

REPORT FROM THE FRONT LINES: THE DRUG WAR IN HOLLYWOOD

HEARING

BEFORE THE

SUBCOMMITTEE ON NATIONAL SECURITY,
INTERNATIONAL AFFAIRS, AND CRIMINAL JUSTICE
OF THE

COMMITTEE ON GOVERNMENT
REFORM AND OVERSIGHT
HOUSE OF REPRESENTATIVES

ONE HUNDRED FOURTH CONGRESS

SECOND SESSION

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CONTENTS

	Page
Hearing held on September 21, 1996	1
Statement of:	
Blythe, Elaine	109
Cole, Tom	99
Fitzsimons, Charles B., executive director, Producers' Guild of America; and Mitchel Matovich, producer, Matovich Productions, Inc	13
Labrie, Alice	107
Lieberman, Carole, National Coalition on TV Violence	40
Lowry, Don	111
Reed, Rich	110
Stone, Dee Wallace, actress	2
Letters, statements, etc., submitted for the record by:	
Cole, Tom, information concerning a mission statement	106
Horn, Hon. Stephen, a Representative in Congress from the State of California:	
Biography of Dr. Lieberman	41
December 15th statement of Dr. Lieberman	46
Lieberman, Carole, National Coalition on TV Violence:	
Information concerning a proposed movie rating system	94
Prepared statement of	55

REPORT FROM THE FRONT LINES: THE DRUG WAR IN HOLLYWOOD

SATURDAY, SEPTEMBER 21, 1996

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON NATIONAL SECURITY, INTERNATIONAL
AFFAIRS, AND CRIMINAL JUSTICE,
COMMITTEE ON GOVERNMENT REFORM AND OVERSIGHT,
Los Angeles, CA.

The subcommittee met, pursuant to notice, at 9:30 a.m., in the Brentwood Theatre, 11301 Wilshire Boulevard, Los Angeles, CA, Hon. Stephen Horn presiding.

Present: Representatives Souder and Shadegg.

Also present: Representative Horn.

Staff present: Sean Littlefield, professional staff member; Ianthe Saylor, clerk; Chris Marston, legislative assistant; and Dan Hernandez, minority professional staff member.

Mr. HORN. The Subcommittee on National Security, International Affairs, and Criminal Justice will now come to order. I would like to welcome you to this sixth field hearing of the Subcommittee on National Security on the very important issue of the war on drugs.

Today's hearing focuses on the role of Hollywood in the drug war. We are certainly not the first to bring attention to this issue, but we will bring a new depth to the issue by talking to some of the leaders of the entertainment industry and insiders of the entertainment industry. We seek the root of the problem of portraying drug use and violence on television and the movies.

Before I go any further, I should note that we will have several other colleagues here, Mr. Souder of Indiana will arrive shortly, and Mr. Shadegg of Arizona should arrive shortly. They will join us in this hearing as they have in other hearings.

Before we have our first witness, let's review exactly how serious the drug problem is. Our children are being affected severely by this drug crisis. Our children have to get the message that we need to stop drug use and it is against their own self-interest to engage in drug use. That message needs to come not only from Hollywood, but from our national leaders, our State leaders, our community leaders, our parents; but we need to start with the Presidents, the Governors, the mayors and other figures, and certainly in the case of Hollywood where so many figures are role models for American youth, we need to have the encouragement of them that this is not the way for people to go if they are going to be independent, functioning citizens.

A few facts illuminate the deadly nature of the problem. Almost 11 percent of our youth ages 12 to 17 used drugs on a monthly basis last year. The number of eighth graders using drugs has doubled since 1991. Only 51 percent of teens say they will never use drugs. I could continue on with all sorts of other statistics. I think many in this room know them very well.

I think we have the picture that this is a dangerous situation that we need to do our best throughout America, large cities, small towns, rural America as well, but particularly in urban America, where it seems to be one of the great plagues of our time in this century.

We are here today to figure out ways to stop drug use. Those of us serving in Congress hope to use what we learn today as we continue to fight the drug war on every front. This morning we will hear testimony from three different panels. Panel I will be Dee Wallace Stone. She must be out of here by 10 a.m., so we are going to give you preference on that. We try to keep faith with other people's schedules as well as our own.

Panel II will be Charles Fitzsimons and Michael Matovich; panel III, Carole Lieberman and Dean Hamilton. We will give them more of an introduction later as they come forth.

Let me just say the ground rules of all subcommittees of the parent committee, which is Government Reform and Oversight, are as follows: (1) We swear all witnesses under oath that they will tell the truth, the whole truth, nothing but the truth to the subcommittee; and, (2) If they have a prepared statement, we do put it in the record immediately after the introduction and we would like them to sort of look us in the eye and summarize it so that leaves more time for questions that the Members might have. If you do not have a prepared statement, just speak from your heart and we will then have a dialog, because we would like to bring out as much as we can and profit from your experience.

So let us start now with a rather well-known actor—we do not call them "actresses" anymore, I take it. We're actors. We are delighted to have you with us this morning. We have all seen you in both stage, movies and television; and, so, Dee Wallace Stone, proceed.

STATEMENT OF DEE WALLACE STONE, ACTRESS

Ms. STONE. Thank you, Chairman Horn and members of the subcommittee, thank you for having me here. As a mother and an actress, I am constantly in conflict over the types of vehicles to choose from in TV and film. I mention this because I want you to know that I am playing on both sides with the obvious arguments for each.

I want to do adult roles with adult messages. I want to have wholesome family films and TV to share with my daughter. I want to do movies and TV that allow me to enjoy and experience adult themes. I want the choice of not having to introduce those themes to her until she is ready. I want to teach her right versus wrong, moral versus immoral, spiritual versus sexual, negotiation versus violence. I do teach her those things and I firmly believe that as a society we must offer a supplemental curriculum to enhance that teaching.

Of course, there are a lot of parents that are not there to teach that at all, which leaves society to take all the teaching onto their shoulders.

I find it frustrating that we continually keep looking toward the negative as opposed to focusing on the positive, especially when we know that what we put our attention on is what we manifest in our lives and in our worlds. Yet we are constantly looking at limiting violence instead of creating vehicles with peaceful negotiation messages. We look at the horror, sorrow, despair of sickness instead of offering shows that teach healing, joy and hope. When it comes to drug use, we keep using fear tactics and the negative things about drugs as opposed to teaching what I think is at the real core of our problem with drug abuse and violence in America, which is self-esteem.

If people do not feel good about themselves, if they do not love themselves, if they do not care about themselves, they are not going to take care of themselves and they are going to look for attention and power in other places. That is where the drug issue really comes in. They get to run away from reality. They get to feel powerful for a minute and they get to feel a false sense of acceptance by their peers.

We keep looking at what is wrong. We need to focus on what we can do right. We know that as a society we have become violent, scared, drugged and apathetic. Between the news, the talk shows and the majority of film and TV, we are inundated with negative, angry, fearful messages. That is where our attention is, our focus. That is where our energy is directed. No wonder we keep manifesting these things in our world. Where you put your attention is where your energy goes.

I am, of course, not advocating canceling NYPD Blue or asking Mr. DeNiro not to shoot anyone in a film. Some of my favorite parts as an actress have been the bad girls—believe it or not, I do have that in me—but I am saying that until the brain cells of our children are formed and mature, the more violent and sexual material they are exposed to, the more of those brain cells are created.

Think of the cells we could create with the right vehicles and the right messages. We need your support to make these vehicles a priority. We need your support as parents to help control the society that has forgotten its responsibility to its children.

Most of the country's children come home to empty houses with no parent to monitor TV. We need your help. Kids go to the movies and walk—I know this firsthand—from their PG film right over into the R theaters. There is nobody that monitors them. We need your help. PG-13 movies and even some PG that we have seen together, my daughter and myself, use very inappropriate language. A lot of the PG movies, and I have done a lot of them—that is what most of my career is—a lot of my directors and producers still think you have to use four-letter words in a PG film or a PG-13 film to make it cool.

There are family films all the time by major directors and producers that show parents taking a tote, drinking too much, getting angry and pouring a glass of bourbon. They are very subtle in the various small parts of an otherwise very positive film; kids do not miss it. They do not miss a thing.

Sure, we know that we drink. We know that we use four-letter words. The point is we do not want our kids to know until they can distinguish responsibly what to do in their own lives, how to monitor themselves. They cannot do that until well into adolescence. It is impossible.

Our magazines are covered with well-known personalities that are having kids out of marriage, that got off on drug busts, that weigh 101 pounds and do not eat and the message that sends is, "It's cool. It's OK. That's how you get attention, and everybody's doing it."

If we are going to have any effect as a society, we are going to have to involve the press in this.

We need vehicles and product and billboards and magazines that show the positive images, the alternative choices, the other hip. Our society is becoming what we are teaching our children.

There is a saying, "If you keep doing what you have always done, you are going to get what you have always gotten." And I do not think America wants that or can afford that any longer. Thank you.

Mr. HORN. Well, you have made a very eloquent statement. I know you have limited time, but my colleague, Mr. Souder, from Indiana, has arrived. Let us just have a dialog here. There are a few questions we would like your advice on.

Ms. STONE. Yes.

Mr. HORN. I felt for a long time as an educator that we need to start in pre-school—

Ms. STONE. Absolutely.

Mr. HORN. We need to start in kindergarten, all the way through the schools and even through high school and through college on the role of the parent in our society. I think the real breakdown is not only the churches, where a lot of kids just simply do not go or if they go they do not take much moral advice from them, but in the family is where the breakdown is.

Ms. STONE. Absolutely.

Mr. HORN. And where the responsibilities are.

Ms. STONE. Absolutely.

Mr. HORN. Now, I would like your thinking as to what degree can Hollywood be more helpful in that education, because what I would like to see coming out of the schools—they are not a bunch of rabbits that have rote memory of this, that and that, but somebody that is an independent thinker, and to be an independent thinker, you do not have to raise hell everywhere just to prove you are an independent thinker; but you need to be able to be secure enough so you do not succumb to peer pressure. A lot of this, as you mentioned in your testimony, is this is the cool thing to do and everybody is doing it, and so forth. The fact is, everybody is not doing it. In some schools, the "Shoshas" or whatever we called them when you went to school and I went to school, many years before you went to school, those were the people that were sort of looked up to. They had the latest style. They had the new shoes. Part of it was money, part of it was social status, all the rest. It seems to me there ought to be enough souls that go through the education system that function as independents and can withstand that pressure and sort of—some of us even took a certain delight

in not—in beating them in elections or whatever we did, just to show that they did not run the place. But what is your thinking on Hollywood's role in this.

I realize you are absolutely right, they should cut down on the violence. It is unnecessary and the cuss words are unnecessary; but how do you think they can go about doing this and what could they do with the education system in terms of film that would help promote decent parenthood, help promote independent spirit in people? After all, that is where our creativity comes from is the independence of people who are creative and have a new idea that nobody else had.

Ms. STONE. You know, that is a tough one. It is tough because those of us who are good parents, and I include myself in that, I take a lot of time with my daughter. I read a lot of books and I studied a lot about self-esteem before she was born, because I think that is really the crux of where we are going with everything, with all our problems.

I mean, the obvious answers are certainly to do educational films that we can show in the schools and then would the schools show them?

I would like to see parenting classes an absolute must for every parent that goes into a hospital to deliver a baby. It is the most important role we have in our lives, and nobody is trained for it.

Mr. HORN. Absolutely. Some of the most ignorant people are college graduates, not just high school graduates, not just drop-outs from elementary school.

Ms. STONE. Oh, I guarantee you in a lot of them I deal with every day at the school that we are at. I mean, your best friend comes over, they knock over a glass of wine and you say, "Oh, don't worry about it. It's OK." And you get something and clean it up. Your kid does it and you go, "Oh, you are so clumsy. I told you to watch your milk."

I mean, it is just as small a thing as that respect for your child, as small a thing as not listening, not caring what they say, not letting them have a vote, not caring what TV shows they watch, not caring what films they go to. You know? They get that you do not care. And they get that you do not respect them. And they get that they are not as important. And I really believe that we have to start there. And a lot of it I see—my daughter is 7, almost 8 now, and it is just the age where they are starting to really focus in on all the ladies in the magazines and the subliminal messages that they are getting. They have to be skinny. They have to be pretty. Everybody's got a cigarette in their hands when they're taking pictures at the parties, and they put them in all the entertainment magazines and all that stuff. Now, yes, as parents we need to monitor those things that come into our house, and most parents don't. I mean bottom line, that is what you are dealing with in America today. Most parents do not, they do not have time or they do not have the inclination. I mean a perfect example, I mean I know this is that type of magazine anyway, but a perfect example—I have been in the business for 20 years. I was happily married for 17 years. My husband passed away last year. It is the first time that five magazines came and wanted to talk to me. Not about something positive, you see, but about the negative.

I was able to take the negative within those stories and turn it into a positive. But my point is that as a society we keep wanting to go to the sensational, to the negative, to push that envelope. I think the entertainment industry and the press and the music industry together have to come together, those of us that are interested in those issues, and see how we can accentuate the other side.

Mr. HORN. Well, let's face it. The only discipline they would really accept would be the market discipline of not buying their product, not going to the movie, not buying the record, not buying the book.

Ms. STONE. Again—no, again, I think that is putting our attention on the negative. What can we do to balance off the other side?

For example, why doesn't somebody in the music industry—40 percent of all our young women between the ages of 9 and 18, 40 percent of them think about committing suicide. For God's sake, where are we as a society when we can say that?

Why don't people in the music industry, women that are successful and are out there, why don't we get together and make a video or a tape of all the positive songs—let's write 15 songs and make a tape giving young women what they need as far as basic things as, "No, I don't have to live for you, honey. I'm my own person." Whatever it is. We are not doing those things.

Yes, we have how much of a percentage of our family films and those are pushing the envelope, I might say, how much of a percentage are those family films, the films that get out the positive messages that drinking can hurt you, does hurt you; drugs aren't the way to go, you're going to lose control. You are not going to get the control that you are desperately looking for. You are going to lose more of your control. What percentage of the films that we have out there can we say are family films? What—1 percent? Maybe 2? That is what I mean. Let's put our attention on what we can do to balance this out.

The more you say that is not OK, that is not OK—we've known this from time immemorial, from the cave man. You say, "That's not OK. You can't do it." It's their agenda to go do it. OK? That is what they are supposed to be doing at this age.

Let's give them things that they can build brain cells on, not fight against. I really believe that is the most positive way that we can address this.

Mr. HORN. Do you think if you and some of your colleagues got together that there would be enough interest in Hollywood in terms of the funding of it and all the rest to try out a film such as you are describing or a series of films?

Ms. STONE. I think if you can make it hip enough, yeah. Just like, "Save the World." Unfortunately, the bottom line in my industry, as in our society, unfortunately, is the buck. There are people like myself and many people in our industry that are aware of the problems of our society as a whole, and we want to—we want to do something about it; but we have got to have the people with the money behind it. The people with money want to know that they can make money. They are a product of their childhood. You see, it all goes back—that is why I think we have got to start with the children. It does not take a lot of money to make little educational

films that are cool, that are hip. I mean the after school specials are some of the best things kids can watch. They are hip, they're very well written. They deal with excellent issues that kids are really involved in without preaching, but showing them how to work these things out.

Mr. HORN. I'm going to yield to Mr. Souder of Indiana, who has joined us.

Ms. STONE. Hi.

Mr. SOUDER. Hi. A couple of things. One, we have been doing, as I am sure has been pointed out, a series of drug hearings all over the country and on many different issues, and the particular focus today is on Hollywood.

I mean, we understand that parents have a big role, education has a big role, interdiction has a big role, local law enforcement has a big role as does everybody in the society. But our particular focus here is Hollywood. One of the things that I would ask you is that I do not believe it is clear that the problem here is the dollar. Because if you look at the biggest-grossing films in history, the bulk of those do not have many of the negative things in them that we are condemning.

If the big winners are that—now, I am not going to say that there are not PG and G films that do not do well, but there are plenty of other very expensive films that have bad messages, in my opinion, or at least not positive messages, that also do poorly. Is there another dynamic going on here? That is there is a cultural difference in what is hip in Hollywood or in the industry as opposed to what is hip in the rest of America or what is seen as positive in the rest of the country. Is some of this at the not having enough or, at least, key people behind it do not have enough of a will as opposed to it being a market based thing?

Ms. STONE. Well, I think Hollywood is definitely a world of its own. I am from Kansas. I go back a lot. It is a different world back there. The morals are still somewhat intact.

Mr. SOUDER. Under attack, but still somewhat intact.

Ms. STONE. Yeah. It is slower. It is more peaceful. It is more interactive. We are at the head of the fast track out here. Everything is available, especially to the people with money and success within our industry. And, as you know, drugs are a big problem in our industry. So, probably a lot of people that are doing coke are not going to do a film about how bad it is for you. Are they?

Mr. SOUDER. Another problematic question as we go into this type of thing is, does, in effect, bad money drive out good? Also, the difficulty of compartmentalizing.

Ms. STONE. Well, you are probably in a better position to answer that than I am. You are in politics.

Mr. SOUDER. Right. The whole impression of Congress is determined often by people who abuse the power or who do evil things.

Ms. STONE. Absolutely.

Mr. SOUDER. What that leads to is kind of a two-part. The first part is that I agree, although I have a slight difference on self-esteem. I think we need to make sure that the self-esteem is rooted in skills and then, often, people even who have the skills have low self-esteem, and then we need to build the reinforcement, but self-esteem has to be rooted in something as well. But at the same

time, in doing positive things, it is often that even if there are three positive things on the news and one negative, people remember the negative and some even, unfortunately, among teenagers today, and I have a 19 and a 17, as well as an 8-year old, emulate the negative often now instead of the positive because they remember that.

Ms. STONE. Yes. How many years have we been building up those negative brain cells. That is exactly—you are not going to change this until you recreate how people think. I really believe that. I don't think—we have got to start literally reprogramming the way we think in this country.

Mr. SOUDER. What I hear from teachers in school—I am on both education subcommittees and, also, before I became a Member of Congress, I was Republican staff director of the Children and Family Committee and visited a lot of urban centers. One of their frustrations in most where you have—because even in the hardest-hit areas, whether it is in parts of Los Angeles or whether it is in Newark or the Bronx or Chicago, or wherever, there are families and often single mothers really making a difference with their kids.

Ms. STONE. That is right.

Mr. SOUDER. What I hear overwhelming frustration about is that we get them and we work at them, but then they are overwhelmed by the culture outside of what we can do. Now, that is not excusing the parents, because the outside culture says they cannot do it without the parents. But as one lady from Newark has said, "There needs to be a drumbeat in all areas." She said, "Because we work with these kids from 9 in the morning until 6 at night. Then they go see the television and the movies and listen to music, and we have every value undermined."

Ms. STONE. I totally agree with her.

Mr. SOUDER. Now, the question is that the one concern I have because I absolutely agree that there needs to be positive instructional things for the schools and there needs to be after school specials and so on; but if the mainstream type of events, the movies and main television shows and main CDs and stuff that the kids have don't have some of the same overlap, what you can easily get is, "This is what they teach us in school, but this is what the real world is like." If we compartmentalize this too much and don't say, "Look, we are only going to address this with some positive things over here, rather than address the big picture," the danger among teenagers is, yeah, that's what our parents want us to do, that's what the school system—they emulate what they see in the movies, who are larger than life and what they think the bulk—particularly—I come from a small town in Indiana. Particularly in a small town in Indiana where you have no idea really what's hip, your definition of what is hip is really drawn—I mean we see grungy clothing and emaciated looks imitating things that they do not have any idea have to do with cocaine because they have not seen the cocaine. They are imitating the look because they think that is what is hip because that is what the outside forces often bring to them.

Now, I am not saying that they are perfect or that the parents do not have obligations in this or any of that kind of thing. I am

just saying it complicates it because unless we all work together, each part gets overwhelmed and blames the other part.

Ms. STONE. We are saying the same thing. That is why I said, you have got to get the press involved. You have got to get Hollywood involved. You sure as hell have to get the parents involved. We have got to go back and get the parents involved. You know, the teachers are involved. They more than anything want to have this balance right now.

Mr. SOUDER. How do you think we encourage young people to take an active interest in theater, in the arts, who share conservative values? Often, sometimes one of the disadvantages of us criticizing what's coming out of Hollywood is that it discourages that as a lifestyle when they hear what kind of lifestyle there is. But are there enough producers and writers and actors and actresses who share the values of most of America who would actually—could produce creative and good films if there was, indeed, a market demand?

Ms. STONE. Oh, I think absolutely. Why do you think you have films like *Chariots of Fire* and *E.T.*? *E.T.* is a perfect example. But it also made money, you see. So you have to bring those two things together.

Mr. SOUDER. You have to have good skilled artists or you are not going to do it.

Ms. STONE. Well, yes. And skilled artists do not necessarily mean it has got to be a \$40 million film. There is a lot of really good artists that are not demanding \$30 million to make a film. You know? But the point is you can, if you are committed to it, if you are committed to anything, if that is where your attention is, if that is where you want to put your energy, you will be able to marry good wholesome family films with blockbusters. It has been done. But it is much easier to go to "Friday the 13th, 159th" or whatever they are coming out with this October, you know? Because it is a sure sell. As you have pointed out, you see, by the time most of our young filmmakers, now, are in their twenties. They were raised in a society that concentrated on violence. Since the Vietnam war, you cannot turn on the TV without being inundated by violence. I do not even want to watch the news anymore, it is so graphic, especially in Los Angeles and New York and all those inner cities places that you are having more problems with. "Gee, isn't that interesting that there is where they get to see on TV even more violence and hear about more killings and more drugs."

You see, we keep going to the negative. All the people that are doing our films now, these young filmmakers, that is what they grew up with. That is where their attention is. And as soon as somebody comes in with money and says, "OK. Put your attention over here." They will. Not because they want to create from a good intention in the beginning. In the beginning, it will be for the buck, I think until we change our brain cells around.

Mr. SOUDER. I thank you very much for your testimony today.

Mr. HORN. Mr. Shadegg from Arizona.

Ms. STONE. Hi.

Mr. SHADEGG. How are you? Thank you very much. First, let me begin by apologizing. I flew in from Phoenix this morning and we took—

Ms. STONE. A likely story.

Mr. SHADEGG [continuing]. And took the earliest flight we could get. This is the best we could do. And, actually finding this building once you are in Los Angeles—

Ms. STONE. Yes.

