing their morality on their neighbors.

Of course, in some ways this rise in tolerance has made us a much better country, much truer to our founding ideals of equality and opportunity. We have opened a world of new, more equal opportunities for women; for instance, working to eradicate many confining and misguided biases. We have made great progress over the last generation in fighting bigotry and discrimination against African-Americans, making more real for them after a terrible national history of inequality and persecution, the equality of opportunity the Declaration and Constitution proposed for all Americans.

The same is happening with regard to our fellow Americans who are of Hispanic and Asian descent, or today who follow the faith of Islam, a group that is growing in number in our country. And we have begun to stamp out the prejudice long harbored against homosexuals and accept them as fellow citizens deserving of the same basic rights and respect as all other Americans.

But the triumph of tolerance in our values in recent decades has also had a less constructive effect. The pendulum has swung so far and has become so wary of the label "intolerant" that I think we are increasingly unwilling, and in some cases incapable, of making moral judgments. This is evident in the evolution of public attitudes about the family, where we have gone from earlier times stigmatizing adultery, divorce, and particularly out-of-wedlock childbirth, to normalizing these behaviors, with little apparent consideration given to the damage these choices can do, particularly to children individually or to our society collectively.

It is also evident in too many of our schools, where teachers and curricula

avoid mentioning the word "values" or won't dare to instruct children in the meaning of right and wrong for fear that is too controversial or may offend some.

It is particularly evident, I fear, in the influential entertainment media, where executives at multibillion-dollar conglomerates too often refuse to draw any lines that they will not cross to raise their ratings and revenues. These men and women produce a market to our children—records that find fun in cop killing, gang rape; even at the extreme, pedophilia; video games that reward young players for mowing down innocent people with weapons; homicidal hotrods and television talk shows that degrade the human spirit and delight in the exploitation of human misery and perversity.

If criticized, the people who run the entertainment business often wave the first amendment around as if it were a constitutional hall pass that excuses their conduct, loathe to admit that the pollution they are dumping into the public square has much less to do with free speech than it has to do with higher profits.

The media moguls are surely not the only business leaders who have suspended judgment and let the values of the market, or the inherent lack thereof, rule practically unfettered. Much as Alan Wolfe's research suggests, more and more business leaders seem to be checking their privately held values, which are strong and deep, at the office door and, by extension, at least when they are functioning in their businesses, their sense of social responsibility. As a result, it too often seems as if the bottom line is the only line and that raising consumption is a far more important priority than raising healthy children.

The purest distillation of this ethos, I think, can be found in the new world of the Internet. Our shared enthusiasm for this exciting and immensely valuable new medium has, unfortunately, been tempered by the almost complete absence of boundaries or rules to guide online conduct. This is not just true of the criminals and the miscreants, the pornographers, pedophiles, and scam artists who, sadly, are taking advantage of the net's anonymity to do wrong, but also a distressing number of businesses that should know better. A recent report by the Federal Trade Commission on cyberspace privacy showed that many nationally recognized companies are using exploitive and manipulative marketing practices online to target web-surfing grade schoolers as potential customers. Specifically, an FTC survey of 212 sites aimed at kids found that 89 percent collect personally identifiable information and fewer than 10 percent provide any form of parental control over what information can be solicited.

Now, one could argue that it is not fair to judge these companies by their conduct in cyberspace since it is such a new medium. But one could also argue,

as I would, that the best way to gauge someone's ethics is to judge their conduct when no one is looking. Well, is anyone looking today in America? The founders of our country, the people who drafted the Declaration of Independence and signed it, believed that God was always looking—which is why they showed such deference to what they described as the Supreme Judge of the world in the Declaration of Independence and why they made religious freedom the first freedom. They knew that in this Republic that they were creating, where the power of the state was to be limited, where the state would not be all powerful, that faith in God, in a higher law, would be a necessary and powerfully constructive source of good behavior among the citizenry.

Surveys done today consistently show that more than 90 percent of the American people say they believe in God. I can't think of another question we could ask on a poll in this country that would get that high a response. We exhibit levels of religiosity that are far greater than any country in the world. Yet over the last generation or two we have grown increasingly reluctant to allow that faith to be expressed in public, so much so that it seems at times we have banished religious values and religious institutions from our public policy deliberations and construct a discomfort zone for even discussing our faith in public settings, ironically making religion one of the few remaining socially acceptable targets of intolerance.

