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Senate

The Senate met at 9:30 a.m. and was called to order by the President pro tempore (Mr. THURMOND).

PRAYER

The Chaplain, Dr. Lloyd John Ogilvie, offered the following prayer:

Almighty God, we claim Your promise through Jeremiah, "Call on me and I will show you great and mighty things which you do not know."—Jeremiah 33:3. We press on with confidence to the challenges ahead today. Irrespective of perplexities, You are with us. The bigger the problems, the more of Your power we will receive. The more complex the issues, the more wisdom You will offer. Equal to the strain will be the strength that You grant us.

So, we humble ourselves and confess our need for Your divine inspiration. Our experience, education, and expertise are insufficient to grasp the full potential of Your vision for America and the world. We need Your x-ray discernment into potential blessings wrapped up in what we often call problems. Endow us with wisdom to see clearly the solutions we could not discover without Your help. Give us courage to seek and follow Your guidance. Set our hearts on fire with greater patriotism for our country and a deeper dedication to be courageous problem-solvers for Your glory and for Your grace. You are our Lord and Saviour. Amen.

PLEDGE OF ALLEGIANCE

The Honorable RICK SANTORUM, a Senator from the State of Pennsylvania, led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RECOGNITION OF THE ACTING MAJORITY LEADER

The PRESIDENT pro tempore. The Senator from Pennsylvania.

SCHEDULE

Mr. SANTORUM. Mr. President, today the Senate will be in a period of morning business until 10 a.m. Following morning business, there will be 60 minutes for closing remarks on two amendments: the Byrd amendment regarding safeguards and division 6 of the Smith amendment regarding organ harvesting.

After all time is used or yielded back, there will be two back-to-back votes at 11 a.m. Senators should be aware that there are amendments currently pending to the PNTR bill and further amendments are expected to be offered during today's session. Therefore, votes are expected throughout the day.

I thank my colleagues for their attention.

Mr. REID. Mr. President, at this time I ask the Chair to call regular order.

RESERVATION OF LEADER TIME

The PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The PRESIDENT pro tempore. Under the previous order, there will now be a period for the transaction of morning business not to extend beyond the hour of 10 a.m., with time equally divided between the Senator from Wyoming, Mr. THOMAS, and the Senator from Illinois, Mr. DURBIN.

UNANIMOUS-CONSENT REQUEST— S. 2497

Mr. SANTORUM. Mr. President, on behalf of the majority leader, I have

been asked to make a unanimous-consent request.

I ask unanimous consent that immediately following the passage of H.R. 4444, the Commerce Committee be discharged from further consideration of S. 2497 and the Senate proceed to its immediate consideration under the following terms: Two hours on the bill to be equally divided in the usual form; that there be up to one relevant amendment in order for each leader, that they be offered in the first degree, limited to 30 minutes equally divided and not subject to any second-degree amendments; and that no motions to commit or recommit be in order.

I further ask unanimous consent that following conclusion or use of debate time in the disposition of the above described amendments, the bill be advanced to third reading and a vote occur on final passage of the bill, as amended, if amended, all without any intervening action or debate.

The bill has to do with the entertainment industry and the entertainment industry marketing their videos and CDs to those people—children—who are proscribed, really, from buying them or attending those kinds of movies. These are R-rated movies. Children under 17 are not permitted in these without an adult. Yet we have a report just issued, I think earlier this week, that says the movie industry targets the very people who are not supposed to be viewing these kinds of materials or listening to these kinds of materials.

So this is a unanimous-consent request to move this out of the Commerce Committee and to deal with this issue on the floor promptly. This is an important issue that has been a bipartisan issue in the past. I hope my unanimous-consent request will be approved by the Democrats.

The PRESIDENT pro tempore. Is there objection?

Mr. REID. Reserving the right to object.

The PRESIDENT pro tempore. The Senator from Nevada.

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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Mr. REID. Mr. President, we, also, in the minority, are very interested in this subject. We think the Vice President and nominee has, along with others, set a good tone as to how we should look at what is going on with media. However, as we speak, at this very minute there are hearings on this subject going on in the Commerce Committee. The ranking member, Senator HOLLINGS, has not had an opportunity to review this unanimous-consent request. We believe if there is going to be legislation brought before the Senate, it should be in the regular order; that is, there should be an opportunity to amend the legislation if in fact that is necessary. We know there are a number of Senators who wish to offer amendments.

This unanimous-consent request that we have allows one amendment, and on that one amendment Senators can speak for 30 minutes. So when we have so much to do in this body—we have 11 appropriations bills we have not completed. I am going to discuss, in a little bit, some more things on education. We have a Patient's Bill of Rights we need to do, a prescription bill we need to do, minimum wage—I think it is awfully late in the game, when we have 15 days in the session left, to start talking about media violence. This is an issue that has been outstanding for many months. We have members of the minority who have spoken out on this time after time.

Based on that, and for other reasons, we object.

The PRESIDENT pro tempore. Objection is heard.

The Senator from Pennsylvania.