Mr. SHADEGG [continuing]. Was the greatest challenge. We were on the campus in minutes and it took us a little while to find the building.

First, let me begin by saying I do apologize and I missed your prepared statement, but let me followup with the thrust of what I think is the essential question here and that is what, in fact, can we do to motivate the industry to self-police? Let me state a couple of premises there.

It is clear to me that we are failing in the drug war. That cannot be debated. It is also clear to me that Hollywood is not helping in that effort. I am one of the individuals who believes very strongly that Government's role in society is a limited one. I am one who probably has some libertarian leanings and has grave doubts about the ability of Government to insert itself in certain arenas in a positive fashion.

For example, I am not convinced that there is a very positive role for any kind of official Government censorship. Yet, given the influence of Hollywood recently, it seems to me clear that there is some clamoring for that, some clamoring for some kind of action on the part of Government to deal with what is a severe probably and with what is clearly Hollywood's nonparticipation in the solution. Or stated differently, Hollywood's participation in the making of the problem worse.

I am interested in how can I as a Member of Congress, how could this subcommittee, how could this full committee, motivate people in the industry to participate in setting a positive example and in self-policing before other things occur?

Ms. STONE. Well, the most obvious choice that comes up for me is probably grants. Supplying grants that you will match or give or whatever for filmmakers that want to do positive family films. That will get their attention, first, because it goes back to money.

The second thing you can do is actually seek out, actively seek out the people within the industry who are interested in doing those kind of projects.

Mr. SHADEGG. I thought it was rather fascinating in doing some of the reading for this hearing that there is discussion of the industry self-policing. The discussion goes to the industry saying, "Well, if we find a bright young actor or actress with a serious drug problem, we won't, as an agency, represent that actor. Or we won't as a studio hire that actor or actress."

Yet, while that is going on—and maybe to some degree there is that attitude, the films continue to promote the opposite lifestyle. I guess it is almost like, "Well, we know we don't want those people or someone with a serious drug problem in our industry, because they cannot be productive and they will be trouble causers." As a matter of fact, one article referred to such actors or actresses as "high maintenance." Lots of sick days, require a lot of legal representation, you name it.

Ms. STONE. Yes, but I am telling you bottom line. If that actor ends up, if that actor is one of those actors that is going to bring in \$200 million, they are not going to care whether they have a drug problem. That is just pure BS I think they're handing you.

Mr. SHADEGG. So how do we go about—

Ms. STONE. I am sorry, I do.

Mr. SHADEGG. How does our society go about making them care?

Ms. STONE. Well, I hate to keep going back to this, because we all want a quick fix. But I am saying that for 20 years, 25 years, these people who are not caring have been living in a society that has not cared. They have been inundated with violence, with negativity, with murders, with drugs, you cannot fix it like that. We have got to go back and start at the beginning and start reaching the people that are coming up and taking advantage of the people that are in our industry that want to be involved in this.

Mr. SHADEGG. I guess the last comment I would make is the parallel that I often draw is to the issue of driving under the influence. I believe that as a society, 15, 20 years ago it was perfectly OK in this society for someone to go to a party at a home, become totally intoxicated, everyone allowed that person to leave the party laughing, they thought it was no big deal, and no action was taken to stop it.

Ms. STONE. Uh-huh.

Mr. SHADEGG. It seems to me as a society, we have now turned that around. Today, in my home or in the homes in my neighborhood, no one would let someone come into the home for a party, have them become inebriated and then leave. We solve that problem by a combination, to some degree, Government leadership. We made some penalties a little tougher, but for the most part, it was society turning its attitude around, which I believe is what you are saying.

Ms. STONE. Yes, if I might interject here, sir. It has a great deal to do—I know in your house and in my house, that's our consciousness. It isn't in most of the houses. In most of the houses, people are working 12 hours a day, both mother and father, just to scrape by. They do not have the energy, they do not have the inclination to guide their children like you and I are guiding ours.

We have made great strides—I can see—my daughter comes home and one of my students is over and lights up a cigarette. And she says, "We don't smoke in this house and how can you do that to your body?" She's 7 years old.

From our training in schools and from, you know, "Just say no." So, it is starting to work. But you are asking me about all the adults that are already there who are now responsible for taking product that we know we have to get out there. I am saying the best way to reach them is to make it worth their while, then they'll do it.

Mr. SHADEGG. Thank you.

Ms. STONE. Can I just say, too? Nickelodeon, I think, has been an incredible plus to our society as far as most of their programming is really excellent. It is very well written. It's hip. It's stuff kids want to watch, but with messages that are getting out. Linda Ellerbee Show is absolutely fabulous. That is the kind of stuff, especially for the smaller kids, that you need.

But I tried to sell—for a 1½ years, we took a wonderful show around which was very hip with puppets and M-TV kind of music and everything, dealing with issues of self-esteem, because it has been proven—proven across the board that if you instill a child with high self-esteem and love and appreciation for themselves, it affects everything else they do. Nobody bought it. Nobody was interested. The comment we got back more than any other comment is: “We just don’t think it will make enough money.” That is what you are dealing with. So, I would start with some grants and actively—actively seeking out people like Mr. Matovich here and other people within the industry who are consciously trying to do product that is going to enhance our society, not just saying, “No, don’t do the negative.” They are doing the positive so that we have something to rebuild those brain cells on.

Mr. HORN. I thank you for your testimony. I forgot after saying I was going to do it, to swear you in. So, if I might swear you in now?

Ms. STONE. No. [Laughter.]

Mr. HORN. Would you raise your right hand?

[Witness sworn.]

Mr. HORN. And we certainly thank you for coming.

Ms. STONE. Thank you.

Mr. HORN. The clerk will note that she affirmed. Let me just say one last thought here.

Basically, the only thing that is going to turn this around in Hollywood is either the money does not come in from the people at large and we educate them or they cannot get the money to finance the film. It would be a rather interesting thought and whether it is constitutional or not, I do not know, but it is sort of intriguing, the degree to which the Federal Government would permit business deductions on certain types of things that do not help society.

Ms. STONE. Oh, that is a wonderful—

Mr. HORN. If we got them in the pocketbook, I would bet you they would turn around the next day.

Ms. STONE. I would shake hands on that—

Mr. HORN. The other thing would be peer group pressure. If they went to the bankers in New York and the bankers in New York, if they ever went to a movie, had some concerns about this, I think that would slow it down. Now, a lot of these people have their own piles of their own, half-a-billion, or a billion, whatever. So, you cannot stop them, and the only thing that can stop them, frankly, is society and peer group pressure saying, “We just don’t like what you’re doing.” Government does not have to do it. The tax-side government would do it. But I think, personally, I say to my colleagues, it is something worth exploring. We do not have to give tax deductions for everything in this country and maybe this is one area we ought to be looking at.

Ms. STONE. Well, sure, I mean going back to our children, you give them prizes for when they do what they need to do.

Mr. HORN. A reward system.

Ms. STONE. Incentives.

Mr. HORN. Right.

Ms. STONE. From the time they are babies to try and guide them into what we know will be the best for them.

Mr. HORN. Thank you. We appreciate it very much. Now, our next panel—I believe Mr. Cole has joined us. We have Mr. Charles Fitzsimons, Mr. Mitchel Matovich, and Mr. Cole could join us.

[Witnesses sworn.]

Mr. HORN. OK. Let me just say that in introducing people, we will put the full résumé right after you are introduced so they have an idea of your background when the official record is placed.

We are very impressed, needless to say, with a lot of your background. I notice, Mr. Fitzsimons, you've been executive director, Producers' Guild of America, and, certainly have a broad acquaintanceship with your colleagues across and throughout the area.

I know, Mr. Matovich, you have got a very impressive background here and some rather interesting correspondence, which I suspect you might want to put in the record, Mr. Lipsky's letter. I don't know if you wish to or not, but I see it in the files. So we are very grateful to both of you for coming and why do we not just start off with Mr. Fitzsimons and then go to Mr. Matovich.

STATEMENTS OF CHARLES B. FITZSIMONS, EXECUTIVE DIRECTOR, PRODUCERS' GUILD OF AMERICA; AND MITCHEL MATOVICH, PRODUCER, MATOVICH PRODUCTIONS, INC.

Mr. FITZSIMONS. For your record, my name is Charles B. Fitzsimons, F-i-t-z-s-i-m-o-n-s. I am the executive director of the Producers' Guild of America. The Producers' Guild of America is an organization that represents professional producers in motion pictures and television in their individual capacity. It does not represent studios or production companies or management. They are represented by an organization called the Alliance of Motion Picture and Television Producers. Our objectives are not the same. I would like to welcome you to our community.

Washington, in the last few years—I'm sorry that I was not able, by the way, to deliver a written statement. However, Washington, in the last few years has targeted the motion picture and television industry, the entire entertainment industry on the problems of violence and substance abuse and probably a lot of it has been based on their own frustration with the failure of the greater efforts of the Government to deal with those problems in real life.

Their assault on this industry is justified on the basis of two valid areas of criticism. One is the lifestyle of a number of our most prominent people. Thanks to media exploitation, the entire country knows that our industry has a great number of despicable substance abusers and inebriates. The country has been informed of their activities, even their deaths. This is a very, very bad influence on the entire community.

However, the only thing the industry can do about it is to provide those people, as it does, with rehabilitation services. The industry provides many rehabilitation services; but, as you know, in all life, rehabilitation depends on the interest of the person in being rehabilitated.

Unfortunately, the behavior of these people will be tolerated by the industry and is tolerated by the industry because of their ability to earn profits. The industry is not going to get rid of a profit-making talent. I do not know of any constitutional ways in which

they can attempt to do so. As long as they are prepared to tolerate what these people do in order to have their output, therein is the problem. The problem is a profit motive which you are going to hear me talk a lot about.

The second area in which Washington's assault on the industry is justified is the insufficient monitoring and supervision of the content of motion pictures, television, and music videos, et cetera. This is also a fact.

Washington has been attempting to control this with the V-Chip. I have to tell you that if you are frustrated with your attempts in real life to deal with violence and with substance abuse, I think you have seen you are going to be just as frustrated with the entertainment industry. Management, because it is guided purely by the profit motive, will fight every effort to control content. Right now, they are using the first amendment. They are using the integrity of drama. They are agreeing reluctantly to the electronic chip that will shift the responsibility from them to the consumer. Very convenient. Put it all on the parent. This is a disaster, this whole idea, a disaster, and will be totally ineffective.

Parents who are dutiful parents may avail of the V-Chip in certain instances. Most of them will not need to. Parents that are not dutiful parents will pay absolutely no attention to it.

The susceptible youth who may be the children of irresponsible parents and maybe the children of responsible parents, they will find their way around it. They will defeat its electronics. They will go to visit their friend who is able to look at the program, and this entire travesty will become a guideline to the susceptible youth telling them where to look for the material we don't want them to see. So, you think you are frustrated with what is going on in real life.

I want to talk to you about audiences. You can divide audiences into two categories: the susceptible audience and the unsusceptible audience. The susceptible audience will emulate what it sees, particularly the young susceptible audience. The unsusceptible audience will not emulate anything. 100 percent of the susceptible audience is fascinated with violence and substance abuse; however, 80 percent of the nonsusceptible audience is also fascinated with violence and substance abuse. So, you have a big problem. You have a huge market. And you have a management with a profit motive. What are they going to do? They are going to feed that market.

You have heard talk about the fact that the industry did make "Forrest Gump" and the same industry made "Pulp Fiction." Why? They did not make "Forrest Gump" in order to do good. They did not make "Pulp Fiction" in order to do bad. They made both of them because they were convinced they would yield large profits. Again, we come back to profit motive. And you, gentlemen, have got to face this in whatever your plans may be or we will add to your frustration.

You have seen the recent contest in the media between Bob Dole and Jack Valenti. Jack Valenti is saying that because "Pulp Fiction" shows the terrible consequences of substance abuse, it is, therefore, good. You have Dole saying, without ever seeing the picture, that because "Pulp Fiction" deals with addiction, that it is

bad. OK? They are both wrong. Not one, not the other; they are both wrong.

Because of the perverse nature of the individual susceptible to substance abuse any portrayal of substance abuse, whether it shows the bad consequences or whether it glamorizes, makes no difference. The susceptible, particularly kid, will emulate. There is a death wish. You have talked about the kids walking around the campus dressed like drug users. It doesn't matter, it's academic. Dole is wrong; Valenti is wrong. Whatever way you present substance abuse, to the susceptible it is dangerous. It will be emulated.

I do not want you to think that I am accusing management of having a conspiracy to promulgate substance abuse or to promulgate violence. There is no conspiracy. You have got to realize that. The grand conspiracy is to make profits. If I go to management tomorrow with a project that is a substance abuse project and it shows all the horror of substance abuse and management thinks it will make profit, it will be made. If I go to them tomorrow with another project about substance abuse which shows the glamour of substance abuse and it will make profits, they will make it. They have no prejudice. I don't know how this can be controlled constitutionally, because censorship we can't do. Things like the V-Chip are a joke. I am frustrated, not just you. I'm frustrated. It would be wonderful if this industry went back to a basis of taste. There was much more taste in this industry when I came into it 40 years ago, much more. The other day, the president of our Guild talked jokingly about what we need is a Q-Chip. We need a quality chip. The quality chip will tell parents what they should have their kids look at. It sounds like a joke. Maybe it isn't.

I am trying to look at some notes here. When I say to you that you have got to face these facts in the industry, the difficulty in controlling behavior within the law, how do you control a talented money-earning person who is an addict? The problem of dealing with the content of product when the basic motivation is profit? Very frustrating. No marvelous, easy solutions.

However, I have some thoughts. This would be throwing it back into the lap of Washington. How about an audio-visual blitzkrieg? I am talking about public service shorts. I am talking about longer infomercials, but I am talking about shorts and infomercials made by the top level creative community. They cannot be boring and dull. They must be entertaining. They must be provocative.

I would like to see this type of material generated. I would like to see it generated on two different areas. I would like to see it generated on an educational basis and I would like to see it generated on what would be a dissuasive basis. OK? Something that will educate, something that will dissuade.

I would like to see this blitzkrieg of material in the schools. I would like to see it on television as mandatory public service announcements. I would like to see it on television where sponsors are persuaded in their own best interests to substitute it for a commercial with an acknowledgement.

I would like to see the short form attached to the trailer of every upcoming motion picture that plays in every theater in the United States of America.

I would like to see it spliced onto every video cassette that is rented or sold. I would like to see the country saturated with it. But this is where Washington comes in. I would like to see you gentlemen in Washington divert a large sum from the moneys you have been spending on unsuccessful campaigns, expensive unsuccessful campaigns—I would like to see you take some of that money and I would like to see you fund such an effort. The materials that would be developed for this blitzkrieg should be developed and designed and executed by the creative community, but in conjunction with health professionals in the substance abuse field, and very importantly, together with recovering addicts and alcoholics. The most successful programs in the United States of America that deals with substance abuse and alcoholism are the 12-Step Programs, programs like Alcoholics Anonymous. Programs like Cocaine Anonymous. Because the recovering addict knows where it's at. He has been there. He knows how to communicate with his own kind. Get the recovering addict and the recovering alcoholic together with the health professional and with the professional creators and come up with what I am talking about.

What we need is a revolution. Revolutions aren't easy and revolutions are costly. However, I would tell you in advance that such a program will get a discount from everybody in the industry, so that the money will be spent on the purpose.

I have a second suggestion and it was touched on earlier. Where you are dealing with avarice and the profit motive is avarice, use avarice. Use the incentive. And I talked about a return to taste. Again, let Washington come up with a fund, and I have a suggestion of how they might do that, in a minute, where they would present a very, very substantial tax-free annual award to the most inspirational motion picture of the year. The most inspirational television program of the year. The most inspirational movie—music video of the year. I am talking not \$100,000. I'm talking about this person winning the lottery. It has got to be a very substantial amount and it has got to be tax-free. Imagine what it is going to do with the creative community which is now complaining that unless they write to the dictates of management, they cannot survive. OK. Say to them, "If you write to the dictates of taste, maybe you're going to get \$10 million tax-free."

Now, that is not a dream. That is possible.

The other thought I had was to finance this kind of thing with, maybe, a tax of 5 pennies a seat in a theatrical motion picture theater, or a tax of 5 cents on a home video cassette, or a tax of 5 cents on a music video. The public will not even notice it. This kind of thing saved the British film industry many years ago on the plan called the Edie Plan where they put a seat tax on every seat in every theater in the country that was so small, it was like 5 cents, that nobody could object to it; and it built up a fund of millions and millions and millions of dollars that was used to recreate the British film industry. Maybe something like that can be done.

What I am saying is create exposure to education and to dissuasive material and create an incentive to combat the management incentive of the profit motive.

I could go on for a long time, but I think I have given you the headlines. I'd be happy to answer any questions.

Mr. HORN. Well, we thank you for that very eloquent, well-organized presentation. You have come up with a number of very unique ideas, at least for this country, and I think a lot of them made a lot of sense. Let us, before we open the questioning, move, however, to another producer, Mr. Mitchel Matovich, who heads his own production firm in Beverly Hills. Welcome.

Mr. MATOVICH. Thank you, Chairman Horn and members of the committee.

I first want to emphasize that when I refer to drugs, I refer to all addictive substances including alcohol and tobacco.

Mr. HORN. You need to get the microphone a little closer there.

Mr. MATOVICH. I do not know—is it working? The green light seems to have gone out.

Mr. HORN. It needs to be closer.

Mr. MATOVICH. OK. There. That's better.

Today, much is said about how in recent years the entertainment industry has become less tolerant of drug use; yet we still depict it on the screen, and it still makes front page news in the trades when stars and other major industry players are either arrested or buried because of their addiction.

As a producer that makes films suitable for family viewing, I often wonder about what kind of a person would allow the production and/or distribution of films or audio products that display drug use in a positive or indifferent light or inhibit the production and distribution of films that discourage the use of drugs in any of its forms.

The conclusion I always reach is the same. It is the same kind of person that has a pronounced disdain for the truth who, to serve his ends, will engage in unfair business practices, self-enrichment, extortion, fraud and racketeering. It is the kind of person that will steal the credits of producers who create the show either for themselves or to give away to a star, director, or writer who will accept a producer credit as a bonus payment on the project. It is the kind of a person that will swear to the Government that the producers should not be recognized as a labor bargaining unit because they are a part of management and then refuse to allow producers to make management decisions or be entitled to any management benefits.

The reason that is most often given by industry executives for their actions is economic. This may be true, but I question if the economics they speak of, at least when it comes to motion pictures, is related to the box office potential of the films. It is a fact that G and PG product averages twice as much at the box office as the R-rated material. When I say that, I am giving the AMPTP the benefit of assuming that a film showing drug use in a positive manner would be rated R. But I also wonder about some of today's so-called film critics, many of whom either cannot or refuse to see the sordid sex, nauseating displays of violence and exaggerated special effects that permeate most of the pictures that they rave about for what they really are: demonstrations of a pronounced lack of artistic creativity. If the story is trite, add interest with explicit sex or graphic carnage. If the dialog is weak, add profanity. If the characters are not believable, add violence and bigger explosions and so on. They seem to have lost the ability to see many of

these pictures for what they really are: surrealistic views of otherwise lackluster stories with dull characters played by overpaid personalities rather than accomplished actors.

However, to be fair, I imagine if I had to look at four or more pictures a day every day of the year, I, too, might begin to lose contact with reality. I might only be excited by something that broke new ground, like more explicit sex, more profane language, more and bigger explosions, more exploding heads and severed body parts or more vivid descriptions of the joys of drug use.

I might lose the ability to see the danger to impressionable minds that lingers beneath the immediate stupor shattering rush stimulated by this type of audio-visual material.

I would compare the impressions generated to those of a person on drugs who fails to see what his habit is doing both to him and to those around him.

At its highest levels, the entertainment business is controlled by a small group of very powerful people who play musical chairs with studios and networks. Some of these people have substantial financial interests in other commercial ventures which in certain instances includes drugs.

It would seem logical that someone having an interest in a product would not want to see any negative advertising about that product, nor would those who in less visible ways share in or benefit from the huge profits derived from the sale of these products or who owe allegiance to those in control because of the positions they occupy within their companies.

A good example of this was a recent television show that referred to some documents in the tobacco industry from a tobacco executive and the show was squelched until the material was released through other channels and then allowed to show. That particular network was controlled by family with tobacco interests, I believe.

There is another factor that I believe might provide a powerful motivation for certain industry executives to avoid showing drugs in a negative light. This factor would be the egos of these executives. A large percentage of the people in the entertainment industry are or have been substance abusers. For a person with an oversized ego to allow a picture that accurately portrays his or her personal habit or addiction as being loathsome or a weakness of character would be unthinkable. To cover up their true intentions and remain clean in the public eye, many of these same individuals will pay lip service to ridding the screen of scenes that glamorize or make light of drug use or sex or violence and will even join or contribute substantial sums of their company's money to organizations that promote the education of the public to the dangers of drug use. But their actions relative to their choice of productions or programming prove where they really stand.

You may hear some of these same people complain at gatherings or in the media that the reason that they do not produce, distribute or program a better product is that the writers and producers are not providing them with the material. However, when writers and/or producers offer them the material, they will reject it using reasons such as, "It's not big enough for us." Or "It's not suitable for our target audience."

In some instances, they will be more honest and state, "It has no exploitable elements." Or "It's not edgy enough." Translated, that means no sex, no violence, no sale. I will get to a specific example of this that I personally experienced later.

It has gotten so bad that students in film school are being told that if it does not contain exploitable elements, it will not sell.

The character values portrayed on film and in television has seen a steady decline since the mid-1960's when the Hayes Office went out of business and the AMPTP agreed to provide a ratings on films.

Initially, the AMPTP rating system had some semblance of meaning. However, over the years the ratings that they apply have grown ever more permissive. Pictures that in the 1960 had an X-rating in many cases would not even rate an R today.

Another problem is that the ratings used do not indicate the real content of the film. A G or PG picture can portray the use of drugs in a humorous or tacitly permissive manner, while a picture that offers a very strong message against drugs may be rated R because of certain street language.