If you look at the talk shows on television and see subjects that are being discussed there which go way over the line, think of how little we see similar discussions of matters of faith. In driving religion from the public square, we manage to slowly and significantly, I fear, dislodge our morality from its religious foundations and thereby have lost what I described a few moments ago as our unifying national civic religion.

In some ways, the Ten Commandments became just another "do and don't" list that people feel free to argue with, negotiate, or ignore outright. Without the connection to a higher law, we have made it more and more difficult for people to answer the question of why it is wrong to steal, cheat, or lie, or settle conflicts with violence, or be unfaithful to one's spouse, or to be exploitive with children. We have often deprived our public life of what I believe is the best source of better behavior that the human race has, which is faith in God and a sense of personal accountability and responsibility that should go with it.

The net result of the intertwined trends that I have just described—the triumph of tolerance, the lionization of the market, the breakdown in authority, and the loss of public accountability that comes from faith—is that we have succeeded in creating a values vacuum in American life today. In this

vacuum, where moral certainty fears to tread, there are fewer and fewer bright lines and more and more blurs of gray. The difficult balance of truth and tolerance, which for most of our country has sustained us, has been lost. And we are increasingly inclined to ask, "whose values?" when a question of morality is raised.

How much does this really matter? Well, according to Harvard's Michael Sandel, the dissolution of our public morality, coupled with the lost sense of common purposes, has effectively crippled our Government's ability to resolve our most complicated issues in formulating public policy. Without a common vocabulary of values and basic moral assumptions that should form our policies and our laws, Sandel suggests that our most important public debates are doomed from the start because we lack even a shared framework for reaching agreement.

Professor Sandel goes further, arguing in his recent book "Democracy's Discontent" that the breakdown in our common moral code has put the entire American experiment in self-government in jeopardy. Sandel says that in moving toward a value-neutral polity, we have abandoned what our colleague, PAT MOYNIHAN, has so aptly called the "central task" of any society—to inculcate values and develop virtue in its citizens, its children. By turning our backs on this mission, we have depleted the public capital necessary for a democratic government to function effectively. The consequences? A public philosophy that Professor Sandel says, "cannot secure the liberty it promises because it cannot sustain the kind of political community and civic engagement that liberty requires."

This cause for concern was reaffirmed by an important new report released last month by the National Commission on Civic Renewal, chaired by our former colleague, Sam Nunn, and by former Education Secretary Bill Bennett, which found that we are increasingly becoming "a Nation of spectators," passively disengaged from the duties and work of self-government. The commission examined 22 different trend lines, such as voter turnout, newspaper readership, and survey measurements of public trust, and determined that our civic condition has declined precipitously over the last generation.

Now, these indices of our current moral and civic decline become even more rattling when we consider what is filling the values vacuum today and what that means for our future. As our traditional values transmitters have shrunk from the task, the omnipresent, powerful popular culture has stepped in to assume that vitally important role. That means that the people setting the norms of behavior in this country and the standards of right and wrong more and more are the television producers and syndicators, the movie moguls, the fashion advertisers, the record manufacturers, the software designers, and a

host of other players within the electronic media-cultural complex that collectively exert a powerful hold on our consciousness.

The work these people and many others are doing too often sends the worst kinds of messages. They teach our kids that the proper way to resolve a disagreement is with a fist to the face or a bullet to the brain, that sex is a form of recreational activity without consequences, and that parents exist either to be mocked or ignored. These messages are breeding more of the same values vacuum that created them in the first place, communicating to our children that standards are fungible and matters of right and wrong are negotiable at best, irrelevant at worst.

Most entertainment industry leaders deny that they exert this kind of influence, but the evidence to the contrary is accumulating in such abundance that the media conglomerates, I think, are on the verge—dangerous verge—of becoming the moral equals of the tobacco industry. Indeed, much like the link between cancer and cigarettes, the decidedly negative effects of prolonged exposure to violence on television has been proven conclusively by an overwhelming body of social science research, a conclusion embraced by the American people, yet continually disputed in public by producers of violent programming.