Mr. SANTORUM. The reason we are trying to move expeditiously here is the FTC has come out with a record that shows the egregious nature of the conduct of Hollywood with respect to the marketing to young people of material that is inappropriate for them, that they have said they would not so market. It is very similar to the charges we have heard about tobacco companies, that are not supposed to sell to minors, marketing to minors. Here we have the identical situation.

The other side has not been reticent about bringing tobacco legislation to the floor to stop the marketing to minors at the drop of a hat. Yet when it comes to protecting Hollywood, we have a roadblock. We have an opportunity here to reform the system, to do something substantive about an issue that is undercutting the moral fabric of our country, that is poisoning the minds of our children, and we have a roadblock because we have more important issues to discuss. According to the other side, there are other issues more important than these issues. I don't think there are very many issues that are more important than a deliberate attempt to market inappropriate material to young minds. That, to me, is about as high a priority as we can get.

There may be some other things the other side believes are more important

than that, but bringing this bill to the floor and having this debated is a very important issue. As the Senator from Nevada mentioned, their own Vice Presidential candidate believes this is a very high profile issue.

Let's deal with it. Let's not talk about it; let's not politic about it; let's not pander about it; let's do something about it. Here we have, again, an opportunity for us to do something substantive, to create reform, to move the agenda forward, and we have a roadblock; we have an objection: It is just not the right time; it is just not the right way; it is just not the exact thing we would like to do.

Let's move forward. Let's start moving on reform. We hear complaints that nothing gets done around here. Every time we start to put something forward to try to move a reform, the answer is no. We are going to continue to try. This is not the last time we are going to try to get unanimous consent on this matter. This is an important matter that we need to bring up and we need to deal with before this session ends.

I yield the floor.

The PRESIDENT pro tempore. The Senator from Nevada.

Mr. REID. Mr. President, we do not apologize for the work we have done on tobacco. We, of course, have led the Nation into focusing on the evils of tobacco and what it has done to hurt not only the youth but the adult communities throughout America. We do not apologize for that. This has been led by the minority, and we are proud of that.

THE SENATE AGENDA

Mr. REID. Mr. President, we also recognize that there are issues that need to be discussed as to what is going on with the media. That is why this legislation is important. The problem is there are other matters dealing with children we have totally ignored this year. For example, we have spent, this year, 6 days of debate on the ESEA.

As I have said, we do not apologize for the work we have done on tobacco. What has happened has been revolutionary as a result of the minority speaking out against the problems of tobacco. We do not apologize for that. Of course, we have called attention to it.

We have also called attention to the fact that we believe our children need more attention. On February 3 of this year, the majority said education will be a "high priority" in this Congress.

I regret to say instead of making education a central issue, and even a high priority, we have had only 6 days of debate on education this entire year on the Senate floor. There is not a more important issue that we can talk about on the Senate floor, bar none, than educating our children. Having 6 days of debate on the Elementary and Secondary Education Act in this Congress over a 2-year period does not indicate to me this is a "high priority."

We have about 15 days left in this Congress. We still have 11 appropriations bills to do. We have a minimum wage bill to complete. We have the Patients' Bill of Rights bill to complete. We have prescription drug benefits to address. We have issues dealing with gun safety, bankruptcy reform—the list of things we have not done is unending.

I believe to bring up, as was done by the majority today, this issue dealing with media, when right now Senator MCCAIN and others are listening to testimony of Senator JOE LIEBERMAN as to what he believes should be done in this regard. We know this is an artificial effort by the majority to focus on this issue. There is no intention to bring this up for debate. That is why the unanimous consent request given was so restricted that they would allow one amendment for 30 minutes. I think it is obvious this was only an effort to bring up an issue and talk about what they cannot get done.

Remember, the majority controls what goes on here on the floor. It is very obvious to me one thing the majority does not want to go on is a debate about education.

The Elementary and Secondary Education Act is an act that was part of President Johnson's war on poverty. It has been a successful program. Title I, the largest program in the Elementary and Secondary Education Act, was intended to help educational challenges facing high-poverty communities by targeting extra resources to school districts and schools with the highest concentrations of poverty. What it has done for children who could not read is remarkable. We have a lot more to do because Title I, which relates to teaching kids who have fallen behind how to read, has been so underfunded. Where it has been funded, it has done remarkably well.

We want this program to continue. In 1994, the Democratic-led Congress and the Clinton-Gore administration worked together to enact far-reaching reauthorization of Title I. We want to continue this, set high standards, and close the achievement gap. We want to do something about class size reduction. We want to hire more teachers. There are all kinds of studies that show if teachers have fewer children to teach, the kids do better, but we do not need studies to prove that.

Common sense dictates if a teacher has fewer children to teach, she is going to do a better job of teaching those children. That is what this legislation is about: Simple common sense; that is, if you have fewer children to teach, the kids are going to do better. We want to do that. We want to have class size reduction.

It is very clear one of the reasons we have such a high dropout rate is because of the fact children are in classes that are so big and schools that are so big.

I did an open school forum in Las Vegas during the August recess. Las