I find it interesting to note that when the rating system was first established in the late 1960's, there was no such thing as an NC17 rating; but, as time passed, and the limits of each category of the rating system was stretched further and further, becoming even more permissive, certain production entities also kept stretching the envelope of the R category. When they finally got to the point where the product would no longer fit within the limits of the greatly stretched R-rating, the AMPTP came to the rescue with the NC17, keeping them from getting the X-rating they deserve; but, more importantly, permitting them to escape the ban placed by most newspapers and other media on the advertising of X-rated motion pictures.

As in the tobacco industry, where executives will swear before Congress that their product does no harm, so the executives in the entertainment industry will spout the same line. They claim they are only depicting life as it really is. This may be true. Humans have been known to commit almost every conceivable depravity, but that does not make allowing our young people the opportunity to view it right. The same prurient curiosity that exists in all human beings that in early civilizations led to spectacles such as gladiators fighting to the deaths, slaves and christians being fed to lions and so on, is today being exploited for profit by certain segments of today's music and motion picture industries.

What they are doing may be within their rights under the first amendment to our Constitution; however, by exercising these rights, they are infringing on the rights of parents trying to delay the exposure of their children to such explicit material until they are mature enough to handle it. For you can be certain that if it is out there on film and video, young people will be exposed to it one way or another and that is wrong, both from a moral and from a practical point of view. Today's multiplex theaters provide an excellent opportunity for kids whose parents have dropped them off to see "Lion King" to go see "Pulp Fiction" playing in the same complex.

You can bet that no matter how good things are with the family at home, if one of their peer group has seen or heard about how gross "Pulp Fiction" is, they will try to see it. In many cases, this will have no negative effect on the young person; however, in certain instances, viewing this type of material will have a strong influence on the actions of that person.

Some industry insiders will argue that the percentage of those affected in a negative manner is small; but even if those people are right and the number so affected represents only a small percentage of the overall, I say that if the total number of affected individuals reaches one, it is still one too many. For those who are influenced and others that their actions affect, it can be disastrous.

I do not believe that it is possible, nor do I believe that it is desirable to legislate restrictions on what can or cannot be depicted on film or video. In a free society like ours, we should have the right to produce whatever we wish so long as it does not infringe on the rights of others. That license should extend to combining any picture and/or sound we think is necessary to tell our story. But now that I have said that, I will add that I firmly believe that the entertainment industry needs to clean up its act. I seriously doubt that Congress will be able to convince certain industry leaders they should change their way of thinking, if it is only for the good of society or for the children of the country. However, Congress does have the power to take action that will convince these people that their selfish interests will be served by such a change.

It goes without saying that you will never be able to pass legislation that could be construed as censorship; but I do believe that you can formulate legislation that will not infringe on anyone's rights of freedom of expression, yet, hit the perpetrators of the exploitation films and music where they think: in their pockets.

All you have to do is thin out the paying audience for the productions that depict drugs, graphic sex and violence. To do this, I'd suggest you do the following.

It is against the law to sell liquor to a minor under 18, a minor under the age of 16 is in violation of the law if he drives a car and so on. Are these laws a violation of a minor's constitutional rights? Of course not. If they were, they would no longer be on the books.

Why, then, cannot legislation be passed making it a crime to allow the viewing of or listening to certain material by specific age groups? Minors between the age of 12 and 18 are the most frequent movie-goers accounting for about 20 percent of all ticket purchases; 14 percent of all adult ticket purchases are sold to those between 12 and 15. But would you believe there are no statistics recorded by the MPAA, that is the Motion Picture Association of America, or NATO, National Theater Owners, on the number of children 11 and under that attend the movies so, there is no way of accurately determining what percentage of the movie-going public this age group represents. But you can be certain that when combined with the 12- to 15-year-old group, it represents a make or break bottom line for theaters.

I have yet to go to a multiplex theater where unsupervised children are not able to move from the theater screening the G or PG picture their parents dropped them off to see and sneak into one of the R-rated pictures playing in the same complex. I think you

would gain the gratitude of every parent in the country as well as take a major step in curing the problem if you were to pass legislation that prohibits the admission of a minor to any X, NC17, or R-rated picture. Of course, a group not beholden to the AMPTP would then have to be responsible for the ratings.

The legislation should also include provision prohibiting the screening of an R or NC17 picture in a theater complex on the same day as a G or PG-rated picture. A theater complex I am defining as being one that where multiple screens are accessible from a single entrance area or lobby. Violators of these laws should be subjected to very high fines or even prison.

This would mean that a theater complex showing a single R-rated picture would not be able to admit children under a specified age with or without a parent. Losing this very high percentage of their audience would have a disastrous impact on the bottom line of theaters showing R or NC17 rated pictures. They would soon become far more conservative in the pictures that they elect to screen. It would not be long before pictures depicting drugs, explicit sex, graphic violence and profanity would be confined to a limited number of specialty houses the same way that X-rated pictures have been. This is as it should be. If someone wants to exercise their constitutional right to see that kind of material, when they are old enough to handle it, let them. Many of us may not agree with their viewing preferences, but I personally will fight along side of them for the right to see what they want.

I know that there are those that will scream about parents having the right to determine what their children can be exposed to; but the realism depicted in today's motion pictures makes permitting children to observe and hear scenes containing tacit approval of drug use, explicit sex or graphic violence not too far removed from allowing them to be physically exposed to these same experiences. The difference is in the time that it takes to be reflected in the personality of the individual.

In attempting to protect children from abuse, we have passed some very strong laws that in many ways adversely affect the rights of adults. This is not necessarily bad. Therefore, how could a legitimate case be made against legislation that would protect children from visual or audio exposure to materials that could do them great emotional harm, while simultaneously having no material effect on what adults may produce or watch.

Now, getting back to a situation I mentioned earlier in my presentation, my personal experience with a picture I produced that had a strong anti-drug message. In this case, the drug was alcohol and the message was "Don't drink and drive." The picture has an excellent ensemble cast of good actors, very recognizable names that we were able to afford on a modest budget because they believed in the message the film contained. The picture contains no sex, no violence and no profanity. It won a Special Gold Jury Award at the Houston International Film Festival, the Film Advisory Board's Award of Excellence and the Dove Foundation's Seal of Approval, meaning that it contains nothing to offend anyone. I believe this is quite rare for a picture with an adult theme.

When we test-screened the picture, we received audience survey cards that gave it a better than 97 percent approval rating—that

is, 90 percent of the viewers rated it above average, with less than 3 percent rating it average or below. Many of the viewers actually penciled a notation on their survey card saying that they would never drink and drive again.

Quite naturally, I wanted a domestic theatrical release for the picture, but when I screened it for the studios, the answer was always the same: "Very good picture, but not big enough for us." Or "It would make an excellent Movie of the Week on television."

Most of the independent distributors expressed interest in foreign distribution and some smaller ones said that if I gave them all distribution rights, they would guarantee a limited domestic theatrical release. In Hollywood, that means it will open on three or four screens and then charge enough expenses and interest on expenses for that theatrical run to eat up any other income they derive from the sale of the picture thereafter. They make the money and you never see a dime. If you sue them and win, they declare bankruptcy and startup in an office down the hall.

Anyway, at the time I was wandering through that maze, I had my picture turned down as a Movie of the Week by one of the major networks with the reason being given that the picture contained no exploitable elements.

When I asked the person at the network by if no exploitable elements he meant sex, violence and so on, he replied, "Yes."

A short time later, the head of that network took a public shot at Congress for complaining about the content of television programming and stated that what the networks were showing was all they were being offered by the producers. I immediately wrote a letter to him, told him what I had and that what he was saying did not agree with what his people were saying, offered to screen my picture for him. I received no reply.

I would like to say that one company has been very interested in the picture from the first day they screened it, and that was Lifetime Cable Channel. They liked the picture and the message it contained; however, Lifetime only pays a small fraction of what a major network pays for a picture, and my first responsibility is to see that my investors get their money back.

I finally solved the domestic theatrical release problem by releasing it myself through a large midwestern theater chain and a local theater where I knew the management. Just before I finally resolved to accept the offer I had received from Lifetime Television, I attended an industry symposium on drugs, sex, and violence in the media. I was in awe of the big names that were in attendance and impressed with how they all agreed that something should be done about the problem. One person that was there, and very prominent in the presentation, was the president of a major network that had refused my picture because it did not contain the very elements that the basic message conveyed by the symposium said should be eliminated from today's productions. I called this gentleman the following day and told him about my picture and that it did exactly what he and others at the previous day's symposium said needed doing; that is, present an effective message against drug use. I also told him that his people had liked the picture but that someone near the top had turned it down some time before because it was too soft. He angrily denied that his people

would say such a thing—I guess they had been instructed never to admit it—but accepted when I offered to send him a screening copy of it. A short time later, a secretary called from the network and told me that it did not fit their programming needs.

I could go on all day with stories about how hard it is to sell a film that shows the damage that drugs can do, but I believe others here today will have plenty to add to what I have already said.

To summarize the point I am trying to make: With the right of freedom of expression comes the responsibility to use that freedom with care, or to suffer the consequences of the misuse of that freedom. Those who profit from the making of, and/or the distribution and presentation of material that could have a negative effect on young minds should bear the responsibility for insuring that this material is not seen or heard by immature persons whose actions might be influenced by exposure to it.

I again suggest that the Congress seriously consider passage of legislation that would make it a Federal crime to permit a child to be exposed to an X, NC17, or R-rated picture, or any audio and/or visual presentation wherein any scene or dialog that could possibly be presented or interpreted out of context, displays or describes the use of drugs in a positive light. I believe that the penalty for a violation of this law should be a substantial fine and incarceration.

To those who say that the parents should be responsible to monitor what their children see or hear, I say parents are responsible to see that their children are protected from physical abuse, yet child abuse is not uncommon. Much of what is presented on today's theater and television screens is as harmful to some children as some forms of physical abuse.

I honestly believe that if you force the elimination of juveniles from the paying audience for the type of materials we are talking about here today, you will have gone a long way toward removing the problem elements from the media. Take the profit away from any commercial activity, be it the sale of drugs, the exploitation of the human prurient curiosity by the depiction of drugs, sex, violence, and profanity in the media, and that commercial activity will cease to exist.

That concludes my statements, and I thank the committee for inviting me to testify.

Mr. HORN. Well, we thank you. You both have made very compelling testimony and you have both made good suggestions. Let me pick up on something you said, Mr. Matovich, about the egos of management. Is there a way that awards could be given in Hollywood, whether they be Oscars or Emmys for various types of productions where the criteria that both of you have stressed of pictures that have content, are exciting, are theatrical, are well done and so forth, where that would become one of the criteria for picking best movie, best actor, best director, producers, so forth, so on?

We hear a lot of hypocrisy out of Hollywood, and you have just cited the New York network hypocrisy. It seems to me one way you go at this is the old word of "shunning." If the leaders in society, instead of coming out here to kowtow to a lot of people in Hollywood to raise money for this campaign, that campaign, be it President, Senator, Member of Congress, whatever, if they started shun-

ning some of these people that are the prize hypocrites of the world—and I realize it is a small segment, but it is a dominant segment, and gave some rewards in behavior to people that are trying to help the Nation with some of its most severe problems—I mean the drug war is just one of the most unbelievable wars this country has ever been in and we are losing it. We have lost it dramatically in the last 4 years. This is why we are having these committee meetings. We need to get leadership that can deal with that at all levels of government.

I just wonder if you've got some thoughts on the existing award system and how you would ever work some criteria along the lines you're talking about. I liked what I heard about Britain. I mean, I probably only watch public television, anyhow. It is the only decent stuff I can find or C-SPAN. That is what I also watch where I do not need million dollar paid newscasters that have not got a brain in their head to translate for me what I am seeing in public policy.

So I have watched the commercial networks news, I think, four times in 4 years as a Member because something stupid happened on the floor and I knew they had covered it well, because they never cover anything else about Congress. So I come from that bit of bias and I am just curious, how do you turn around the Academy, be it television or movies, to get some of the very thoughtful criteria you have put in here? How do we do that? Do producers have any influence on the production side and the producer of the year bit? It seems to me I will put it right back in your lap.

Mr. MATOVICH. Well, the producers really do not have much to say about the content of the product unless you are a very, very large producer of tremendous credits, then you might have some input; but you are pretty well told what has to be in and what you are getting funds for.

Mr. HORN. I thought the producer was God in Hollywood, as opposed to Europe where the director is.

Mr. MATOVICH. Well, why don't I defer to Charlie here. He can fill you in pretty well on that one.

Mr. FITZSIMONS. You asked about awards based on excellence. There are a number of such awards. I cannot off the top of my head give you the listing. They are very prestigious and they are made every year; but, naturally, they are not newsworthy. They are only of interest, really, within the creative community; but there are, in fact, a number of them.

The thought of trying to influence the Academy of Motion Picture Arts and Sciences is dreamland. The awards of the Motion Picture Academy of Arts and Sciences are given by the various peer groups and are voted by the various peer groups and they are voted based on that group's feeling about who they think gave the best performance of the year, did the best photography, was the best director.

The system is not one that you can influence. It has been set for a long, long time. That is why, in the few suggestions I made, I talked about an incentive, a big monetary incentive because awards for quality and taste that are only paid attention to by the creative community and that do not really gain any space in the media, they are meaningless in what you are trying to achieve. But if you

had a huge monetary award that would be an incentive, I am telling you it would have an enormous effect.

Mr. HORN. Well, that is certainly one way to go, but that is sort of throwing in the towel on doing something right at the grass roots. You are telling me it is impossible?

Mr. FITZSIMONS. I am telling you that just as you have found in your attempts to deal with drugs and violence in real life, it is no easier in the entertainment community. There is no pat solution. What you are asking for is a revolution in taste. You are asking for a revolution in behavior. Maybe if some of the things I am talking about when I talked about some of the blitzkrieg being educational, if you can get the sufficiently young, then maybe 10, 15, 20 years from now, the revolution in taste will come about. But I cannot see—I cannot see the miracle worker who is going to do it in this town.

You have to remember that basically the creative community does have taste, but the creative community also has bills to pay, sick kids, roofs that have to be taken care of, so they have got to sell. You have an industry where the market is a very specialized market. If they do not sell to that market, they do not sell.

There have been instances of excellent material, as you have seen, getting on the screen, both on the theatrical screen and the television screen. But the original motivation, believe me, was profit. When they turned out not to be profitable, they were quickly dismissed.

I would point out to you "Brooklyn Bridge" in television, "Picket Fences" in television. Wonderful programming, tasteful, could only have good influences on everybody. They were only put on the air because they expected them to be profitable. They weren't profitable, they won every award in the business, and they've been dismissed. That is what you are dealing with. Keep your eyes open. Do not go to fantasy land. That is what you are dealing with.

Mr. HORN. Well, you are saying that it is hopeless to have any leadership within this community that would have an effect.

Mr. FITZSIMONS. I am saying that you can attempt many, many, many, minor bandages. But you have got to attack, you have got to create, you have got to come about in a different way. To try and change the status quo, you're dealing with an enormous industry. You are dealing with an industry that is in exhibition, is in distribution, is in production, is in the ownership of vast properties. You know, it is a bigger challenge than tobacco. So, be realistic. Bite the bullet.

Mr. HORN. What you're saying is that despite the rascality of some, what this town needs are some of the old studio days of the 1930's and 1940's when a few people, if they could be persuaded to have standards for the good of the country, might do it.

Mr. FITZSIMONS. In the old days, when it was not such a huge monetary industry, when the gamble was so much smaller, but what you are talking now about an industry that is dealing in millions, the gamble is huge. A huge corporation can go bust. A lot of them have by one or two bad decisions on the profit motive. You are dealing with an octopus.

Mr. HORN. Well, maybe we need Norris and Sinclair Lewis and other reformers to write a few books about the subject.

Yes, sir?

Mr. MATOVICH. Were you referring to something separate from the Academy Awards?

Mr. HORN. No. I was just saying is there any hope to turn the Academy Awards around and be it pictures, motion pictures or television, and try to get some of the criteria you're talking about in there as a basis for awards. Because we have got all these hypocrites that come and testify on one thing or other. Then you see the lifestyle they live, you wonder, "My gosh, am I seeing reality or aren't I?" And where can you—is there a conscience to be pricked somewhere in this town? I mean you are evidence that there is. Now, the question is how many people can you motivate to say it is time we do something about this. We have an impact on America, in its society, in its youth, its values. You name it. It is not just reflection, but it is emphasis. I think no one is saying an adult should not see whatever they want to see, but when you target in, as you both did, on the youth and the problems there where there—and that is their parents' fault, granted; but we have got a parent stupidity problem in this country that we have got to face up to. That is why I mentioned the schools earlier, when everything else fails, it is the teacher that is the bastion, the teacher, the policeman and the fireman that is preserving us from any sort of barbarism in some cases.

Mr. MATOVICH. I keep hearing this, "It's the parents' responsibility." But when I was younger, I was not—I did not have all of this material thrown at me. They had the Hayes Office where you were very limited on what you could put in pictures at that time. There was no profanity, no sex, no exploding bodies.

Mr. HORN. Yet they permitted slapping women around in one famous scene I can think of. That is a major problem in our society, and that sure did not help it.

Mr. MATOVICH. Well, that is true, but these other problems that we have were not thrown at children continually. If it is there, the kids will see it, no matter how good the parenting is. So, you have to do something about penalizing those that permit the children to see it. As I said, if you do not allow children into theater complexes that show that kind of material that is not suitable for young people, then you are probably going to destroy their bottom line and they will just stop showing it.

Mr. HORN. Well, I agree. That is certainly one way to get their attention since conscience does not seem to do it.

Mr. MATOVICH. That is right.

Mr. HORN. But money will. I think you have some good suggestions there, personally.

Mr. FITZSIMONS. I would like to correct something where I may have given a wrong impression. In the motion picture industry, in the entertainment industry, there are a great number of tasteful, intelligent, responsible people who are trying very, very hard to make tasteful, responsible materials. But they, too, have to gear their product to profitability. Some of it gets through and some of it will always get through and some of it always got through in the past. But to have a portion of the industry that way does not change the exposure to the other larger section of the industry. There are producers who are self-financed who have done nothing

but good. I think, for instance, Saul Zantz, who we gave the Lifetime Achievement Award to, he's paid for every picture he's made. Some of them have lost money. They have all been good and they have all had a good message. He can afford it.

So, yes, individually, there are such people, but you are dealing with a system. You know? I am sure in Congress there are certain individuals who are much more idealistic than others and there are others who are far less idealistic. That is the motion picture industry, also.

Mr. HORN. Yes. I think—look, I have been president of a university, I have seen weak faculty.

Mr. FITZSIMONS. Yes.

Mr. HORN. I listen to what the lawyers are doing. I see a weak American Bar Association. I listen to testimony by M.D.s and see some of the corruption. There is a weak American Medical Association, weak State licensing boards. I understand human frailty. All I am saying is the "good people," the ones testifying here today obviously meet that category, they have got to take some leadership. That is what happens in faculties, in medicine, in law, and everything else where you let these absolute loudmouths get away with this stuff. You know, some people have to stand up and be the brave. You might be defeated the first few times. Eventually, you are going to win. Granted, the almighty dollar has great power here. I understand that. The almighty dollar has a great power in a lot of places with doctors, lawyers, faculty, you name it, and not to mention the media and all that. So, it just seems to me that those of you that feel this way, there ought to be some organization you can create where you could maybe bring like-minded people together because there are some timid souls that have some great ideas, but they will not stand up until somebody else has cleared the way and stood up as you have. That is all I can think of that, to use a little psychology.

I yield now to the gentleman from Arizona.

Mr. SHADEGG. Thank you.

I want to begin with my own comments just on some of your testimony. Mr. Fitzsimons, I find myself in complete agreement with you on several points. I will tell you that I—I know other members disagree with me, but I agree with you completely about the V-Chip. My good friend, Mr. Souder, and I had a vigorous debate over the V-Chip on the floor and in the days preceding that vote.

I think the V-Chip is intended to do a very good thing. I think it will be an abject failure and I believe it will result in an increase in dangerous materials, materials containing values we would not all ascribe to, values that will damage the society. I think we will see increased sex, increased violence, increased drug glamorization or even—whatever it is. It will all get worse because right now I believe there is an aspect of self-policing which once it is no longer the producers, and I do not mean that in the movie technical term, but the manufacturers or the creators, it is no longer their responsibility to self-police themselves at all. They will say, "Well, gee, we put it out there, but the parents can use the V-Chip."

I think the marketplace, the total quantity of very dangerous material that is out there will increase dramatically. I worry a great deal about it.

Mr. FITZSIMONS. If I may add to that? Basically, the V-Chip is a license to make whatever you want to make as long as you identify it and then to push onto the consumer the problem of dealing with it after it is identified. It will fail.

Mr. SHADEGG. I thought you said it rather superbly when you said it will shift responsibility from management, meaning the people that I call producers, the people that create this stuff, to the parents. I will tell you that my friend, Dick Armey, made an eloquent speech on the floor of the House in the course of that debate saying, "This will not work." He drew the parallel to the fact that in his home, he could not run the VCR, but his kids could. Well, I will tell you, in my home I cannot to this day fully operate all the different aspects of our VCR. My 14-year-old daughter can and I think my 10-year-old son for the most part can as well. So, I share your concern about that very much.

I also think you are correct about your analysis of the susceptible, those who are and those who are not. The fact that a great number of people in the unsusceptible community still find an interest in or an entertainment value in seeing these subjects. I guess that is what creates the market.

I guess I have a couple of different questions. No. 1, Do you believe that, Mr. Matovich—

Mr. MATOVICH. Matovich.

Mr. SHADEGG. Matovich, the statistic that G-rated movies are more profitable or G and PG-rated movies are more profitable than what is it? X and NC17 and R? Is that accurate?

Mr. MATOVICH. I do not think it is accurate in the cumulative sense. I think you would have to take individual motion pictures. Mark you, there are very few G-rated movies.

Mr. SHADEGG. Boy, is that true. My wife and I go to the video store to try to find them and take them home, and it is a struggle.

Mr. MATOVICH. Individual G-rated movies, you know some of the ones made by the Disney Co., and so forth, have done big box office. But in the cumulative, I think that the cumulative box office from the R and the others far exceed the box office from a G-rated movie. That is not to say, and I want to stress, that you cannot make a G-rated movie that does have the power of attracting an audience. That is what we have to fight for, the fact that it is—that is called innocuous, but entertaining. There is an audience out there.