There is also a recent, growing body of research to show a correlation between heavy viewing of sexual content and kids initiating sexual activity before they otherwise would have. A survey done by Time magazine last month showed that 29 percent of teenagers said they learned about sex mainly from television, second only to their friends as a source of knowledge, indicating that the small screen has become a big sex educator. Also, many child development experts have voiced concerns that the omnipresence of graphic sexual displays throughout the media and in advertising is helping to sexualize our children at an unhealthy early age. It was because of these reports that I sponsored legislation in the fiscal 1998 Labor-HHS appropriations bill directing the National Institute of Child Health and Human Development to initiate a broad-based research initiative on the media's influence on children's sexual behavior. That is now underway. Hopefully, it will provide us a clearer understanding of the relationship.

What the experts tell us has recently been corroborated by an abundance of real-life experiences. Earlier this year, in Norfolk, VA, for instance, educators within the local public schools observed that a disturbing number of children who watched Jerry Springer's fight-filled talk show were often choosing to settle their disputes, as they explained, "like they do it on the Springer Show," with punches and kicks. One principal in Norfolk was so concerned that she sent home a letter with each

student pleading with parents not to let them watch Springer anymore.

What can we make of the horrific bullets that children are firing with frightening frequency these days in the cafeterias, hallways, classrooms, and courtyards of America's schools? I am certainly not here to claim that the media is solely to blame for this spate of student gunfire. To do so would be unfair and would ignore the factual complexity of each case. Yet, it would be a far greater folly, I think, to ignore the pattern emerging that indicates that there is a connection between these violent acts and the culture of violence enveloping our children.

According to a recent report in the *New York Times*, which reviewed the most well-publicized cases of student violence over the last 9 months, as well as a few earlier incidents, we can conclude that each of the attackers "seemed to be obsessed with the violent pop culture." We know from various press reports that the boys in Springfield, OR; Pearl, MS, and Edinboro, PA, listened regularly to the nihilistic, hateful lyrics of shock-rock-er Marilyn Manson. We know from the testimony of a teacher from Westside Middle School in Jonesboro, AR, that the older of the two shooters there was a devotee of vicious gangsta rap music, and that a favorite song of his by the group Bone-Thugs-n-Harmony plays out an open-field massacre of revenge quite similar to the plan the 13-year-old and the 11-year-old accomplice executed in March. And we know in some detail of the fascination a 14-year-old in Moses Lake, WA, who mowed down three students in his algebra class 2 years ago, had with Oliver Stone's ghoulish movie, "Natural Born Killers," because two friends of his told authorities that the boy had confided to them that it would be "pretty cool" and "fun" to go on a killing spree like the movie's lead characters.

To truly understand this connection, though, we need to know more. I am the first to say that, though I am critical of the entertainment media. Senator BROWNBACK and I took one step in that direction earlier this week when we convened a discussion forum on Tuesday with several leading experts, including writers, social scientists, a district attorney, and a clergyman to explore in greater detail the roots of this deeply disturbing trend of student violence. The discussion we had produced a remarkably strong consensus that, in fact, the culture is a major contributing factor, and the dissolution of the family is clearly another factor. But culture, everyone tells us, is a contributing factor. That is why I am considering legislation that would ask the Justice Department to conduct a far-reaching study to examine the relationship between media violence and juvenile crime. It is an issue that has already been deeply politicized and, in some respects, oversimplified, and before it gets any more so, we need to see what the science can objectively tell us.

But at the same time, I don't think we have to wait to conclude that something is deeply wrong in our society when our children are slaughtering each other, and that the enormously attractive and stimulating images of murder and mayhem so rampant throughout the electronic media are playing some role in this American nightmare.

We can and also should talk about easy access to guns too many kids enjoy, which is evidenced by a recent study showing that nearly one million kids brought a firearm to school at least once this past school year, and nearly half of them did so at least six times. And we can and should talk about the need for greater parental involvement and faster intervention by counselors and other school personnel when kids show signs they are homicidal or suicidal.

But I think we have to also talk honestly about the reality that boys in many parts of the country for a long time have had easy access to guns, that some have always been spurned by girls, and some have always had emotional problems, some have had reason to be angry with teachers or fellow students. Yet, to my knowledge, we have never before in our history seen a similar series of cases where some of these young men—boys really—work out their problems by grabbing guns and massacring their teachers and classmates. So I think we have to ask, Where do they get such an idea? Maybe it is from the contemporary culture.

Before this lunacy goes any further, we must ask the entertainment industry, which, notwithstanding my criticisms, really has done so much good by enlightening our minds and touching our hearts, but also confront the harm it can do, the effect the entertainment industry can have of pushing some troubled children, particularly, over the edge, that they hear our pleas to stop raining down so much death and messages of death on our children.