Mr. SHADEGG. It always surprises me when I go to the theater and, occasionally this happens, not very often, and watch a movie and walk out and say to myself as I went out, "That was a great movie. I loved it, but there was no sex, no violence, no drugs, it was not there." And, inevitably, I will say to my wife, "Did you note that, you know, none of those things were there but it was a great movie?" One of the first that I stumbled upon that I thought was a fantastic movie was "Princess Bride" which was just immense entertainment value appeal to elderly, appeal to kids, tremendous humor, and I am always fascinated by those movies when they occur.

Mr. FITZSIMONS. The pressure has to be on management to realize that that kind of a movie can be box office.

Mr. SHADEGG. I also agree, I think, with you wholeheartedly about the issue that profit is the bottom line. We have to figure out how in this society to make movies which advocate or contain good values very profitable.

Now, in that regard, I guess I want to follow two lines of thought. One is I wholeheartedly agree with you with regard to the issue of the blitzkrieg infomercial. It is kind of interesting to me—I think that Government has spent billions advocating bad values and I think those in control of Government because they are suspicious of the institution of government say, “Well, we just want that to stop.” And they do not really go the next step which is to say, “Well, if government is going to spend billions of dollars advocating bad values, maybe those of us that are concerned about good values ought to buy into the institution of government,” and this is going to be very difficult for me, “and spending money advocating good values.”

But I do think that may be the only way we can go. I will tell you I do not think the industry will change until the society changes. I do not think the society will change until there is some influence to make it change.

I said earlier I think we as a Nation made up our mind that driving drunk was bad and we created not only some laws about it, but “Students Against Drunk Driving,” “Mothers Against Drunk Driving,” it became a news story when people campaigned against drunk driving. I think that is what has to occur with regard to drugs in our society and also with regard to some of the other negative influences.

So I think that is a good idea. But your second proposal, which is that we create this very, very, very high, and I note, tax-free award, which I am fascinated by, raises the fear in my mind that you created and originally the award goes to things that we would all agree are good, but ultimately it starts going to things that we do not think are good. That takes me to my second concern about this area which is the whole area of who decides. How do we set the right values?

I am fascinated by Mr. Matovich’s comments about—what was it called? The Hayes Board?

Mr. MATOVICH. Hayes Office.

Mr. SHADEGG. I am very much aware that—

Mr. MATOVICH. A Hoosier, by the way.

Mr. SHADEGG. Pardon me?

Mr. MATOVICH. Will Hayes was a Hoosier.

Mr. HORN. Former Postmaster General.

Mr. SHADEGG. A little promotion of Indiana here.

I mean I am very much aware that society at that time allowed that level of what would today be called censorship. How do we get back to it?

Mr. MATOVICH. It was self-censorship by the industry. The Hayes Office was set up by the industry, itself, because at that point in time the motion pictures were getting so bad that Congress was threatening to set up a censorship board. So the industry said, “Don’t do that. We’ll set up our own office.” And they got Will Hayes to set up this Hayes Office.

Mr. SHADEGG. That reminds me of an expression. One of my friends says, "History doesn't repeat itself, but it rhymes."

Mr. FITZSIMONS. I would like to add—

Mr. HORN. Maybe we are there again.

Mr. FITZSIMONS. There was another motivation behind the Hayes Office, and guess what it was? Profit. Hollywood movies were being censored throughout the world. Every country had its censorship board and when a movie went into a foreign country, it would have a certain hunk cut out of it in England, a different hunk cut out in Ireland, a different hunk in Spain and it became an absolute nightmare. So, in order to try and coordinate this nightmare in advance, they came up with a set of rules that they felt would protect them from a lot of this expensive overseas censorship. So, again, motivations do not change that much.

Mr. SHADEGG. Mr. Matovich, my own reaction to your proposal, even though you are probably technically right that prohibiting children from seeing, say, X or R or is it NC17 movies?

Mr. MATOVICH. Yes.

Mr. SHADEGG. Might not technically be censorship. My reaction is that in this society today if one of my fellow panelists or I were to introduce a piece of legislation to do that, we would immediately be accused of censorship and I do not believe we would stand a chance of getting it passed. But I guess my question is maybe we have to have that threat for the industry to do something about it. And maybe I am wrong. And I guess I am interested in your perspective as well as—

Mr. MATOVICH. You are accused of censorship with a V-Chip, too, OK? All you are doing is automating the on/off switch or the channel selector if you provide a V-Chip. That is all you are doing—

Mr. SHADEGG. The V-Chip leaves the decision in the hand of the parent.

Mr. MATOVICH. That is right.

Mr. SHADEGG. Now you propose that Congress take it away?

Mr. MATOVICH. Well, you are still leaving—let me make sure I understand what you are saying. In comparing the V-Chip to the entrance to a theater?

Mr. SHADEGG. Well, you are saying that we should pass a law which says that my wife and I cannot take our 10-year old or our 14-year old to an X-rated movie.

Mr. MATOVICH. Why not? There is nothing wrong with that because there are laws on the books that say you cannot beat your child. OK? There are laws on the books that say you cannot permit your child to drive before it is a certain age. There are laws on the books that says you cannot permit your child to drink before a certain age.

Mr. SHADEGG. I agree with you completely. That constitutionally we could do that.

Mr. MATOVICH. OK.

Mr. SHADEGG. There are many, many laws that protect minors and minors are a protected category and we treat them differently in many, many ways. My question to you is I do not think the society will sit still for legislation of that type because it would be viewed as censorship. Maybe incorrectly.

Mr. FITZSIMONS. What if you were to gear your thinking in that direction to a redefinition of child endangerment, and contributing to the delinquency of a minor? It may be that any new legislation should really be an amendment of existing legislation and that way it may not come in for such a fiery challenge because there is no question that some of the stuff that is on the screen, when it is followed by a susceptible viewer, is contributing to the delinquency of a minor.

Mr. SHADEGG. We have not even touched what is on the Internet including, as I understand yesterday, instructions on how to commit horrendous crimes.

Mr. FITZSIMONS. Yes. So, the key may really be in re-examining existing legislation and instead of trying to strike out new to see how you can give teeth to existing legislation. I would love to see the CEO of a major company up on a charge of endangering a minor or on a charge of contributing to the delinquency of a minor. I would love to see it. It would make a hell of an effect. So, please do. Please re-examine the existing, you know, the existing legislation. I think that is a very worthwhile exercise.

Mr. MATOVICH. Another thing. You are not censoring anybody. It is not censorship to prevent people from seeing something. You are allowing people to make anything that they want and present their ideas in any fashion that they want, but you are preventing minors from seeing that material that they are not old enough to handle. How anyone can argue against that, it's like arguing against motherhood.

Mr. SHADEGG. I do want to commend you both for absolutely superb testimony and some great suggestions and some good food for thought for us.

Mr. HORN. Before I yield to Mr. Souder, I just want to say that I think you got a terrific idea on the reinterpretation of the contributing to the delinquency of a minor. Most of that is State law. It could be Federal law, but we ought to be encouraging State attorney generals and district attorneys to try that out. I think it is a terrific idea.

My colleague mentioned Mothers Against Drunk Driving. The reason we have different laws now than in 20 years, 30 years ago is Mothers Against Drunk Driving. It was not Congress that created those laws. It was the women walking the halls of Congress and getting a network throughout America and standing up and saying, "This is not just something nice and cute and social in our society. This is an evil." And browbeating, if you will, and explaining and getting the message over to Members of Congress ahead of the liquor industry and the beer industry and everybody else, that you had better do something about it. I will tell you that is the kind of grass roots efforts we need everywhere on this issue. A bunch of brave mothers who had lost their children because of a drunk driver—now, every day you read about some damned fool in this area drunk as a skunk killing innocent people and, of course, they ought to go to jail the first time for a year. Maybe they would understand it. Instead, judges let them off. DAs let them off. That, again, is where we, the voter, ought to be getting rid of those judges who are State judges, getting rid of the DA when they don't have the guts to prosecute. That is because they are partly in that

social set that drinks wine and liquor. I am not a temperance type. I am just saying when people are on the highway, they are murderers when they are killing somebody after being drunk. We ought to treat them as murderers and we do not do enough for it. But that group showed that people organized can make a difference.

Mr. Souder.

Mr. SOUDER. A fundamental question that underlies all this and, Mr. Shadegg tried to get to this and I want to ask the question in another way because the fundamental assumption at least Mr. Fitzsimons has is that it is all financially oriented and we have to change the mix of the finances. The underlying assumption there is that there is more money to be made by selling what is being sold than by selling alternatives to that.

Mr. FITZSIMONS. No, that is not correct.

Mr. SOUDER. Well, then why would not the market already be addressing that?

Mr. FITZSIMONS. If you will remember, I said that they made "Forrest Gump" because they thought it would yield profits.

Mr. SOUDER. But then why don't they make more?

Mr. FITZSIMONS. They made "Pulp Fiction" because they thought it would yield profits. That is the criterion. They neither favor nor disfavor good material.

Mr. SOUDER. So what you are saying is that if we brought the major studios or whoever could best do this under subpoena if necessary, under oath, and had them bring forth their balance sheets, and had to show us where they were making the money, you believe that the balance sheets would show that they make money on both and the reason we have more of the one type because we have a lot more Rs and things with violent ratings. With what I would say—I agree with your basic point, too, like we just had this Thursday on a hearing on the music industry. One of the things we got into, is whether the song, "Heroin Girl," actually was communicating an anti-drug or a different type of message to the children, at least, to young people. That when you talk about the drugs, it is a drug message whether or not how it is presented. But that more movies and particularly the largely advertised movies, the number of them is on this side, although I would postulate that the biggest returners are on this side. What would—do you believe if we got them there and showed that that there would be a suggestion that maybe this isn't pure capitalism, but that there is some bias toward things like what was referred to as movies with an edge or with exploitable elements that is a bias inside the industry as opposed to actual market or capitalist bias.

Mr. FITZSIMONS. There is a bias because it is a more sure-fire market. If you have a target market—if you are going into—

Mr. SOUDER. Let me explain—

Mr. FITZSIMONS. Let me just finish. If you are going into an area and you are going to open a store, you go out and you analyze your market. Similarly, the industry has analyzed its market and I have to tell you a strange thing. Most CEOs are very insecure. So if you have somebody statistically telling you over here that this is a more sure-fire large audience and this project will make a profit with that audience and is saying, "This is a less sure-fire audience

and though this project could be profitable, you are still aiming it at the less secure market. Let's go for security." It's business.

Mr. SOUDER. This is not a matter of opinion. This is actually provable. I have a business background, business degree, MBA, from Notre Dame, and I am missing the Texas game. [Laughter.]

Mr. HORN. Yeah. The Members sacrifice a lot to hold these hearings.

Mr. SOUDER. That the key thing is, although I understand, I got a note—it's 17-14 Notre Dame at half-time. [Laughter.]

That in actuality, what you are saying is there is less risk of a loss or more risk of a gain?

Mr. FITZSIMONS. There is less risk of a loss.

Mr. SOUDER. So we should be able to see, then, if they were here that, indeed, they were losing less money on films with an edge and exploitation and films with different ratings than they were losing on G pictures?

Mr. FITZSIMONS. Yes.

Mr. SOUDER. Do you think that is true, too, Mr. Matovich?

Mr. MATOVICH. I left a book with the committee that was written by Michael Medved. He pulled together all the statistics—and I use his because they were compiled by an independent corporation that does that rather than my own, because some years before I read his book I had compiled the same statistics and pretty much in agreement with what he says—and the statistics do bear out the fact that G and PG-product, it is not twice as much, it is more than twice as much average at the box office overall more than the R-rated product. I could never understand why they leaned so heavily toward the R. But then, again, I think what Charlie said here is probably also true that there is less chance of a loser if it is an R-rated film because there are a lot of overseas markets that lean in that direction.

Mr. SOUDER. It is an important fundamental question underneath and because it relates to, No. 1, indeed if it is market-based before you start to tinker with the market, you got to know how the market is moving and what decisions are being made inside that. The second thing is is that it brings up the question by exploitable and an edge whether—what we're getting at as far as side products and licensing overseas markets, video tapes. Are there other things that happen here? Also, we get into the question of they may indeed argue, they could argue and this becomes another one of Mr. Matovich's points, and that is that they may argue that, "Well, the G pictures are successful and they do not lose if indeed the statistics showed that. But that is just because we are not taking as many of the things that are presented to us and so we are creaming at that end where we are taking more over here." I mean there are a number of arguments it can be; but, ultimately, before we move, we have to get a real handle on this question, otherwise, when Government steps into the market and starts to do things, if they do not have a good read, you can try to tinker with something that is a false tinkering.

Mr. FITZSIMONS. If I might say, I would advise you to be very, very careful in examining those statistics before you would take on any of the CEOs of the industry. I, personally, do not believe your statistics are correct. I can be wrong, but I would advise you very

strongly that before taking them on, I would do some really tight research. Also, humorously, I will advise you that they will never expose their books. The books that they do expose will have been well tinkered with. There is no movie that makes a profit. Did you know that?

Mr. SOUDER. I've read enough about that and I think one of the core questions comes and this leads me to some of the next area is that—

Mr. FITZSIMONS. Studios every year have to declare a profit for tax purposes; but every studio, every movie is in the red.

Mr. SOUDER. But people said in the tobacco and alcohol industry that we would never be able to get the numbers either and if there is enough pressure and there is enough frustration and that is indeed partly why this hearing is here. That is why this committee started right after our freshman class came into Congress and started pushing on the drug issue which we now see at the national level both candidates bidding to see who can be most aggressively against drugs is that there is an anger level that politicians are responding to. It is not us starting it. It is starting in the mothers and fathers at home who are angry about seeing little kids shooting—I mean we have one case in Fort Wayne where somebody said they were quitting at the service station because they are getting tired of wiping the blood off the gas pumps. Now, that is unacceptable in our society. We have gangs that are narcotics-driven. We have our cities being overrun. There is a tremendous public skepticism even shown in the fact of the recent stories about L.A. and whether it was tied in with drug running and funding political movements and battles that occurred in Central America. There is a tremendous skepticism in the country about the politicians, about the producers, about everything. And they want action.

The reason we did the V-Chip, I'm going to make a brief comment on this, because I talked to representatives of all the networks and they were on my case because I am a pretty free market conservative. I agreed that by the time we get to fiber optics and get into all this kind of stuff and TV gets overlapped, it will not work very much, but people are mad and it is a classic different in debate between freedom and order. Freedom without responsibility inevitably in society after society leads to more Government regulation because people cannot live without a certain amount of order in their communities and they will not allow it. They are going to demand of their government that. I understand that you often in Hollywood have been very frustrated with getting straight books and we are likely to go through that process, too, if we try to do that. But we have to at least make some of those kinds of efforts because some of the things that you have suggested intrigued me very much.

I want to go through a little bit of this thing about the education and the massive effort. We are about to put next week another \$140 million into drug education. We had \$300 already in this year, so it will be \$440 million in 1 year, which pales the amount we are putting into treatment, which is about \$1.3 billion. But we are putting a lot in. A lot of times that just goes to little pencils and coloring books. We need to figure out how best to be effective.

Also, another member of this subcommittee, Congressman Mica of Florida, has a bill that I am a co-sponsor of that is the network's nightmare and we have to figure out how to get cable in this, too, that forces them to set aside time for anti-drug messages—

Mr. FITZSIMONS. Terrific.

Mr. SOUDER. That is another step. It is more of a warning shot that you had better start doing more voluntarily because if you do not do more voluntarily, the people are demanding action.

Mr. FITZSIMONS. It ties in with my blitzkrieg.

Mr. SOUDER. Exactly.

Mr. FITZSIMONS. Yes.

Mr. SOUDER. Now, the core question comes, though, in this question of awards and how we do financial things, my impression of what most people in Indiana and probably most people here in Southern California think about the entertainment industry, understanding the risk side and I want to have a couple of questions on that. Is that they are filthy rich. We see the big homes. We see the fancy cars stacked up. The spoiled lifestyles of not only the actors and actresses, but also many high-profile producers, people that own the companies and the idea that somehow they should pay bonuses for anti-drug messages or bonuses for films with their tax dollars when they are barely able to make it. These people are getting rich off of charging higher and higher prices at the movie theaters and other things so they can have these lifestyles is not likely to fly.

Mr. FITZSIMONS. Let me answer that. A segment of the entertainment industry is filthy rich. A much larger segment is very poor. If you talk to any of the guilds and get the figures on income, you will find, for instance, that the Screen Actors Guild, that something like 80 percent of their membership earn approximately \$3,000 a year. So there is a misconception. Not all of the entertainment industry is filthy rich. The top successful level of the entertainment industry is filthy rich.

However, if you remember, I also made the suggestion based on a thing that had been done successfully in England to save the British film industry. If you were to say to the motion picture industry that you want to impose 5 cents on a chair in a theater, 5 cents on a video cassette, whatever, down the line, something that to them they think is totally innocuous, who is not going to go to the movie if they have to pay another nickel? But 100 percent of that money after you have policed it would go to this fund and this fund would be the fund that would either fund what I was calling the award or would fund the education and dissuasion material.

Also, I want to say something to you: Industry has used the talents of the entertainment—I am talking about the commercial industry has used the talents of the entertainment industry to sell its product. We design and make the commercials that sell cars, that sell Wheaties, that sell everything. Give us a shot at selling anti-drug abuse.

Mr. SOUDER. The truth is the industry has a shot, but they will not do it voluntarily.

Mr. FITZSIMONS. No.

Mr. SOUDER. Why should—and I understand the realistic reason, but—and I understand actually because I have a number of friends

who have come out and have not made money. I also have friends who have done very well. One of my questions comes is that first off, if we do charge, say, in effect a sales tax, movie sales tax or video sales tax and have the average person in the United States who often makes—depending on whether you take the family income of \$15 to \$20,000, so they pay an additional tax. The money is most likely not going to go to the starving artists or those on the way up. It is likely to go to the richest ones because they will be the ones who do the videos. The biggest studios will get the dollars because it will—I mean there is at least a good chance, they are getting everything else. Why would they not—

Mr. FITZSIMONS. But it cannot be done that way. You cannot hand over that fund to management. That is putting a rope around your own neck. That fund has to be guided through some organization directly to the creative community which will work at a discount, which will get the suppliers to the industry to supply at a special price. You will get 99 cents on the dollar. I do not want it to go into the hands of management. I do not want it to go into the pocket of major stars. I want the major star to come in and say maybe he will contribute something when you ask him to work on a commercial or the infomercial. It has got to be done on a challenge to integrity. You have got to go to this guy and say, "Aren't you worried about this problem? There is now a fund we can make this infomercial. Would you read it? Would you do the thing? Will you do it for Screen Actors Guild minimum?"

Mr. SOUDER. See, I am not one who is uniformly against those type of things. I am kind of mixed as is my evidence in support of the V-Chip, which I continue to support, and the problem I have is that the only model we have is the National Endowment for Arts. I will grant that 80 percent of it is probably things that are useful and it goes down to the local level and funds a lot of things. But we also see everything from crucifixes in urine to so-called performance art which is an increasing segment where if anybody likes it, it means it is not good because only the performer is supposed to appreciate the art. That type of danger would be here, too, because it comes back to John's question of who decides. Particularly, if you are going to take it out of the hands of the major studios and then have a group decide of people who, in quotes—I am not being judgmental with this—are less proven, it becomes much more arbitrary.

Mr. FITZSIMONS. They might be more proven.

Mr. SOUDER. Well, I am not—like I said, I did not mean to be—but in the public's eyes, just like in sports things, you tend to see Michael Jordan and Shaq and a few people and, bang, you don't see too much of the others.

Mr. Matovich, did you have a comment? You look like you want to join in.

Mr. MATOVICH. No.

Mr. SOUDER. OK. Well, I know I have gone over my time. I am very intrigued by some of your proposals and would, from both of you, would like to look at it because as this moves forward, unless we see changes, which we continue to hope will be voluntary because that is by far the best way to make the changes. The studios, if they feel the heat from Congress, are more likely to come out

with more movies that have positive messages, to work it in; but we are also going to have to have the stick with it, not just the carrot, because, quite frankly, that seems to get more response.

It has, just like while we have had very positive impacts with Mothers Against Drunk Driving, the fact is we have a horrendous and increasing alcohol problem among young people. That the way we are tackling tobacco has to be, we are going to have to enforce the law. We cannot just say, "Oh, we've got a law. It is important." We are going to have to arrest businesses that sell to teenagers.

One other comment I want to put on the record is I realize that studios today when they have these huge dollars are gambling. But, you know what? That is the way every segment of our society is going. Farming is much more risky than it used to be because the farmers have extended a higher percentage of their assets each year on their fields and if they go under. Small businesses, increasingly, even a little book store, 90 percent of their books will be the top 10 books and if they guess wrong in their inventory in those books, they can lose their bookstore, as you see, all the small businesses closing.

I do not have a lot of sympathy for the extra risk of the studios justifying and needing that risk justifies behavior and promoting behavior because that would be an excuse for every little store to sell cigarettes to minors, to sell alcohol to minors, to do all kinds of things to supplement their profits or for farmers to grow marijuana, for farmers to go into supplementary things. I mean, we had a case in Indiana where some of the drug dealers who came in offered a farmer I think it was \$30,000 to leave for the night so they could use his farm to do the drug transfer. Everybody has got these problems. I do not have a lot of empathy for saying, "Hey, you know, they are under a lot of pressure. We need to be understanding." That is not what you were saying, but there could be an implication and an inference from that from the fact you said how much is at risk and that seeming to justify their market behavior.

Mr. FITZSIMONS. No.

Mr. SOUDER. Some people in a free market still behave with a conscience and still behave guided for what is good for the society because it is not as though you cannot make a profit with it, it is just the margins of the profit.

Mr. FITZSIMONS. It is how you can give them a conscience.

I would like to say something that has nothing to do with drug abuse. If you are serious about tackling the books of the major entertainment companies, it might be very profitable research because you will scare the hell out of them. They have so much to hide and so much to cover that they may make a tradeoff with you.

There was an interesting case in this town which you should research a year ago, 2 years ago. It was *Buchwald and Bernheim v. Paramount Studios* where Paramount Studios were claiming that a picture that had already grossed \$350 million was still in the red. They got a very brilliant Irish American attorney who went in there and scared the hell out of Paramount. They won on the first level and then Paramount went to appeal and then before it could get into the court, they settled because it was a challenge to unconscionable accounting. This might be worth your while researching. I think the attorney wrote a book about the case. One of the best

ways to bring an adversary to close attention if you kick him in the knee, you might get something interesting to come out his mouth.

Mr. MATOVICH. The title of the book is "Fatal Subtraction."

Mr. SOUDER. "Fatal Subtraction."

Mr. MATOVICH. Pierce O'Donnell is the name of the attorney.

I have a little paragraph that I have in my prepared statement that touches on this same subject. I would like to suggest to the committee that you seriously consider coming back in the near future to hold another series of hearings. I would also suggest that these new hearings be held in conjunction with the Justice Department and the SEC. They investigate the unfair business practices, fraud and racketeering as practiced by many major Hollywood institutions. You would have to plan on those hearings taking several months and being held in a much larger venue. The line of people entitled to testify on that subject would reach from here to Washington and would include a substantial percentage of the most visible personalities in the entertainment business.

Mr. HORN. Well, I appreciate your comments. When my colleague from Indiana first mentioned a balance sheet, I wrote, "accurate balance sheet by movie," and if he achieves that goal or any institution achieves that goal, there would be a statue erected of them—not here where you can barely find it, but in the middle of Hollywood Boulevard or Wilshire or some high mountain. Maybe replace the Hollywood sign that at last you found an accurate balance sheet because it is absolutely right. It is well known and the court cases have proved it. There's a lot of liars in this town in terms of what are they making.

How did "Babe" do, by the way? My favorite movie here. Did they do pretty well?

Mr. MATOVICH. Well, they probably lost money on paper like everybody else.

Mr. HORN. But I think you have happy customers there. It's one of the few things people could take their little kids to.

Mr. FITZSIMONS. I think it was a general audience picture.

Mr. MATOVICH. Yes, it was.

Mr. SOUDER. Will the gentleman yield for a second?

Mr. HORN. Sure.

Mr. SOUDER. One reason they might be scared if the Government comes at them is that often it takes somebody to know how to manipulate balance sheets to catch somebody who knows how. In Government, we have done a pretty good job of disguising the Social Security fund, the Highway fund, and a bunch of others.

Mr. HORN. Right.

Mr. SOUDER. So, we know a lot of those gimmicks.

Mr. FITZSIMONS. The only trouble is that either you may end up hiring them or they may end up hiring you.

Mr. HORN. The gentleman from Arizona.

Mr. SHADEGG. I wanted to make three comments just before we conclude this panel. First of all, I, too, want to say, Mr. Fitzsimons, that I agree with you about the issue of it does not matter whether the movie glamorizes drug use or villainizes it and portrays the most dark side of it, the net effect in both instances, I think, is damaging. Kids go watch it and the effect is the same. They want to exploit it. Maybe they are at a point in their life where they

want to damage themselves, whatever. So, I agree with you completely about that. So, the notion that we're producing a movie which shows the dark side of drugs is sophistry. It is ridiculous. That will not stop people from an expanding of the drug culture.

Second is just this issue of risk and my colleague, Mr. Souder raised it. I am compelled to tell a little story. I agree with him. I quite frankly do not believe that risk is an excuse and I am not certain that it is different. And I will tell you a brief story.

In the 1930's, my father who had met my mother in Phoenix, AZ, was hired by RKO Pictures to write movies. He came here to Hollywood. They rented an apartment and he went to work writing movies. I cannot completely tell the details of the story accurately, but he related to me at one point—and he is now gone—that he was assigned to this particular film and he went into a very high level meeting. I believe it was with the producer. I am not certain. He went into the meeting and it was with the head of RKO Pictures and it was the two of them to talk about this movie.

The determination to be made was whether or not they were going to make the movie or not. The producer was there or whoever was in charge and they made this pitch and it went on for a long time and my father asked various questions about how could we improve the script and what would we do here and what would we do there. I guess it was still somewhat of a concept.

The meeting ended and my father and this producer who was very high ranking stepped outside and my father noticed that this gentleman was just literally shaking. He could hardly control himself. Sweat was just pouring down him and he was just absolutely distraught and my father said, "Gee, are you all right?"

And the gentleman, "Steve, you don't have any understanding of what that was all about. I have a lifestyle now with a"—it probably wasn't a \$2 million home, but whatever it was, a very, very expensive home, cars, entertainment expenses, you name it—"and that was the determination of my fate. Had he turned that movie down right then, I would have been destroyed."

My father was shocked at the pressure that this gentleman was under and enough to relate that story to me many, many years later.

I think that there was risk in movies back then. There is always risk in capital ventures and it is not an excuse.

The last point I want to make is that these hearings have various purposes. One of them is for us to learn. Another, I hope, is to send a signal. I have tried to make it clear in my comments today that I have a strong personal bias against Government action. I have a belief that Government does not do much well. I have a very strong sense of the first amendment and the concern about the notion of censorship. I am troubled by the issue of who decides.

But Congressman Souder and I did debate the V-Chip. I want to make it clear that a point he made is an important point for anybody listening and I hope somebody in this town is listening. Voluntary action is vastly preferable to whatever we in the Congress might do. But I think it is a testament to where this society is and to the concern expressed by my constituents and Americans all across this country that I, a libertarian-leaning person who does not want to see Government insert itself or have to insert itself in

this arena, am here and am seriously considering the fact that Government may have to act. I hope somebody out there is listening.

Mr. HORN. We thank you very much and we thank both our principal witnesses here. Thank you very much for coming. You were both eloquent and have some sound, practical solutions which is always appreciated. Thank you, so much.

Our last panel and we will have a slight time for public comment from some in the audience, but our last panel is Dean Hamilton, producer, and Dr. Carole Lieberman, chair of the National Coalition on TV Violence.

Mr. Hamilton is not here. Dr. Lieberman will come forward and we will be glad to proceed.

[Witness sworn.]

Mr. HORN. She affirms, the reporter of debates will note. And please proceed.

STATEMENT OF CAROLE LIEBERMAN, NATIONAL COALITION ON TV VIOLENCE

Dr. LIEBERMAN. I have testimony that I prepared that I will—

Mr. HORN. Well, let me just say on that that automatically goes in the record and we would like you to look us in the eye and summarize it in about 10 or 15 minutes at the most.

Dr. LIEBERMAN. Sure.

Mr. HORN. So we have time for questions and dialog.

Dr. LIEBERMAN. Right. I also wanted to mention that if there was some—that I had some comments about some of the things that you had already discussed.

Mr. HORN. Sure, and we would be delighted to hear them.

Dr. LIEBERMAN. I will just read the highlights and then—

Mr. HORN. Well, do not read them. I mean, just give us the summary you have got. I mean skip reading it because there is no use having it in the record and your reading it. We want the time to have questions with you.

Dr. LIEBERMAN. OK. Well, my report I entitled, "The Psychological Impact of Drugs, Tobacco, Alcohol, Street Drugs and the Media." Because I am a media psychiatrist, M.D., I came here because I was interested in analyzing the entertainment industry. That is what I do. I analyze films and television shows and all kinds of other media and educate the public about the psychological effect that these things have on them.

I also educate the entertainment industry or try to and have done so for over a decade about what psychological effects their various products have on society. In that regard, I work as a script consultant. I also am a member of the various guilds, the Writers Guild, the SAG, Screen Actors Guild and AFTRA, the television union.

Mr. HORN. We put your biography automatically in the record at this point.

[The information referred to follows:]

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PSYCHIATRIC-LEGAL EXPERIENCE

EXPERT WITNESS: Qualified in -- Psychiatry
 -- Media & Communications
 EVALUATOR/EXAMINER of parties and Consultant to Attorneys
 CASES include: High profile; Criminal; Sexual harassment; Entertainment
 law; Media-incited/copycat behavior; Psychiatric Malpractice; Divorce;
 Custody; Wrongful termination; Sports; Workers compensation
 (QME/IME/AME)

CONGRESSIONAL TESTIMONY

Statement at U.S. Senator Kent Conrad (D-North Dakota) Press
 Conference to announce formation of a Citizens Task Force on
 TV Violence - (7/93)
 U.S. Senate Judiciary Committee Joint Hearing, Constitution
 Subcommittee chaired by Senator Paul Simon (6/93)
 House Judiciary Committee's Subcommittee on Crime and Criminal
 Justice - "10 Point Plan to Sweep Violence Off TV and Off Our
 Streets" - (12/92)

FACULTY APPOINTMENTS

UCLA/NEUROPSYCHIATRIC INSTITUTE
 Assistant Clinical Professor of Psychiatry
 Supervision of psychiatry residents; Psychiatry 101 course for medical
 students; Tutorials for medical students; Post-play discussions for
 residents, faculty, staff; Support group for women psychiatry
 residents; Women & Psychiatry course for undergraduates; Psychotherapy
 for medical students and residents

Faculty Appointments (cont'd)**NEW YORK UNIVERSITY/BELLEVUE PSYCHIATRIC HOSPITAL****Teaching Assistant**

Supervision of psychiatry residents; Post-play discussions for residents and faculty; Reading seminar on Psychotherapy of Schizophrenia; Lecture Series on Theories of Personality; Presentation of Grand Rounds: "Schizo-Affective Illness Defies the Dichotomy"; Lecture Series on "Autistic Children" - Dept. of Child Psychiatry; Clinical instruction and lectures on individual topics

INVITED BIOGRAPHICAL INCLUSIONS

Biography International
 Directory of Medical Specialists
 Dictionary of International Biography
 International Directory of Distinguished Leadership
 International Who's Who in Medicine
 Personalities of the Americas
 The Directory of Distinguished Americans
 The International Book of Honor
 The World Who's Who of Women
 Who's Who of American Women
 Who's Who Among Young American Professionals
 Who's Who Among Human Service Professionals
 Who's Who in California
 5,000 Personalities of the World
 Who's Who in the West
 Who's Who in Executives and Professionals

EDUCATION**STATE UNIVERSITY OF NEW YORK at STONY BROOK**

B.A. with Honors in Psychology

Pre-Med; Major-Psychology; Minor-English/Creative Writing

UNIVERSITE DE LOUVAIN, BELGIUM - Medical School - M.D.**UCLA/SCHOOL OF PUBLIC HEALTH**

POST-DOCTORAL SCHOLAR/NIMH FELLOWSHIP-Psychiatric Epidemiology

-Specialty: Psychiatry and the Media-Using Media for

Mental Health Promotion/Mental Illness Prevention

MASTER OF PUBLIC HEALTH (M.P.H.)

-Division: Behavioral Science and Health Education

HOSPITAL APPOINTMENTS**Current:**

CEDARS SINAI HOSPITAL/THALIANS MENTAL HEALTH CENTER - Los Angeles
 -Associate/Courtesy Medical Staff

Past:

MOTION PICTURE & TV HOSPITAL - Consultant - Los Angeles

NEW YORK UNIVERSITY/BELLEVUE PSYCHIATRIC HOSPITAL - New York City

-Psychiatric Resident (Including Chief Residency at affiliated
 MANHATTAN PSYCHIATRIC CENTER)

Hospital Appointments (cont'd)

MAUDSLEY HOSPITAL - London
 -Studied under Julian Leff - Expressed Emotion in Families of Schizophrenics - Learned research techniques measuring "Expressed Emotion" and "Present State Exam"

HAMPSTEAD CLINIC - London
 -Studied under Anna Freud - Psychoanalysis

NEW YORK INFIRMARY - New York City - Straight Medical Intern

MT. SINAI HOSPITAL - Hartford, CN - Rotating Sub-Intern
 (including Psychiatry electives at: CONNECTICUT VALLEY HOSPITAL and MT. ZION HOSPITAL, San Francisco)

GATEWAYS HOSPITAL & MENTAL HEALTH CENTER - Los Angeles
 -Director, Day Treatment and Out Patient Depts.
 -Attending Staff Admitting Privileges

METROPOLITAN STATE HOSPITAL - Los Angeles - Educational Consultant - Lectures and clinical instruction for mental health professionals

WESTWOOD HOSPITAL - Los Angeles - Attending Staff Admitting Privileges

PRIVATE PRACTICE

Beverly Hills, California

ACADEMIC PUBLICATIONS

"The Existential 'School' of Thought . A Study of Existentialism and Education," The Clearing House

"Ambiguity in the Treatment of the Concept of God in Sein and Zeit (Being and Time) as a Reflection of the Early Theological Education of Martin Heidegger" (a psychological profile), Journal of Religious Studies, 9 #2: 34-41

"Problems of Women Psychiatric Residents," Psychiatric Quarterly, 53 #3: 175-177

"Schizo-Affective Illness Defies the Dichotomy...And Keeps DSM III Pondering," Schizophrenia Bulletin, 5 #3: 436-440

RESEARCH ACTIVITIES

Psychiatry and the Media - Projects include:
 -Seven Warning Signals of Mental Illness-Media Prevention Campaign
 -Effects of TV Programs About Anxiety and Depression: Are Undergrads Who Are Anxious, Depressed or Stressed More 'Tuned In'?
 -Who Calls In To TV Programs About Mental Health & Why?
 -Detection of Depression via TV: Giving the Audience the Zung Depression Scale

Sudden Death and Schizophrenia: Etiological Perspectives

An 'Ideal' Health Care System for the American Schizophrenic

Expressed Emotion in Families of Schizophrenics
 Maudsley Hospital, London; Manhattan Psych. Hospital/Bellevue; UCLA

Correlation of Consultation Requests with Consultee Parameters - Bellevue Hospital, New York

Research Activities (cont'd)

Assessment of the Effects of the Mentally Ill Upon the
 Psychiatric Personnel with whom they Interact - Honors
 Thesis - New York
 Research Assistant to Dr. Harry Harlow - University of Wisconsin
 -Surrogate Monkey Mothers and Peer Deprivation

PROFESSIONAL SOCIETIES - Psychiatry

Past:

AMERICAN ASSN OF DIRECTORS OF PSYCHIATRIC RESIDENCY TRAINING
 AMERICAN PSYCHIATRIC ASSOCIATION
 Southern California Psychiatric Society
 Public Information Committee & Co-Chair
 New York County District Branch
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Dr. LIEBERMAN. OK. I just wanted to give you the background that I am looking at this issue both as a M.D. psychiatrist and as someone who has worked in the entertainment industry for over 10 years.

I have also been the Chair of the National Coalition on Television Violence. In regard to the issue of drugs, essentially, the same kinds of psychological phenomena that operate in regard to tobacco, alcohol and street drugs occur despite the various specific kinds of determinants in regard to advertising, how these various drugs are proffered to the audience.

Essentially, also, it is very similar to violence. I have long held that violence, itself, is a drug. Media violence, I am talking about.

In fact, the definition of the FDA that has recently been used to call cigarettes a drug could very well be applied to media violence. Essentially, what I have done is prepared a report that traces the backgrounds of the demographics of the consumers in each of these kinds of drugs, the marketing research and psychological factors that are involved and examples in the media of how these various products have been displayed and what the effect has been. We know essentially that the effect in all of these areas, although to varying extents, has been to increase. Cigarettes, for example, as you probably well know, have increased predominantly from 1990 to 1995. Certainly alcohol and street drugs have been increasing as well, the use of that; and, particularly important is to look at how these industries target children and adolescents. Their various psychological frailties, their need for reassurance, the fact that they are going through a period of time when they are looking for their own identity, a desire for sexual excitement, a desire to feel accepted and loved. Of course, one of the reasons why there is such a tremendous crisis is that these children—children growing up in our society today are so bereft of the kinds of things that they need to nurture them. That causes them to develop in a way whereby they have dependent personality disorders, many of them and that opens them up to looking for a substance to fill the emptiness that they have inside of them. They are open then to use, whether it be cigarettes, tobacco, alcohol, street drugs or maybe violence to fill up this hole that they feel inside of them.

Now, there is one part of this, the end, I would like to read just the conclusions because there is something that—how I relate this to the V-Chip and to violence. I have testified before on at least two occasions in regard to media violence. I want to clearly state how this all ties in.

Mr. HORN. I might add, I would like to put in the record, if it is OK with you, your December 15th statement before the House Judiciary Committee, Subcommittee on Crime and Criminal Justice, which is on media violence.

Dr. LIEBERMAN. Yes.

Mr. HORN. We will put that right in here without objection.

Go ahead.

[The information referred to follows:]

NATIONAL COALITION ON TELEVISION VIOLENCE

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December 15, 1992

STATEMENT FOR THE HOUSE JUDICIARY COMMITTEE'S SUBCOMMITTEE ON CRIME AND CRIMINAL JUSTICE

Today we are addressing what few recognize as the number one health problem in America: media violence. As a psychiatrist and the Chairperson of the National Coalition on Television Violence, I can tell you that more lives are damaged or destroyed by the effects of on-screen violence than any other medical problem. Our society has become addicted to a new drug, far more dangerous than any street drug we've seen before. This new drug is media violence, and television is selling this drug 24 hours a day in the living rooms and bedrooms of American families. Our addiction to violence on the screen is manifesting itself by violence in our streets in epidemic proportions...and we must do something about it.

The National Coalition on Television Violence, founded in 1980, is the first organization to have made the reduction of glamorized violence on TV its primary objective. The organization has over 3500 members and receives requests daily from

the media and concerned citizens for information regarding the effects of media violence. NCTV conducts its own research and compiles the research of others regarding the effects of violence in: television (from cartoons to prime time) film, books, comics, music videos, war toys, videogames, etc. We have consistently found that violence in each of these media can be shown to have harmful effects approximately 95% of the time. Such harmful effects include: becoming aggressive or violent, becoming desensitized to violence and human suffering, anxiety, nightmares and self-destructive behavior. NCTV publishes a newsletter and sends out press releases to disseminate our findings. NCTV is a non-profit, donor based organization with no political, religious or other biases. Its Board of Directors is made up of psychiatrists, researchers and educators. I am currently in the process of developing an Advisory Board made up of members of the entertainment industry.

I will release today the preliminary results of our most recent research. But first let me give you an example of a study which, as Congressmen, you might find particularly interesting. In 1991, NCTV polled suburban children aged 10 - 13 and found that 66% were able to correctly identify the violent film and TV character Freddy Krueger. Only 36% of these same children, however, knew that Abraham Lincoln was a President of the United States. I assume you would agree that something is wrong with this picture.

Now for the preliminary results of our most recent Prime Time TV Study. Our researchers have found that the Fox TV Network has the highest number of violent acts per hour by an overwhelming margin. Next came NBC and CBS. ABC had a

slightly lower number of violent acts per hour in the prime time shows reviewed. The exact numbers and a list of the most violent TV shows will be released by NCTV later this month.

I speak also as a Psychiatrist, trained here in New York City at N.Y.U.-Bellevue. I have spent the past 10 years researching the effects of media - including violence - on people's minds. I have a Masters degree in Public Health from U.C.L.A. where I studied while on a Fellowship from the National Institute of Mental Health. I work to educate the public about the effects of media by appearing on, and hosting TV and radio shows, and in print. I also work as a script consultant, helping the entertainment industry portray issues more responsibly. I have seen patients' lives torn asunder by irresponsible television - especially by its glamorization of violence.

As a result of my psychiatric research and experience in the entertainment industry, I strongly urge you now to adopt the following proposal to treat the epidemic of violence, which is sweeping our TV sets and our streets:

NCTV 10 - POINT PLAN TO SWEEP VIOLENCE OFF TV AND OFF OUR STREETS

1. No Censorship

There should be no Governmental censorship of the media. It must be recognized that upholding the separation of government and media (as well as religion and media) is even more vital to the citizens of the United States, than curbing violence.

2. Ratings System for Violence

A ratings system which describes the violent content of TV shows should be agreed upon by the networks and cable channels. Ratings would delineate the quantity of violence (in terms of violent acts per show) and the quality of violence (in terms of how graphic and lethal the violence is, whether the overall message is pro - or - anti - violence, and how gratuitous the violence is). Ratings would be determined by an independent review board comprised of experts in the field of media violence.

3. Ingredient Labels

Using the precedent of requiring labels on food products which detail the ingredients contained inside, TV shows should be required to broadcast ingredient labels and use them in TV publicity/listings. Such labels would reflect the results of the ratings system: the quantity and quality of the violence contained inside the show.

4. Warning Labels on TV Shows

Using the precedent established for products such as cigarettes, TV shows should be required to flash a warning label before those shows rated high in violence. The warning label should read: "The TV show you are about to watch may be hazardous to your psychological and/or physical health due to its highly violent content."

5. Warning Labels on TV Ads

Commercials for war toys (including, but not limited to: action figures, videogames, guns and other weapons) and other violent-themed products, would need to carry appropriate warning labels. These would read: "The toy you have just seen advertised may be hazardous to the psychological and/or physical health of a child due to its theme which inspires violent play."

6. Violence Advisors On Staff

At least one psychiatrist and/or researcher on TV violence should be on staff at each network and cable channel to review its shows and determine the psychological impact of any violence portrayed. This person would then advise the producers and TV executives of the findings and make recommendations as to how the violence can be toned down without compromising artistic integrity.

7. Public Service Announcements

Networks and cable channels should be strongly advised to carry PSA's which educate viewers about the harmful effects of media violence. Each channel would be advised to carry a number of PSA's per day which would be in proportion to how much violent programming it broadcasts.

8. 'Just Say No' in Government Institutions

No violent TV programming should be offered to residents of government institutions - such as jails and psychiatric hospitals. These residents are often exposed to countless hours of TV viewing, while in a condition where they are particularly vulnerable to its effect, instead of receiving more appropriate psychotherapy and rehabilitation. No children residing in government institutions should be exposed to TV violence.

9. Tax Breaks

Tax breaks should be given to networks and cable channels, production companies, foundations, private donors, etc. who provide money to support:

- research and education on the effects of TV violence.
- development of non-violent TV programming for children.

10. Media Literacy Public Health Campaign

A public health campaign should be launched, in the same spirit as campaigns against drunk driving and against the consumption of alcohol by pregnant women, to promote awareness of the effects of media violence. Schools and TV itself would participate in this campaign to create better educated media consumers. Obviously, safeguards must be built in to disallow government and media sources from promoting self-serving agendas.

In conclusion, TV is polluting the minds of children and adults by its selling of the new drug: violence. Just as we need to address the pollution of our environmental resources, we need to address the pollution of our most precious resource: the minds of American citizens. And we need to address it now.

Carole Lieberman, M.D.