Thankfully, we are beginning to hear cause for hope from the corridors of American cultural power, as more and more media executives have been willing to break the silence associated with the values vacuum. Both ABC President Bob Iger and former NBC Chairman Grant Tinker have given speeches at major television conventions this year decrying the Springerization of the airwaves as "an embarrassment to our business," in Iger's words, and challenged broadcasters to "stand for something," in Tinker's words.

And Disney Chairman Michael Eisner made a forceful statement to the American Society of Newspaper Editors this spring in which he candidly criticized those in the industry who "hide behind the skirts of the Constitution" to justify marketing of "vile programs" like Springer. These are permissible under the First Amendment," he said, "but they are not desirable if we aspire to call ourselves civilized."

He then called on his peers to make the kind of moral judgments that they and too many of us have been reluctant to consider. "Edit we must," he said, "not to stife conflict or conviction, but to eliminate debasement."

Also encouraging is what is happening outside the cultural epicenters of New York and Hollywood. In recent months, a political consensus has begun to take shape about the dire state of our moral and civic condition, bringing together disparate voices on the left and the right to cry out for renewing fundamental values in our public life.

This consensus is expressed eloquently in an important new report, "A Call to Civil Society: Why Democracy Needs Moral Truth," which was issued by a diverse collection of leading academics, theologians, social activists, civic leaders and politicians, from Harvard's Cornel West to UCLA's James Q. Wilson. This report, which Senator COATS and I were privileged to play a role in shaping, is particularly significant because it reasserts the central premises of the Declaration's claim of interdependence, that there are moral truths that we as a people must uphold for our experiment in self-rule to work.

This emerging consensus was also evident at the National Fatherhood Summit that was held here in Washington last month. This convocation was called to highlight the crisis of father absence we are experiencing in this country, in which the number of children living without a father of any kind that has quadrupled over the last two generations, and to mobilize a response. The day-long affair was thoroughly bipartisan, with the leaders of both houses of Congress serving as honorary co-hosts and Vice President GORE delivering the key-note address, and it produced unanimity about the critical importance of fathers in the raising of children and the need to strengthen the two-parent family.

For the left and the right to reach agreement on this front represents remarkable progress. A few years ago it was not just politically incorrect but politically dangerous to talk about the primacy of the two-parent family, as Dan Quayle learned, and to emphasize the critical role fathers play in the lives of their children. To do so was considered a knock against single mothers and perhaps all women. But the Fatherhood Summit and the Call to Civil Society suggest that we have turned an important corner in the politics of the family, and reflect a common understanding that to iterate the value of involved fathers is not to denigrate the value of single mothers who are often some of the greatest heroes in our society today.

Perhaps the most telling indicator of how far we have come is the recent statement that Murphy Brown herself made about the subject. Candice Bergen, the actress who played the sharp-tongued television character, recently declared that Dan Quayle "was right"

to talk about the troubling marginalization of fathers in his infamous speech in 1992—although she still holds firm that the former Vice President was wrong in his specific criticism of Murphy Brown's choice to have a child on her own. "It was a completely logical speech," Bergen said in a newspaper interview. "Fathers are not indispensable. They are vital to a family."

Which raises an obvious question: If Dan Quayle and Murphy Brown can find common moral ground now, why then do we continue to hear the steady beat of the culture war drums echoing throughout the political arena?

No one can deny here, nor do I think there is any question that these differences do reflect the broader philosophical schism dividing parts of our society, a moral fault line that generally separates—and here is how I would describe that fault line—it generally separates the champions of tolerance like Jane Fonda from the defenders of traditional values like James Dobson.

But I suspect the values vacuum that overrides all has been represented to both exaggerate and exacerbate these divisions, making the extent of our moral disagreements appear far greater than Professor Alan Wolfe's research, and several other supporting polls, actually show them to be. It seems that the less we express our morality publicly, the more trouble we have finding a common vocabulary of values, which makes it even more difficult for us to discuss civilly and constructively those issues that divide us, or to identify those principles that unite us. This communications breakdown deepens the contempt and suspicion that each side already feels for the other.

The news media, I am afraid to say, which itself has been infected by that anything-goes mentality—not always, but often infected by the anything-goes mentality pervading the entertainment culture—seems too often to fan the flames of controversy. The result is not so much an honest, engaged debate about values, but a culture war echo chamber that only heightens the average citizen's distorted sense that the country is locked in a mortal moral struggle.