Psychiatrist and Chair,
National Coalition on
Television Violence

Dr. LIEBERMAN. After having testified at previous congressional hearings, notably, the December 15, 1992, hearing of the House Judiciary Committee's Subcommittee on Crime and Criminal Justice in New York City, I am rather hesitant to make specific suggestions in such a forum; that is, in regard to the issue today about drugs.

At that time, I presented a 10-point plan to sweep violence off TV and off our streets, a copy of which is attached. Despite my first point being no censorship and despite there being no mention, whatsoever, of any high tech devices such as the V-Chip, in fact, these solutions are currently impending upon the entertainment industry.

Nonetheless, a surprising number of points in this 10-point plan have been or are in the process of being adopted. These include warning labels on TV shows, ingredient labels and a rating system for violence. That is to say that those are the ones that have so far begun to be adopted. And then, of course, there were others.

Yet, this is one of those situations where ironically one must be careful about what one wishes for. In fact, these points are not being implemented according to the more psychologically oriented details which I described in my plan. Rather, they are being simplistically and technologically legislated.

Understandably, then, I am a big—a bit gun shy about making further recommendations. A “big” gun shy, that is a Freudian slip. That being said, however, I would point out that indeed we must be cautious of such slippery slopes as high tech V-Chips and vague FDA definitions of a drug.

I go in to a drug and describe what the definition is and describe how the FDA definition could well be applied to media violence. For that matter, television, itself, might well be considered a device for delivering the drug of media violence.

Psychological and biological mechanisms inside of us have long been known, according to Freud originally, to become stimulated by violence. I mention this here not to recommend that the FDA or any other governmental body begin to legislate content of media portrayals, but rather to warn of these potential consequences.

Furthermore, I do not recommend that we use the V-Chip or any other technological device to regulate our viewing of television messages about cigarettes, alcohol or street drugs. Instead, I would recommend the following: (1) as some others here today have also mentioned, a public health campaign which promotes anti-cigarette, alcohol and street drug messages, as well as pro-hope messages, should be launched.

Not only should this involve equal time and space as compared to cigarette and alcohol advertising in the media, but it should also include recommendations for incorporating these healthy positive messages into other aspects of the media. As you well know, there are various precedents for this that have worked.

Advertising strategies of the tobacco and alcohol industries should be countered by equally sophisticated advertising which communicates the less glamorous aspects of these substances. Ads which clearly target children and adolescents with whimsical characters and/or slogans should be strongly discouraged. New FDA

regulations in regard to tobacco advertising would be expected to be useful.

Requiring that the tobacco and/or alcohol industry construct advertisements which would discourage the use of these substances respectively might be unrealistic. In other words, that is asking these people to be foxes guarding the hen house and I really do not know whether psychologically or ethically that is something that is realistic.

The third point, mental health professionals could well be used as a resource—and I guess I should have said, should well be used as a resource in helping to evaluate the impact of advertising and other media messages upon the vulnerable psyches of children and adolescents. Such a panel would be useful for making recommendations about how to encourage healthier choices and discourage addiction, for example, particularly in reference to these media messages.

Tax breaks should be given to networks, cable channels, production companies, foundations, et cetera, who provide money to support research and education on the effects of drugs in the media and development of anti-drug television programming for children.

The bottom line is that the key to a solution is to understand the psychological foundation of vulnerability to these self-destructive addictions, some of which are normal phases of childhood, while others are due to the chaos and stress of modern life.

One cannot legislate against children, adolescents and adults wanting to feel whole, sexy, glamorous or even self-destructive. Similarly, one cannot legislate against such psychiatric conditions as masochism, dependent personality disorder, and depression. One can, however, provide opportunities for the dissemination of such information to children, teens, families, schools and the entertainment industry.

It is not just the number and qualities of advertisements, characters on television and film, rock stars or sports figures doing cigarettes, alcohol or street drugs that are important. It is also important to understand that children, teenagers and adults become addicted to these drugs because of an inner emptiness and increasing inability in today's society to have their dependency needs met. It is understandable that as we approach the fin de siècle, our society might well have a tendency to become self-destructive and nihilistic.

In order to address this, we must look at not just what does exist in media portrayals and advertisements of tobacco, alcohol, and street drugs, but what does not exist sufficiently in the media as a whole. Those are things such as the celebration of real heroes, tales of struggles over adversity won, inspirational characters to identify with, and ideas such as courage, ethics, and justice to satisfy hunger and heal pain.

[The prepared statement of Dr. Lieberman follows:]

Carole Lieberman, M.D.

MEDIA PSYCHIATRIST



SCRIPT CONSULTANT

**TESTIMONY PREPARED FOR CONGRESSIONAL HEARING OF THE
SUBCOMMITTEE ON NATIONAL SECURITY, INTERNATIONAL AFFAIRS,
AND CRIMINAL JUSTICE OF THE COMMITTEE ON GOVERNMENT
REFORM AND OVERSIGHT OF THE CONGRESS OF THE UNITED
STATES:**

September 21, 1996

Los Angeles, California

Report from the Front Line: The Drug War in Hollywood

"THE PSYCHOLOGICAL IMPACT OF DRUGS

(TOBACCO/ALCOHOL/STREET DRUGS) IN THE MEDIA"

I. INTRODUCTION

The psychological impact of drugs in the media is essentially the same for tobacco, alcohol, or street drugs, in terms of what seduces new consumers to sample these wares. Children and adolescents are more vulnerable than ever to promises that a substance will fill up their aching empty souls. And they would gladly sell their souls for the elusive contentment, glamour, eroticism, adventure, and acceptance that tobacco, alcohol, and street drugs seem to

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offer.

A national survey of American attitudes on substance abuse, conducted on behalf of The Center on Addiction and Substance Abuse, at Columbia University (1995), found that 67% of adults and 76% of teens believe that pop culture (including television, movies, and music), encourage drug use. "The Center on Addiction and Substance Abuse, has long said that if we can get a kid to age 20 without using drugs, abusing alcohol, or smoking, that kid is home free - looking forward to a life free of substance abuse."

II. TOBACCO: SMOKE AND MIRRORS

Demographics of Consumers:

In order to maintain sales of tobacco (primarily cigarettes), the industry must recruit approximately 3,000 new smokers a day. This is to compensate for smokers who have quit, either voluntarily or by illness/death. Research has shown that the tobacco industry targets children and adolescents as new recruits, since smoking-related diseases cause more than more 400,000 Americans to die each year.

David Kessler, M.D., The Commissioner of Food and Drugs states: "Nicotine addiction is a pediatric disease that often begins at 12, 13, and 14, only to manifest itself at 16 and 17, when these children find they cannot quit."

It is estimated that 4.5 million children and adolescents currently smoke in our country today, and another one million use smokeless tobacco. According to the U.S. Department of Health and Human Services (press release: Children's Future at Risk from Epidemic of Tobacco Use, 8/23/96), "This public health crisis is worsening. Children are starting to smoke at younger and younger ages. Today, the average teenage smoker begins to smoke at 14-1/2 years old and becomes a daily smoker before age 18." "The Gallup Poll in 1992, found that 70% of smokers between the ages of 12 and 17, regret beginning to smoke and 66% want to quit."

In real life, 18% of high school seniors smoke daily, and 30% of high school seniors have had at least one cigarette in the last 30 days. Seventy percent of all children try cigarettes; 40% try them before high school. The significance of this is augmented by the fact that tobacco is a gateway drug. If a child begins to smoke, he is 15 times more likely than a nonsmoker to start using alcohol or street drugs. The younger a child is when he starts to smoke, the more difficulty he will have if he wants to quit.

Marketing Research/Psychological Factors:

It is now known that the industry gathers detailed information about their targeted consumers, including not only the usual demographics (age, sex, family

size, etc), but also their lifestyle trends and tastes (including music, movies, and TV shows), as well as their attitudes towards health. The tobacco industry goes further to get a more intimate profile of their personality, including ego strength, submissiveness, shrewdness, tendency towards guilty feelings, and self-discipline.

It is well known that a normal aspect of psychological development in the adolescent is his desire to achieve independence. This is exploited in many cigarette ads, such as the Marlboro Man. Many children and adolescents fantasize about being cowboys, a figure which encompasses independence, adventure, danger, and the rebelliousness of an outlaw. A cowboy is a quixotic hero who is entitled to be moody, as many children and adolescents are.

Studies regarding tobacco advertisements have indicated that 67% of adults can identify Joe Camel, whereas 91% of 6-year-olds can identify him. (The Smart Parent's Guide to Kids' TV, by Milton Chen, Ph.D.). In another study, approximately as many 6-year-olds recognized Old Joe Camel as recognized Mickey Mouse. (Fischer, et al., JAMA, 1991). A study of 8th graders (13 -14 years old), resulted in 95% recognition of Old Joe and 55% recognition of the Marlboro Man. (McCann, Journal Family Practice, 1992). The practical result of this capacity for early recognition is that 3 years after

the Old Joe campaign was launched by RJR Nabisco to promote Camel cigarettes, the proportion of underaged smokers who selected Camel cigarettes as their preferred brand, increased from 0.5 to 32.8%. (DiFranza, JAMA, 1991).

In studies of primary school children, many were able to identify cigarette brands from advertisements, where the brand names were obscured. Tobacco companies have learned that increasing exposure to and awareness of cigarette ads (particularly those which are as appealing and memorable as Joe Camel), correlate with increased adolescent use.

According to The Office of Smoking and Health at the National Center for Chronic Disease Prevention and Health Promotion at the Centers for Disease Control and Prevention, statistics show that smoking for 8th, 10th, and 12th graders have been increasing since 1990. For 12th graders (since 1975), a peak occurred in approximately 1976, and then gradually diminished until 1980. Smoking from 1980 until 1990, amongst 12th graders, was fairly stable until it then began to rise in 1990.

Media:

Since television and radio commercials were banned for tobacco products in 1970 - 1971, the industry has had to use other avenues in the media to solicit new consumers of its product. Print has long been a staple for tobacco advertising, dating at least as far back as the 1920s. Print advertising increased once television and radio advertising was banned. Not only are magazines and newspapers a formidable ground for tobacco advertising, but billboards and signage at sports/concerts and other events became more important.

Sponsorship and promotions of sports/concerts and other events also became a significant place for tobacco advertising. Billboards, signage, and promotions became a way for tobacco companies to sneak past the ban on television advertising, by managing to appear on camera 'inadvertently' when these events were covered by television crews. Tobacco products also managed to find their way onto television when characters on television shows smoked and through product placement. Television news covers stories about smoking and the tobacco industry. However, many studies suggest that this coverage is less than unbiased due to not wanting to offend conglomerates which not only manufacture cigarettes, but manufacture other products which are allowed to advertise on television. Studies show that print (magazines and newspapers)

can be even more biased in their lack of coverage of the negative effects of smoking, since tobacco companies have provided an increasing source of revenue through their ads. Film becomes an even more important source of information and influence about tobacco and smoking because of this ban on radio and television advertising.

Print/Billboards/Signage:

Print advertising for cigarettes has been studied, at least as far back as the 1920s. Despite the fact that different periods in history have portrayed different images, the overall goal of tobacco marketing has stayed the same: to seduce consumers to smoke.

In the 1920s, Marlboro ads promised to be "As mild as May," in order to target the growing group of female smokers. Today, this same brand now touts rugged individualism, and is less targeted in that regard to women.

In the 1930s and 1940s, Camels ads claimed, "Not one single case of throat irritation due to smoking Camels!" Movie stars, including John Wayne, who ironically later died of lung cancer, and Joan Crawford were pictured in these ads as the celebrities who endorsed such claims. L&M featured movie stars such as Rosalind Russell and Barbara Stanwyck in ads proclaiming, "L&M's filters are just what the doctor ordered."

Companies such as Chesterfields portrayed "Rosie the Riveter" during the World War II era, in order to make their product seem continually relevant to the change in women's roles.

Lucky Strike sales skyrocketed 215% when they paired their slogan "Reach for a Lucky instead of a sweet," with the image of a slimmer, younger woman arising from the shadow of a fatter, older self.

As the 1950s and 1960s began to bring news reports about the dangers of smoking, manufacturers tried to make stronger pitches for there being no such health dangers. Embassy, for example, claimed "Inhale to your heart's content!" and miracle-tipped filters were touted as scientific breakthroughs.

In more recent years, women have been lured by tobacco ads which glorify independence and defiance of tradition. Virginia Slims is perhaps best known for this with its siren song telling today's women that "You've come a long way baby!" Brands like Eve use a somewhat more traditional feminine approach, including flowers, fashion, status, and slimness.

Another angle used by cigarette advertisers, is the creation of messages which try to portray smoking as clean and pure, in order to counteract the dirty smelly image seen in anti-smoking campaigns. Benson & Hedges, for example, dramatizes this by showing a woman after a bath, relaxing

in a white sheet with a cigarette.

Pictorial images are of particular value, since regulatory laws generally concentrate on the definition of words, and have been less well-equipped to analyze pictures. Visual persuasion can be particularly effective with potential consumers because they are experienced rather than analyzed.

Signage and billboards, a blight on our aesthetic senses, take up increasing space in our society's visual field. Though we may deny to ourselves that we are paying attention to the images and words, and though the number of signs cause us to go into sensory overload, we are still unconsciously being affected by the messages they advertise. These messages persuade us that successful, attractive people fill up the emptiness inside of them by sucking on cigarettes.

Television:

Early television programs contained more incidents of people smoking, since in the early days of television, the health risks of tobacco had not yet been elucidated. Today, when these early programs air, however, this causes the resurgence of portrayals, which are often a poor influence.

The 1971 ban on advertising of tobacco products on television, obviously significantly decreased the exposure and promotion that such products had.

The portrayals of characters smoking, gradually seemed to decrease as well from the earlier days of television. A study by The National Institute of Mental Health: Television and Behavior (1982), found that television characters smoked less than the general population. On prime time, 11% of the male 2% of the female major characters smoked. There was less smoking on sitcoms and more on crime and adventure programs. The most smoking was done on serious drama (including movies on television). In these, 13% of major male characters and 4% of major female characters smoked.

In 1988, Harvard University's School of Public Health launched a campaign to use entertainment television to educate the public about the dangers of drunk driving. The sitcom, "Growing Pains", aired a landmark episode in 1989 in which a close friend of the lead teenage characters was seriously injured in a drunk driving crash. The teenager unexpectedly died after having believed that he was granted a second chance. The producers designed this story line in order to break through teens' denial and make them realize that they are not immortal. By the end of 1990, 95 episodes of TV shows, including "The Young and the Restless," "Head of the Class," "The Cosby Show," and "All My Children" had participated in conveying the dangers of drunk driving. This campaign stands as an ever present reminder of the

power of television to promote ideas which are in the public good.

A 1992 study of tobacco use on television (Hazan and Glantz, UC San Francisco Institute for Health Policy Studies), indicates that tobacco use on television is increasing after having declined through the 1970s and 1980s. Studies by The American Lung Association (1996), demonstrated that 15% of the television episodes they surveyed included tobacco use. Seventy-three percent of the series on Fox Television portrayed tobacco use in at least one episode, as compared with 44% on NBC, 38% on ABC, and 33% on CBS.

More dramatic episodes (21%) portrayed tobacco use, as compared to situation comedies (12%). Of these television episodes which included tobacco, 67% involved cigarettes, 42% involved cigars, 3% involved pipes, and no episodes involved chewing tobacco. Women were more likely to use tobacco on television (50% of the TV episodes where tobacco was used) than in movies (44%). Tobacco was used only by women 33% of the time on television and 6% of the time in movies, when tobacco was used. In the television episodes where tobacco was used, men used it 67% of the time, as compared with men's use in 94% of the movies. Tobacco was used only by men in 53% of these television episodes, compared to 56% of the movies.

Both the Hazan - Glantz and The American Lung Association studies found that there was significantly more smoking in movies than on TV, and that when smoking was found on television, it was more often in TV dramas than situation comedies. Both also found that more men than women smoke on television.

Some examples of anti-tobacco messages cited by The American Lung Association, include an episode of "Murphy Brown" in which the tobacco industry was portrayed as using extreme tactics to prevent the public from finding out information about smoking, which they had been trying to hide. It also cites episodes of "Frasier," which explore how addictive tobacco is, and which show Frasier dumping out an ashtray of cigarette butts. They also cite The "X-Files" as a positive influence, since the only character who smokes is a bad guy nicknamed 'The Cancer Man.'

Films:

The depiction of smoking in movies decreased in the decades after the Surgeon General's report of 1964, which described some dire consequences of smoking.

A study of top grossing U.S. films, from 1960 through 1990, indicates that the overall rate of smoking was stable over this period of time, although its

prevalence amongst the major elite characters of the films fell over time. This smoking among elites is nearly three times the prevalence of smoking in the actual population. There are some significant additional findings. The smoker's motivation changed in time, although relaxation remained the dominant motive. It was 38%, 27% and 38% in the 1960s, 1970s, and 1980s, respectively. These relaxation motivations included rites of passage (teen party smoking), ritual (automatic) smoking, and thoughtful moments. The use of tobacco by major characters was 38%, 29%, and 26%. As time passed, fewer whites smoked (81%, 80%, 72%), and more African-Americans smoked (1%, 4%, 4%). Gender frequencies also changed, with males (72%, 79%, 65%) smoking less than they had been, and females (11% 5%, 15%) smoking more. The number of people aged 18 to 29 years who smoked, more than doubled, while those 30 to 45 years old, decreased by nearly half.

Occasionally (7%), a contemptuous attitude towards smoking was indicated, primarily expressed as ridicule. The presence of health messages changed over time: 2%, 1%, 4%.

Typically, films present a smoker, who is white, male, middle-class, successful, and attractive, "a movie hero who takes smoking for granted." Smoking in the movies is associated most often with youthful vigor, good

health, good looks, and personal/professional acceptance, as is smoking in advertising. Just as the tobacco industry promotes smoking as a stress reduction alternative (more pleasurable than psychotherapy), it is presented in this way in film.

In the past, when smoking in society and amongst major characters was more prevalent, less of a distinction could be made. Now, it appears that smoking is perhaps being used to visually convey certain attributes about a character. Nonetheless, as this study concludes, "Films reinforce misleading images and overstate the normalcy of smoking, which may encourage children and teenagers, the major movie audience, to smoke." Humphrey Bogart in "Casablanca" and Audrey Hepburn in "Breakfast at Tiffany's" played two of the most memorable characters, who promoted cigarette smoking as sophisticated and glamorous. Hollywood films have long portrayed smoking as a metaphor for sexual intimacy, as in "Now, Voyager."

More recent movies have often used smoking purposefully to convey such concepts as women's new-found rebelliousness in "Thelma and Louise," the irony of fire fighters lighting cigarettes in "Backdraft," and the danger of obtaining cigarettes in "Regarding Henry."

Having a character smoke a cigarette to hint that he is villainous or unaware of current health statistics may serve a useful purpose; having a hero or likely role model smoke would have more unfortunate consequences upon viewers. This is particularly the case in movies for children or adolescents.

A study of movies by The American Lung Association (1996), found "Smoking is used to portray rebellion and 'cool.'" Seventy-seven percent of the current movies analyzed portrayed tobacco use. Walt Disney pictures scored best with an average of 6 smoking incidents per movie. 20th Century Fox and Universal Pictures followed. The most incidents of tobacco use were found in Castlerock Entertainment (34) and Miramax (45) films. Cigars were portrayed in over half of the movies recently studied, although only 3% of people in the United States smoke cigars. (As an aside, it is interesting to note that there is a trend in Hollywood to smoke cigars). This study indicated that one-third of the movies contained any kind of anti-smoking statement, whether in the plot or as a no smoking sign.

In 1989, Congress began finding documentation of tobacco product placement deals: notably, for "Superman II" and "License to Kill." Philip Morris paid to have Lois Lane smoke Marlboro cigarettes in "Superman II," and paid to have Lark cigarettes prominently featured in "License to Kill." Although,

formally, The Entertainment Resources and Marketing Association (a product placement trade group) stopped representing tobacco products and studios generally deny the existence of product placement deals, there are many who would agree that, informally, such deals still exist.

According to The American Lung Association (1996), movies portray approximately five times as much tobacco use as television (10.4 incidents per hour, as compared with 1.97 incidents per hour on television). This study found that movies showed tobacco use involving cigarettes (86%), cigars (52%), pipes (12%), and chew/dip tobacco (7%). They found that lead actors used tobacco in 82% of movies, as compared to 56% of the television episodes. Extras used tobacco in 18% of the movies, where tobacco was used, and in 72% of such TV episodes. They found that 33% of the movies in which tobacco was portrayed, included anti-tobacco statements, as compared to 18% of the television episodes.

III. ALCOHOL: YEARNING TO BE BOTTLE-FED

Demographics of Consumers:

Alcohol is the 4th most popular drink, preceded by water, coffee, and tea. In a 1993 - 1994 study (University of Michigan), 51% of high school seniors had used alcohol in the last 30 days. Currently, there are over 13

million problem drinkers in the United States, and alcohol abuse is rising. Not only does alcohol cause death by medical complications (notably, liver disease), but from alcohol-related trauma, including fires, drownings, falls, shootings, homicide, child abuse, rape, battering, car accidents, and suicide. Alcohol amongst teens is at its highest level.

Marketing Research/Psychological Factors:

Some of the psychological factors for the increase of alcohol abuse amongst teens, is their depression and feeling of neglect by parents, teachers, and a system from which they feel increasingly alienated. The media, which parades products which these teens are unable to purchase, contributes significantly to their disillusionment and hopelessness. Their lack of success at school plunges them even further into despair. They are barraged by images on screen and off of sex and violence, which confuse and overwhelm them. They feel empty and pessimistic about future chances of ever being fulfilled. These psychological factors predispose them to grasp at the images of fulfillment, success, satisfaction, and happiness which they see in the media, surrounding the use of alcohol.

Alcohol differs significantly from cigarettes in its not having been banned by the government from advertising on television and radio, such as the Public

Health Cigarette Smoking Act did in 1970 for cigarettes. Instead, The Distilled Spirits Council of America has overseen a voluntary ban, such that hard liquor would not be advertised on radio and television. Wine and beer, however, are allowed to be advertised in these mediums.

In 1991, Antonia Novello, M.D., Surgeon General, released a report which urged beer and wine manufacturers to stop targeting youth with advertisements that glamorized drinking. Dr. Novella said that there were "stark absolute facts that the longer a child delays drinking for the first time, the fewer problems with alcohol and other drugs they will have in their lives." Specifically, she recommended that these ads stop playing to the vulnerabilities of young people, including their concerns about identity issues, about their own popularity and sexual attractiveness. She states that because of these issues, they are more attracted to ads that "make lifestyle appeals with attractive role models, attractive lifestyles to emulate; sexual appeals about attracting, watching, and even conquering the opposite sex; use sports figures who usually are heroes to youth; and show risky activities, leading many people, and in particular, the young, to think that it is not only acceptable for people to drink while participating in that activity, but that it is also safe to do so." She also recommended that such ads not use youth slang or cartoon characters,

such as Anheuser-Busch Bud Man.

The 'Joe Camel' of beer ads is the Budweiser frog. Recently, Anheuser-Busch refused to pull its Budweiser TV commercials, which feature bullfrog characters, after MADD made a public complaint. MADD criticized these ads because of their clear appeal to youth. A study by The Center on Alcohol Advertising (Leiber, 1996), asked children, ages 9 to 11, to recall the slogan associated with the TV character and to identify the product being advertised. The results of this study showed that these children had better recall of the Budweiser frogs' slogan (73% said, 'Bud - weis - er'), than of the slogans associated with other characters, including Tony the Tiger, Smokey Bear, and the Mighty Morphin Power Rangers. The only character to elicit more accurate responses (80%), was Bugs Bunny. Overall, 81% of the children knew that the frogs sell beer. These results are even more dramatic, when one considers that the first airing of the Budweiser frog campaign was in January 1995 during the Super Bowl. In just over one year then, when this study was done, the frog equaled Bugs Bunny for slogan recall, despite the fact that the other slogans were shown during children's programming.

Another current controversy, is Seagram's flagrant disregard for the industry's voluntary decision not to broadcast hard liquor advertisements (made

in 1948). Recently, Seagram's began airing television ads for Crown Royal Canadian Whiskey on a Texas NBC station. This is of particular concern, since Seagram's owns MCA/Universal, and could take advantage of its being better positioned in the entertainment industry. Furthermore, its television "valedictorian" ad campaign seems to equate alcohol use with academic success.

A recent weekly ranking of the top 50 brands', advertising in network prime time, included Coors Light in the number 10 spot.

A study on the effectiveness of celebrity endorsers (Atkin and Block, 1983), found that the use of famous persons to endorse alcohol products, is highly effective with teenagers. Miller's Light Beer campaign has successfully used former athletes, and Seagram's has used Bruce Willis to advertise their wine coolers. A study on the influence of televised drinking on children's attitudes towards alcohol (Kotch, et al., 1986), found that amongst 5th and 6th graders, boys who saw the film where the principal characters drank, were more likely to believe that the good things about alcohol are more important than the bad things. A study on alcoholic advertising and adolescent drinking (Lisa Lieberman, et al., 1987), found that 6th graders perceived alcohol advertisements, such that they felt it would be "okay and probably admired as I get older."

A study of the effects of televised alcohol messages on teenage drinking patterns (Atkin, 1990), indicated that "Alcohol commercials contribute to a modest increase in overall consumption by teenagers, and may have a slight impact on alcohol misuse and drunk driving." Content analyses of entertainment depictions of drinking behavior on television, "Suggest the potential for increased pro-drinking attitudes and behaviors." A study of beer advertising and drinking knowledge beliefs and intentions among school children (Grube and Wallack, 1994), found that "Alcohol advertising may predispose young people to drinking."

The Center for Science in the Public Interest reported (1995) that as spending for alcoholic beverage advertising declined between 1986 and 1993, there was a proportional decline in the revenues from the sale of alcoholic beverages. There was also a decline in the number of alcohol-related vehicle crash deaths, and in binge drinking among high school seniors and college students.

Media:

Television:

A study of television of the 1970s and 1980s (Signorielli, 1987), found a steady increase in the number of references to alcohol: from 10% in 1969 to

over 70%. This study found that more than one-third of the major characters in prime time were social drinkers, and those who drink are more likely to be involved in a romantic relationship. Alcoholics were differentiated from the typical social drinker, being more often men, who are more likely to be involved in violence, and have negative personality traits.

According to the 1982 study of The National Institute of Mental Health, a child will see approximately 3,000 drinking episodes on television per year. In prime time, 40% of programs depicted the consumption of 5 or more drinks. Only 9% of heavy drinkers on television would be considered 'bad guys.' Negative consequences of drinking are rarely portrayed, but rather the settings are happy and sociable. As with tobacco, stress reduction is a primary motivation, as is celebration and enjoyment. Television generally condones drinking alcohol, and rarely shows hangovers, family violence, car accidents, absenteeism, and other negative consequences of alcohol. "Cheers" was an exception, and it won awards for accurate portrayals of alcohol abuse. However, the show did promote a sense of well-being in a setting where alcohol is consumed.

According to several studies, drinking during daytime serial dramas were at levels below prime time. More women than men were portrayed as

alcoholics or problem drinkers during daytime. Effects of interpretations of televised alcohol portrayals on children' alcohol beliefs (Austin and Meili, 1994), found that "Perceptions of alcohol use on television exert a powerful effect on expectancies and intentions for drinking among early drinkers or children of pre-drinking age, by such factors as their desire to be like television characters who drink."

A 9-year study of drinking in the mass media (Breed, 1984), found that alcohol appearances were taken for granted and its frequency was considerable. In television series, use of alcohol was more frequent than use of coffee, tea, soft drinks and water, combined. A study of television's role regarding alcohol use among teenagers (Tucker, 1985), found that amongst high school males, heavy viewers of television, consumed alcohol significantly more often than light or moderate viewers.

When alcohol is featured on television, it is as a response to a crisis, or another social reason 61% of the time, and rarely do television characters refuse an alcoholic drink.

Studies have shown that observing characters drinking alcohol, can influence the viewer's subsequent alcohol intake, by a process called modeling. Drinking incidents can be classified into such categories as social facilitation

crisis management, and escaping reality. Depending upon the viewer's perception of the characters, he may well want to emulate them.

Some positive examples of alcohol depiction on television, included Hawkeye's struggle with alcoholic dependence on "M*A*S*H." The story line on "Cagney and Lacey," in which Cagney joined Alcoholics Anonymous, also modeled responsible behavior.

Films:

Some realistic and insightful films about alcoholism from the past have included "Come Back Little Sheba," "Days of Wine and Roses," and "Marjorie Morningstar."

Just as with cigarettes/tobacco products, the alcohol industry is eager to strike product placement deals. Budweiser managed to get Clint Eastwood to drink its beer in "Sudden Impact," while the rapist in that movie, was served a competitor's brand. Needless to say, most viewers would have identified more with Clint Eastwood, and therefore, would have preferred to drink Budweiser than the brand associated with the bad guy.

IV. STREET DRUGS: JUNKIE CHIC

Unlike cigarettes and alcohol, the 'manufacturers and distributors' of street drugs do not formally lobby for the greater ability to publicly advertise

in the media. However, there is evidence that street drugs are invading the media in record amounts. Not only are there portrayals of drugs and drug abuse on television and in films, but music, fashion, print, and 'celebrity endorsement' are strong promoters of street drugs.

According to Marie Winn (The Plug-In Drug: Television, Children, and the Family 1977). "Between 1964 and 1968, precisely when the first members of the television generation began to come of age, the proportion of people between the ages of 10 and 18 arrested as users of dangerous drugs, doubled. Certainly, this does not prove that television viewing and drug use are causally related; other important factors, including the increased availability of drugs are relevant. But the curious coincidence of time between the two, suggests a connection between the television and the new incidents of drug use among young people."

"In Future Shock, Alvin Toffler suggests that over-stimulation at the sensory level, ultimately interferes with people's actual ability to think, leading to an adaptive response involving withdrawal, apathy, and a rejection of reason and rational thinking altogether."

In television programs such as "Miami Vice" or "Hill Street Blues," the drug pushers were generally caught and punished. However, sometimes, to a

child existing in a hopeless, pessimistic frame of mind, the glamorous life of such drug pushers, seem to be worth it, albeit, for a short time. The grittiness of the reality shows in regard to druggie life, may sometimes help to discourage viewers from believing that it is all glamorous. Some films which have portrayed drug abuse in a realistically way, include "Drugstore Cowboy," "I'm Dancing as Fast as I Can," and "What's Love Got To Do With It." "Pulp Fiction," an orgy of violence and drug abuse, has been touted by some as being anti-violence and anti-drug abuse. However, although one can point to specific instances where that might well have been the underlying message, in fact, the overall impression of the film is a dizzying glorification of both.

The cover story of Newsweek (8/26/96), titled "Heroin Alert," is a veritable glossary of pop culture and its influence on promoting heroin (and related street drugs). Rock musicians, whether singing about drugs, or dying from them, are influencing their followers to engage in drug use. "Drug use among those 12 to 17 years old, has risen almost 80% since 1992." Somewhat paradoxically, media's focus on the dark side of street drugs can make this degradation part of the appeal. The percentage of 8th graders who have used drugs in their lifetime, has increased for (in descending order): crack, heroin, marijuana, cocaine, hallucinogens, stimulants and tranquilizers.

Despite news reports of celebrities, especially from the music world, succumbing to drug overdoses, this has only made junkie chic more fashionable, and has caused youths on the street to look for the same 'brand' of drug that killed their favorite star.

V. SOLUTIONS/CONCLUSIONS

After having testified at previous congressional hearings; notably, the December 15, 1992 hearing of the House Judiciary Committee's Subcommittee on Crime and Criminal Justice (New York City), I am rather hesitant to make specific suggestions in such a forum. At that time, I presented a "ten-point plan to sweep violence off TV and off our streets," (a copy of which is attached). Despite my first point being "no censorship," and despite there being no mention, whatsoever, of any high-tech devices, such as a V-chip, in fact, these 'solutions' are currently impending upon the entertainment industry.

Nonetheless, a surprising number of points in this ten-point plan have been or are in the process of being adopted. These include warning labels on TV shows, ingredient labels, and a ratings system for violence. Yet, this is one of those situations where, ironically, one must be careful about what one wishes for. In fact, these points are not being implemented according to the more psychologically-oriented details, which I described. Rather, they are being

simplistically and technologically legislated. Understandably then, I am a bit 'gun-shy' about making further recommendations.

That being said, however, I would point out that, indeed, we must be cautious of such slippery slopes as high tech V-chips and vague FDA definitions of a "drug."

"The Federal Food, Drug and Cosmetic Act provides that a product is a drug or device, if it is an article (other than food) 'intended to affect the structure or any function of the body.'" The FDA has recently determined that "cigarettes and smokeless tobacco are delivery devices for nicotine, a drug that causes addiction and other significant pharmacological affects." While this is true, one could also make a case for media violence meeting the criteria of an FDA drug. For that matter, television itself, might well be considered a device for delivering the drug of media violence. Psychological and biological mechanisms inside of us have long been known (Freud) to become stimulated by violence. I mention this here, not to recommend that the FDA or any other governmental body begins to legislate content of media portrayals, but rather to warn of these potential consequences. Furthermore, I do not recommend that we use the V-chip (or any other technological device) to regulate our viewing of television messages about cigarettes, alcohol, or street drugs.

Instead, I would recommend the following:

(1) A public health campaign, which promotes anti-cigarette, alcohol, and street drug messages, as well as pro-hope messages, should be launched. Not only should this involve equal time and space, as compared to cigarette and alcohol advertising in the media, but it should also include recommendations for incorporating these healthy positive messages into other aspects of the media.

(2) Advertising strategies of the tobacco and alcohol industries should be countered by equally sophisticated advertising, which communicates the less glamorous aspects of these substances. Ads which clearly target children and adolescents with whimsical characters and/or slogans, should be strongly discouraged. New FDA regulations in regard to tobacco advertising would be expected to be useful. Requiring that the tobacco and/or alcohol industry construct advertisements, which would discourage the use of these substances, respectively, might well be unrealistic.

(3) Mental health professionals could well be used as a resource in helping to evaluate the impact of advertising and other media messages upon the vulnerable psyches of children and adolescents. Such a panel would be useful for making recommendations about how to encourage healthier choices,

and discourage addiction, for example.

(4) Tax breaks should be given to networks, cable channels, production companies, foundations, private donors, etc., who provide money to support -- research and education on the effects of drugs in the media and development of anti-drug television programming for children.

The key to a solution is to understand the psychological foundation of vulnerability to these self-destructive addictions, some of which are normal phases of childhood, while others are due to the chaos and stress of modern life.

One cannot legislate against children, adolescents (and adults) wanting to feel whole, sexy, glamorous, or even self-destructive. Similarly, one cannot legislate against such psychiatric conditions as masochism, dependent personality disorder, and depression. One can, however, provide opportunities for the dissemination of such information to children, teens, families, schools, and the entertainment industry.

It is not just the number and qualities of: advertisements, characters in television and film, rock stars, or sports figures 'doing' cigarettes, alcohol, or street drugs, that are important. It is also important to understand that children, teenagers and adults become addicted to tobacco, alcohol, and street

drugs because of an inner emptiness, and increasing inability in today's society to have their dependency needs met. It is understandable that as we approach the fin de siecle, our society might well have a tendency to become self-destructive and nihilistic.

In order to address this, we must look at not just what does exist in media portrayals and advertisements of tobacco, alcohol, and street drugs -- but what doesn't exist sufficiently in the media as a whole: celebration of real heroes, tales of struggles over adversity won, inspirational characters to identify with, and ideas (such as courage, ethics, and justice) to satisfy hunger and heal pain.

Mr. HORN. Did you have a final sentence on that? You are finished then?

Dr. LIEBERMAN. Well, that was my prepared statement.

Mr. HORN. You wanted to comment on the previous witnesses, I believe.

Dr. LIEBERMAN. Sure. Well, for one thing, the question that often comes up about why these things sell, whether it be television shows or movies or other media products? Certainly in the case of violence and similarly in drug addiction, there are inborn innate drives of violence and these other issues that I just discussed about these holes that people have in them that cause them to come to be attracted to these things like moths to a flame. The fact that they are not good for them and the fact that they know logically, especially now, 10 years after, 10 years later, the public does know more about how the media affects them, but they still are drawn to this, even though they know it is not good for them because they cannot help themselves.

So in order for anything to be successful, in other words, in order for the entertainment industry to not continue to produce these kinds of things, we have to have an equal amount of education of the public and help for the public to avoid being drawn to this flame.

Another thing that you discussed was Michael Medved's book and those figures, and that is something else that often comes up as a question. That is because of—I think it was mentioned or begun to be mentioned that it has to do with the overseas markets that are so much more prevalent for something that has to do with violence or sex, particularly violence because they do not need words for it. So that is why there was a kind of industry—there was a kind of discrepancy or so it seemed. Those were the main things.

Mr. HORN. Very good.

The gentleman from Indiana?

Mr. SOUDER. I want to start out with a little bit off your last comment that we do not have sufficient heroes and explore that a little. One, as a Hoosier who always plugs Indiana whenever I get a chance, my two current favorite movies are "Rudy" and "Hoosiers," both of which do have those themes and are uplifting and people who see them like them. They were not as big a grosser as Sylvester Stallone, for example, but they are good examples of that type of thing with a positive message and it moves and they did do reasonably well. Frank Capra also had ties to Indiana and I looked—I mean, it had an impact on my life when I saw "Mr. Smith Goes to Washington" as a kid. It set an altruistic motive toward politics. There are many people in Washington who will cite that movie and it makes you fearful today what kids are going to cite 20 years from now as to what they saw in the films that inspired them and what kind of characters. Often the models are kind of scary as to what would they say. Even the political models are scary, quite frankly.

Dr. LIEBERMAN. Absolutely. Well, the primary model right now is "Natural Born Killers." With lawsuits climbing and deaths climbing because the people who have gone out and copied that movie quite literally in some detail. That is an example of something that

is going on actually all over the country, not only in regard to violence, but in regard to drugs and all of this emulation. But it is true, I certainly have done clinical studies of patients and when you ask them what their favorite movie is, a lot of times they will not have one if it is an immediate time, but if you say, "Well, you can go back to childhood," everybody has some movie that inspired them somewhere along the way. It is true, those are getting further and further and far between.

Mr. SOUDER. Now, what would you—one allegation that I am certain has been made is that in the old days when there were more restrictions on movies, there were hints of the sex or backdoor ways to communicate the drugs. Certainly smoking and alcohol were always prevalent a lot in the movies. How do we get to the question of—when we are talking about these young people and you say we will not ever eliminate certain things, a desire for glamour, for sex, self-destructive tendencies, that in the 1950's, I think I was never a big fan of it, but another Hoosier, James Dean, in "Rebel Without a Cause" certainly inspired a lot of people. Although, I would say the people who took that as inspiration took a different career track than the people who took Jimmy Stewart as an inspiration. Nevertheless, there were elements of this before. Is it something that psychologically kids go through in a certain period, particularly teen boys, say, from 13 probably to maybe even through college where they are in a state of rebellion, where they are unhappy to some degree with themselves, measured heavily by often, quite frankly, what the other sex thinks of them as opposed to their parents. If they are trying to please their parents, if they were really looking to please their parents and wanted support there, their behavior is counterproductive. So there has got to be something underneath it other than a desire for approval or acceptance because many times it is almost like you would want to prove that you are not part of what your parents are. Is there something in your hormones?

Dr. LIEBERMAN. Right. That part is normal. But when a child, a boy or girl reaches the teenage years, his adolescence will be or her adolescence will be as calm or as healthy, even going through these stages, the normal stages of independence and rebellion, as they had a healthy childhood. In other words, those early years of 1 to 5 or 1 to 10 are the most important, particularly 1 to 5. The healthier the whole family setting is during that time, the easier it will be for the child who then becomes an adolescent to deal with the turmoil of adolescence.

One of the problems that we are having in this country is that nobody is home, literally. Children from 0 to 5 or 0 to 10 are not getting that strength, that strong underpinning that they need so that when they go into their adolescent years with some of these things that are normal psychological development from anyone, they just go completely haywire because they have no grounding in those earlier years. They go—they turn to drugs or they become violent or they turn to the media more than ever before and largely because from the time that they are able to sit in a little chair, to prop themselves up in front of the television, they are involved in the media more than their parents. The media has become more

of a parent to the kids and that we are seeing what our society has become from all of these generations raised on media.

Mr. SOUDER. We seem to be veering a little from where the subject is, but we are not really, because before you take the power of Government action or different things, you have got to sort out what the nature of the problem is. There is no point in punching if you punch the wrong place. I hear a lot what you are saying there and I accept a lot of that.

In other words, if you are an abused child, if your mother is on drugs and you do not know who your dad is and there has been multiple boyfriends. I mean the thing we hear in some public housing is that it is 90 percent single moms, but it does not mean that there are not 90 percent with somebody there, but there is a moving somebody. All those things are important. Yet, there is another phenomenon occurring that is even in every inner city, the hardest-hit areas of the country, or in rural Appalachia, I have also spent a week, where you go in, up until somewhere around junior high, but especially in the elementary schools, it does not really matter what the race or background, often the family background, when you talk to the kids, they want to be a doctor. Not that many want to be lawyers, but they want to be successful. They will use examples of success and they will seem fairly optimistic. Somewhere the fact that they maybe do not have the role models or they may switch from Nickelodeon to other movies, they may have seen drugs and alcohol around them, but often you hear gang members say, "Well, I don't want my little brother to be in that." So when their little brother is 7 to 10, their little brother is still thinking he is in a "Just Say No" club at school, he has gone through a D.A.R.E. program. He thinks he is going to be drug and alcohol free—around 11 to 13, you start to see a switch and then you see the second and third child in the same family when the older one said they are not going to be part of that, when they have gone through the anti-drug programs, when they seem to have been grounded, there is a hope problem in there. It is a challenge to this fundamental question of if you get started right, everything may come together. Because what I seem to hear you saying and I, as a parent, hope this is true and certainly there is an Old Testament Proverb that says, "As a tree is planted, so shall it grow." I want to believe that, but I am seeing certain things that are shaking me in certain communities in particular that suggest that you plant them when there is hope, but it seems almost artificial. They hit the wall of reality and they go into depression or insecurity and become more susceptible to drugs, to gangs and other things to provide that.

Dr. LIEBERMAN. I understand what you are saying.

Mr. SOUDER. Then they become markets for what is being sold.

Dr. LIEBERMAN. Right. It still is true that those earlier years are the most important, but other factors do hit them. Siblings are different in different families, even though a lot of it may be the same, coming at different times in their parents' life when other things, when various things are different can affect siblings in the same family differently. But a lot of times even if they do start off somewhat healthy, sometimes if they see the despair and disappointment and unjust treatment of their parents who have been

laid off or who have gotten into alcohol or who have been abandoned you somebody or many people, after awhile sometimes unless they are continuously given nourishment—it's not supposed to stop after the first 5 years. They need to continue having that nourishment and along the way a lot of times because of disappointments in their parents, in their parents' lives that their parents have, they just wind up going astray. They are not getting that nourishment and they wind up realizing, "Well, huh, I believed in this, but look. It's not happening for my parents. Maybe this isn't going to happen for me." And, yes, they can make that downturn especially if they are not doing well in school and there isn't someone nurturing them in school as well and they start seeing, "Well, I'll never make the grades to get to be whatever it is that I want to be." There are a lot of different factors that enter into it. There are so many factors that really cause kids to be downtrodden.

I mean you were talking about them before. The areas in our society where people are afraid to take chances, where everything is on the line, the kid whose father loses the farm, you know. There are just so many more pressures that it is hard for children to grow up with constant healthy nurturants and, perhaps, that is where in some programs, the Government can step in. Not to take over the raising of children, but to provide a lot of this additional nurturants and to provide a lot of parenting skills to some of these parents.

Mr. SOUDER. Let me, if I can, one other line of questioning. What does the double standard of parents, what impact does that have in your opinion on the children?

In other words, "Don't do as I do, do as I say."

Dr. LIEBERMAN. You mean as far as using drugs?

Mr. SOUDER. I smoke—I mean I do not, but the parent smokes and tells the kid not to smoke; the parent drinks, tells the kid not to drink. Even to say, "Wait until you're older and you can make your own decisions," seems to be kind of, "Yeah, but I admire you, Dad, I'm going to make the same decision you did."