The conflict over homosexuality's place, the place of homosexuals in our society, I think, offers a contemporary example of this tension that is very real in our lives and in our discussions and debates. Let's start with the reality that many Americans continue to believe that homosexuality is immoral and not just because the Bible tells them so. In fact, Professor Wolfe's research showed that this is one of the few areas where Americans of all religious inclinations feel so strongly that they are willing to risk the tag of intolerance to express or hold to their points of view, although most of the people he interviewed tempered their disapproval by making clear that they did not support discrimination against

gay men and lesbians. It is unfair, when you think about Professor Wolfe's research, then, for anyone to automatically conclude that people who express moral reservations or even disdain about homosexuality are bigots, or to publicly attack them as hateful. These are sincerely held morally based views.

Yet the suspicions and concerns of the gay community are understandable when one considers the Senate's treatment of James Hormel's nomination as Ambassador to Luxembourg, which is now being blocked by multiple holds by Members of this Chamber. If we truly believe in the claim of equality and the universal principle of fairness of the Declaration of Independence, and if we want to talk more broadly about values with true credibility in this Chamber, I think we owe Mr. Hormel a chance to be evaluated by the same standards we have applied to other nominees. We owe him a chance to be judged by his career and competence, not by his sexual orientation. We owe him a vote on this floor.

If we truly hope to repair the moral breach that separates us and prevents us from confronting what most Americans agree is a crisis of values, I think we have to start by recognizing that the tone of the debate matters as much as the substance. We need to declare a cease-fire in the culture wars, to lay down our rhetorical arms, step back and look at the person across the PTA meeting room or the abortion clinic or the affirmative action rally not as the enemy, but as a fellow American, deserving of the same respect and courtesy we all expect for ourselves, who happens to have a different, deeply held point of view. We need to build on the common moral ground staked out by the call to civil society and begin to reassert in public life those fundamental values that, despite the collateral damage of the culture warring, continue to connect our incredibly diverse populace.

I think the largest responsibility, the first responsibility, falls on those of us who are concerned about the weakening of our common values and the ramifications for our society. We have to acknowledge that many of our fellow citizens not only feel uncomfortable talking publicly about matters of morality, they are also skeptical of those who do. Indeed, one of the great ironies of our time is that many Americans have come to regard morality as a code word for intolerance. So our challenge today is to persuade the skeptics that it is crucial for the future of our country to rediscover those common core principles that made our democracy possible in the first place—those common core principles that were described, declared in the Declaration of Independence—and to renew their strength. We in Congress have the opportunity and the responsibility to support the search for common moral ground.

From those of us who have been privileged and honored to be elected to lead

this country, the American people have a right to know that we hear their anxieties about the Nation's moral future, that we are striving to reflect their core values in our work and in our lives. But more than that, we have to recognize that so much of what we aspire to in this body, by passing legislation to serve the public interest and make this a better country, will ultimately be for naught if we do not fill the values vacuum in American life and rediscover, reclaim the high ground, the common moral ground.

For those reasons, I hope, in the months ahead, to return to the Senate floor, this historic Chamber that truly serves as the American people's forum, to speak with my colleagues from across this great country about different aspects of the values crisis that I have discussed today and to try to offer some specific ideas about how, together, we can better secure, "the Safety and Happiness" that our Declaration of Independence promises us all.

I thank the Chair and my colleagues for their patience. I yield the floor.

The PRESIDING OFFICER. The Chair recognizes the Senator from Minnesota.

Mr. GRAMS. Mr. President, I ask unanimous consent to be allowed to speak for up to 10 minutes.

The PRESIDING OFFICER. The Senator has that right.

Mr. GRAMS. I thank the Chair.

(The remarks of Mr. GRAMS pertaining to the introduction of S. 2291 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

#### OMNIBUS PATENT REFORM ACT OF 1997

Mr. LEAHY. Mr. President, I hope that the Senate will celebrate America's independence by focusing its energy on issues that create American jobs, protect American ingenuity, and improve the lives of the American people.

One such issue that I would like to talk about today is as American as fireworks on the 4th of July. This is our nation's patent system. Patents are the life's blood of America's industry and economic strength.

America's patent system was established in the Constitution itself. It is no coincidence that some of those who framed our government were inventors. Both Benjamin Franklin and Thomas Jefferson were avid inventors. Indeed,