Dr. LIEBERMAN. Not only is there a big influence of modeling, seeing parents do one behavior and tell them something else, but sometimes genetically, biologically, there can be predispositions such as to alcoholism or to certain drugs that are in the child. If in fact a parent is doing, using a certain substance, that child may well need extra additional care to make sure he doesn't have the environmental things that then kick in with his biological predisposition. So, it is very important and kids do not—you know, it is kind of like, you can see an example of the earthquake, when there was the earthquake here. Parents would tell kids or try to tell kids, "Don't be scared. There's not going to be anymore earthquake." But, in fact, despite what the parents say, the kids see that the parents are frightened. Or divorce, they see how the parents feel, and, so, parents—they know when parents are not being sincere.

Mr. SOUDER. One of the things I am really frustrated with as somebody who came through the late 1960's—I graduated from high school in 1968 and went to college 1968 through 1972, which was the height of a lot of the drug problems that—probably the

peak of that and then now we are concerned it is coming back again. It seems a lot like the 1960's when you go to a mall. You see the marijuana leaf on different things, on hats, on clothing. You see the abuse of other substances which often, while they are not condemned as much necessarily for adults, they are certainly a gateway, and you see the Beatles back. It feels a lot like the 1960's, again. And one of the concerns I have is that a lot of parents are saying that, "Well, you know, we did drugs when we were young, but now we're grown up." And is that message, is the message to your kids, "Now that I am an old fuddy-duddy, I don't believe in drugs, but when I was a kid I did this stuff, too." Is there a secondary message being given to our kids?

In sorting through with somebody who has worked with kids, is it not true that even if they admire their parents and think their parents are drug free now and do not do any of that kind of stuff, that if their parents pooh-pooh or joke about or say, "Well, that's just what kids did," they are mentally going to say, "Yeah, but I'm a kid."

Dr. LIEBERMAN. Right. What it does is give a period of experimentation, but a lot of it has to do with how the parent talks to the child about it.

Mr. SOUDER. In other words, if they condemn it, condemn their own past behavior and say, "I'm ashamed of what I did, and don't repeat it."

Dr. LIEBERMAN. Yes.

Mr. SOUDER. But if they joke about it or if they pooh-pooh it and say, well, everybody did it, then that is an excuse for their child.

Dr. LIEBERMAN. That is right. But also, if they can give some concrete examples to their children of ways in which it did impact upon them negatively, then that story is what is important for the child to hear.

Mr. SOUDER. Some of us have concerns about public figures who have not done that. So, I wanted to get your perspective. I thank you and I yield back.

Mr. HORN. The gentleman from Arizona.

Mr. SHADEGG. Well, I thank you for your testimony. Let me start—I want to start with the question that I think I saw in some of what you had written. I am fascinated—your expertise is I think first and foremost in the area of violence, so I want to focus on that just for a minute.

I am fascinated by the dichotomy between violence which I think has some entertainment value and violence which, to me, goes to the level of gross. Unlike Bob Dole, I did see the movie, "Pulp Fiction," and I cannot imagine why our society did not reject that movie.

Now, there are tremendous movies out there with a ton of violence in them. You could say, for example—what is the Sandra Bullock movie with the bus? "Speed." "Speed" is a fascinating movie with a tremendous amount of violence in it. The violence in it I thought was pretty much—at least I could see the entertainment value in it. I could see the kind of risk—you could see some level of entertainment there.

When I saw "Pulp Fiction," I was sickened and I would have hoped our society would have walked out of that movie in droves. They did not. Can you—

Dr. LIEBERMAN. I agree with you 100 percent. I could not believe it, either, that it won awards, except to say that it fits into what we know about media violence, which is that, first of all, we become desensitized to media violence and we need new highs, new movies of disgust. Just like the news, we need new highs of violence in the news in order to keep tuned in. That is why news directors include all of that gore. That is not to say—when I say we need it, I mean that is to say that the way our addiction goes to media violence, we are asking for it; but that is not to say that we cannot learn another path and that it certainly is not good for us.

I think what people liked particularly in that movie and it is characteristic of a lot of movies, "Natural Born Killers" was similar, was—you mentioned "Speed" which I did not see, but it was a high—"Pulp Fiction" was a high speed chase throughout the movie. It was one exciting, speedy, heady scene from one scene to another. People are just looking for that high, whether it is because our society is so scary and upsetting and depressing as it is and people have numbed themselves to that and they go to a movie theater to get high in a safe kind of sense. You know they are not going to be physically hurt, although in some, except for some movie theaters where that has happened actually with violent movies, but they are looking for this to escape. It is just like—it is like the drugs. You know it is going to a bottle of alcohol for escape. It is going to media violence or this high speed, excitement, sex, eroticized violence. The same idea: to escape from their lives, which are not satisfying.

Mr. SHADEGG. I guess just one more comment on that topic. I can understand and I think it is true generally of entertainment that you go to it for a sense of escapism. And if you go to a movie and it is so boring that your mind is back on your life's day-to-day problems, you are not going to be happy about going to that movie. You go to a movie like "Speed" and it takes you away from whatever else is going on in your life. You don't have to worry about paying next month's mortgage or whatever else is troubling you, so I can see that. By the same token, it seems to me at some point you cross the line and you see that level of violence which is no longer entertaining and it disgusts you, which is my own personal reaction to "Pulp Fiction."

I want to talk a little bit about the issue that Congressman Souder was raising, which is the fact that we are back—there are some repeats of the 1960's. You see various themes. Right now, as you know, we are having almost a political war over who, you know, who is to blame for this dramatic increase in drug abuse in our society and who is going to do something about it.

I read on the plane flying over here this morning an interesting report from the Luntz Research Co., which shocked me because in some ways it reinforces a theme that I have which is that I do not think our society has made up its mind about drugs. I think we may have decided that driving drunk is evil. It looks like we may be deciding that tobacco is evil. But I am not convinced that as a society we have really decided that drugs are evil.

This study reports that among baby-boomers and my wife and I and others in Congress now are baby-boomers, 46 percent of baby-boomer parents know someone who personally uses drugs; 32 percent have personal friends who still use marijuana; 19 percent have personally witnessed drugs being sold in their communities and 49 percent of these boomer parents admit using marijuana in their youth.

We really do have a double standard. I guess maybe this is a question. If we are in the midst of a drug debate in this country today, is it going to force the parents of today to re-examine what they did and maybe make the decision that Congressman Souder was talking about, the decision that you said they need to make that, "No, that was a mistake." And advocate that their children not go that path. Or are they going to take the other alternative and say, "Well, I survived it. I guess I should allow my children to experiment with it."

Dr. LIEBERMAN. Well, it is a complex issue. I mean on the one hand you have things like nostalgia. Just like for the Beatles, some people can remember nostalgically times when they were more carefree. If they are still around today and they did not get severely, severely hurt, they might look upon those times as their only time of freedom in their life and that would then get communicated to their children that on the one hand they are saying it is not good for you, but the child can tell that they are really looking upon it fondly.

I think a lot of it has to do with what we were talking about—I was mentioning the rebelliousness that comes naturally to adolescents. A lot of people in this country, adults are in an adolescent stage, wanting to rebel against authority, including the government, including laws that tell them to be ethical, including what they know they should be doing for society, the responsibility, we are as a society in an adolescent phase, I think, and quickly regressing.

Mr. SHADEGG. The last point I want to cover, your testimony includes some statistics, how I think it was—is it 1990 you said there were 95 episodes of various television shows and these are high profile TV shows that portrayed the dangers of drunk driving?

Dr. LIEBERMAN. That is right.

Mr. SHADEGG. Now, as I look at television today, I see a lot of promotion of sex. I also now see this whole drug chic. I guess my question of you is: Do you have any idea what led at least the television industry and the producers of those shows to include an anti-drunk driving message? Presumably, they did it on their own without government compulsion and what we might do to cause that climate to occur with respect to drugs?

Dr. LIEBERMAN. I think that that situation is a good model for what we should be doing with drugs and with violence. It came from a Harvard study and a Harvard group that was interested in doing that. Perhaps it was the fact that it was not a governmental body that, in fact, allowed some of the people to become more amenable to it. I think perhaps that is part of what was important, that there was some academic research behind it.

I think also it has to be done in a very nonthreatening kind of manner. I think, also, the issue is that it is a lot easier even

though there certainly are people in the entertainment industry, just like in other industries, who do drink or who would have had drinks and driven, at the same time, that message putting in those messages, although sometimes it was rather awkwardly done, but that is not as threatening to the bottom line. You know, even though they would have some of those messages or story lines, that would not make viewers leave necessarily, although sometimes in trying to incorporate socially positive useful messages, it gets a little heavy handed and you have to be careful of that. Other producers use that as a way to say, "Well, you see, they did it and that episode was really terrible." But there are good ways of doing it.

Mr. SHADEGG. "Gaggy" is a word sometimes used.

Dr. LIEBERMAN. Right.

Mr. SHADEGG. People gag on the positive.

Mr. SOUDER. Yes, because it is so hokey and clearly it is coming and it is signaled.

Dr. LIEBERMAN. But that just has to do with good writing and spending time doing it right. But I think that is less threatening than saying, well, you are not going to do any episodes that have anything to do with drugs or alcohol or tobacco. But it is certainly doable.

Mr. SHADEGG. I notice one last point in the back of your testimony, it says, on the 10 points you have, the first of the 10 points is no Government censorship.

Let me just ask you specifically, do you believe that this Congress could get away with passing legislation which said you cannot take minors into R-rated movies or NC17-rated movies or X-rated movies without that being societal condemned or opposed as censorship?

Dr. LIEBERMAN. I think on top of the things that have gone on so far, particularly Senator Simon and Congressman Markey and various things that have come out of Congress so far, I think adding that would be, as they say here, would have a chilling effect. But, you know, I think a better idea would be to revamp the movie rating system altogether to be something that parents can understand and have a little more input into. I will be happy to send you a proposed movie rating system that I had published in the L.A. Times a few years ago.

Mr. HORN. Without objection, that will be put at this point in the record.

Mr. SHADEGG. I would very much like to have that.

Dr. LIEBERMAN. Sure.

[The information referred to follows:]



HIGHLIGHTS

CAROLE LIEBERMAN The psychiatrist takes issue with the Motion Picture Assn.'s rating system. What needs to be considered, she says, is the psychological effects of film imagery, and new categories to reflect those concerns. F3

LOS ANGELES TIMES

Counterpunch

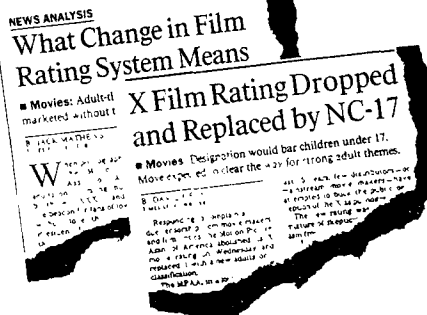
A Psychological Approach to Rating Movies

By CAROLE LIEBERMAN

Parading by us is Jack Valenti and his Motion Picture Assn. of America rating change: NC-17 (Sept. 27). It's time someone cried out, "The emperor is wearing no clothes!" Right now there seems to be an unconscious collusion between the MPAA and the parents rating system is alleged to be in uniform. Children are victims of that unwritten pact.

By continuing to patch up an obsolete middle of categories (G, PG, PG-13, R, NC-17), the MPAA is proceeding to communicate something and parents are perceiving and understand that something. Neither gets the picture. The rating system is not logical, not quantifiable and certain not easy to utilize. By perpetrating this charade the MPAA retains its power and parents remain blissfully ignorant, as they shirk responsibility to be more involved in their children's viewing choices. Another reason the MPAA lacks credibility is its overwhelming preoccupation with seeing sex as more threatening than violence. The latest change does not directly address this.

Only in our male-dominated society and entertainment industry would films be rated more harshly for sex, not violence. Men feel more



uncomfortable about sex scenes than violent ones because sex scenes shake men's unconscious conflicts including castration anxiety, homophobia, fears of inadequacy and impotence. Violent scenes, on the other hand, enhance men's feelings of power. So whether one wants to attribute it to performance anxiety or testosterone, the male predilection for violence has been affecting the rating system for years.

If the movie industry wants to retain the privilege of self-regulation and stem the dangerous tide of censorship that is menacing any vestiges of creativity left in America, it needs to be more responsible.

Just as the regulation of air and water shouldn't be turned over without ongoing scrutiny to

industries that pollute these resources, similar scrutiny should be given to the entertainment industry, which affects an even more precious resource—our minds. Unfortunately, the creative freedom of all artists risks extinction because too many have greedily polluted viewers' minds with psychologically destructive imagery. In this era of save the Earth, save the whales fervor, we must begin by saving our minds, and especially our children's minds, from those who would exploit them for personal profit.

To address all of these problems, I propose the following new movie rating system called MIND (Mind Influence Development Content). It focuses on the psychological effects of imagery,

simplifies the categories and removes the bias toward acceptance of violence never seen.

1. Movies should be rated in three categories: Child-Safe, Teen-Safe and Adult-Only. 2. Movies should be rated for the quality and quantity of their sexual content (S) and violent content (V), each on a scale of 0-10, with 10 the most psychologically harmful. Gratuitous acts of sex or violence would count more heavily than those necessary to the artistic integrity of the work.

3. In order to be categorized as Child-Safe, a movie would have to qualify as 0-2 in sexual and violent content ratings. Similarly, content would be rated 0-5 to qualify as Teen-Safe and 0-10 to qualify as Adult-Only.

4. Psychotherapists should make up at least 10% of the rating board to give expert opinion regarding psychologically damaging content.

5. To be rated, a movie would need a psychotherapist script consultant/technical adviser on staff to deal with psychological accuracy and suggest alternatives to psychologically damaging content.

Long ago, Freud discovered that our basic drives are sex and aggression. Today the movie industry is capitalizing on them to hook audiences and sell popcorn. Now we need a rating system that acknowledges the extraordinary influence movies have on our minds.

Lieberman is a Beverly Hills-based psychiatrist who specializes in the effects of media on society. She has been a script consultant on more than 100 TV and film projects.



Carole Lieberman

Dr. LIEBERMAN. It scares me a little bit, I must admit, even though, yes, it seems like that would be legal. I think—I just want to tell you one other thing. The reason why it scares me is because of the increased censorship, that specter that is hanging over us of governmental intervention, although certainly I would like something to be done about these things. But I would say sort of in conclusion that anything the government can do to enhance the idea of educating the public and educating the entertainment industry would be the best way of going about things.

Mr. SHADEGG. Maybe as a comment on that, you were not there, but Congressman Souder mentioned that we had a hearing in Washington earlier this week on the issue of heroin and, specifically, or part of it was devoted to heroin in the music industry. One of the most shocking statistics or some of the most shocking testimony that came out of that was testimony that kids today no longer view heroin with a huge level of fear.

Now, I grew up in about the same era as Congressman Souder, the one drug you absolutely knew you would not go within a billion miles of was heroin. You touch it once and you are addicted and you are dead. Yet, today, because of some changes, now that is a message our kids do not have. When they called the vote—sometimes in Washington when we hold these hearings they call a vote and we have to suspend the hearing and walk over to the floor and vote and come back. I walked over with a colleague, another freshman Congressman and he just shook his head all the way over, he said, "I can't believe that kids today don't know how dangerous heroin is." Maybe marijuana, maybe something else, but heroin. We talked about the fact that our generation knew it. We got the message. We were scared about it. But there has been an educational link that has been lost I think since then. Thank you.

Mr. HORN. I thank the gentleman.

Let me just note a couple of things here in your testimony. Pages 19 and 20 you mention the "Joe Camel" beer ads and the "Budweiser" frog and then on page 20, you get into the fact that Seagram's has violated the voluntary policy and is airing television ads for Crown Royal Canadian Whiskey on a Texas NBC station.

In the first case, you note that MADD, Mothers Against Drunk Driving, criticized those Budweiser ads and they were not really successful, I take it.

Dr. LIEBERMAN. So far, Budweiser is refusing to do anything about it.

Mr. HORN. Right. Now, what about the Seagram's lack of responsibility? Has anybody tried to do something about them?

Dr. LIEBERMAN. Well, Mothers Against Drunk Driving had a press release in regard to that. But I think that was a very recent thing. I actually have heard through various people who I was doing research through for this testimony that is now off in Texas, although that is not confirmed.

Mr. HORN. I was just going to say one way a community can get aroused, if you had 10,000 people write that NBC station and say, "We are not watching your news shows anymore until you get that ad off of there," believe me, they get the message real fast. I think one of the things that irked me over the years—it has nothing to do with drugs, it just has to do with lousy use of the English lan-

guage in ads and it is sort of, "Me and Joe do this," something that sends curdles up most people's spine that have had a semi-college education. Yet, those were major corporations that were passing them off. So, I used to write the CEOs on that, just telling them what idiots they were helping produce in this society. So, I think people answering these fronts on civilization maybe do get listened to if there is enough of them.

Dr. LIEBERMAN. Yes.

Mr. HORN. You just say, "I won't buy your product, your soup or your gasoline," or whatever it is, "or your whiskey, or your beer."

Dr. LIEBERMAN. Yes, that is true. People in the entertainment industry do realize that one letter or one phone call represents thousands of others and they do listen to that. Certainly, when I was involved with the National Coalition on Television Violence, I led a number of boycotts including stopping what was fondly called—I guess what I fondly called the "Schwarzenegger Rocket." As you remember, that never went up, the NASA rocket that was supposed to have the ad for Arnold Schwarzenegger's movie, "Last Action Hero."

Mr. HORN. I see. OK.

Dr. LIEBERMAN. So, it can be done.

Mr. HORN. Now, on the addiction transfer between the smoking bit, the alcohol bit, to the media bit, have any of those suits been settled yet on the media? On the suits going in and charging addiction of their children by the media as dangerous as alcoholism and smoking?

Dr. LIEBERMAN. In regard to the violence?

Mr. HORN. Yes, the violence.

Dr. LIEBERMAN. Not yet, but that is an area that particularly interests me, so I happen to be somewhat knowledgeable about it. The closest things that are coming to actually happen where I think that there may well be a positive result or a result against—actually, the movie that I mentioned, the "Natural Born Killers," because of the fact that there are more lawsuits against that movie than any others because of these copycat crimes and that some of them occurred in States such as Louisiana where it seems like it will be easier to prove negligence.

Mr. HORN. Well, that is a fascinating area of the law. On that one, I would say let's produce a few more lawyers if they are going to go into those lawsuits.

I am interested when Mr. Fitzsimons made the point on a fund to urge creativity on stressing the dangers of this but make it entertaining and interesting and so forth. We have on the laws books where you seize assets of drug lords, et cetera. It seems to me we could create a fund rather than have the 5-cent tax even as de minimis as it might be, but to have that money directed to just that kind of program that he was talking about. I think that would be a manageable thing because we are getting hundreds of millions of dollars in property, yachts, mansions, you name it, when you catch Mr. Big or whoever. Yeah, airplanes, all the rest. It just seems to me that might be a good source of that kind of prize. Now, some of that is shared with the police departments who help the Federal Government in that effort and we would not want to slow that down. On the other hand, there is probably enough money

there to—we might explore and staff might explore to see what we could do in that regard.

Now, let me ask you. Maybe you do not have any knowledge of this, but in 1990 when Governor Wilson first ran for that office, he visited a number of hospitals and some were in the Los Angeles-Long Beach area and he was told that there would be 80,000 crack babies born that year in California.

Now, have you had any experience with what these young people—it is now 1996, they are 5 or 6 years of age, what that has meant to the school system? Or do you know of any research evidence as to what kind of problems they create when they are crack babies? Now, this is the irresponsible mother, obviously, that is on drugs and she is passing this on to the baby, thus the name “crack baby.”

Dr. LIEBERMAN. Yes. Well, irresponsible, but also ill. There has been some research. I do not know that I am up on all of it, but I know in a general sense, some of the things that that causes is learning disabilities. Of course, since when children go to school, begin to go to school and they start having learning disabilities or attention deficit syndromes and things like that, not only does that start them down the wrong track unless they are given remedial work very quickly and intensively, but it helps to diminish their self-esteem. One can generalize, in most cases, that if one has a crack mother who obviously has low self-esteem, that child is already going to be having low self-esteem problems.

Mr. HORN. We have heard that, and I know that to be true, that various members of the guilds that operate in Hollywood, what we call Hollywood, which can be spread all over America, for that matter, do not make really that much money, do not live high-flying, high style lives and all that. What is your best guess or maybe you have some research on it as to the preferred drug of choice in, “Hollywood?”

Dr. LIEBERMAN. Is there a particular reason why you are asking me that question?

Mr. HORN. No, no. You are a psychiatrist. You talk to other psychiatrists. Some of them must have real self-esteem problems, anyhow, and this jacks them up. So, I am just curious. What is the word on the street as to what is the preferred drug in Hollywood?

Dr. LIEBERMAN. I do not really know of a specific preferred drug. I mean, all of the drugs have pretty much been used to one degree or another. I mean coke was a popular drug. Alcohol. But it is true that heroin is seeping in in surprising places. But another popular drug, and you may have heard of this, the producer who was recently—well, about a year ago died here, that a lot of people are involved in taking prescription drugs that have been very poorly prescribed.

Mr. HORN. Or manufactured?

Dr. LIEBERMAN. Right.

Mr. HORN. Yes. Well, a few years ago, there was a survey given of everybody in the Washington, DC, jail prison. And it turned out—something you said triggered that thought—that individuals had six or seven different drugs in their system. I mean it was like a vegetable cocktail with a lot of vegetables. You are saying some of them are not strictly addicted to one drug. They are addicted to

sort of an ever-changing variety of drugs. I guess when the high wears off on one, they try another.

Dr. LIEBERMAN. Right. To manage, you know, if you have to get a lot done and you take one drug to help you with that and then you cannot sleep because you are too high, there are cocktails for that.

Mr. HORN. Yes. Well, do you have any other thoughts given other people's testimony here this morning that you would want to share with us?

Dr. LIEBERMAN. I agreed with a lot of what was said, particularly in regard to the V-Chip and in regard to the importance of education and I do not think it is hopeless in the industry, I just think that when you look at the idea of how much money drives it—and, yes, money drives most businesses. That is the American way, but, still there is, it seems to me, a problem in having money be the overwhelming force that drives what people make because those are the images and the dream factory—that is what the dream factory is putting out, things that come from a mindset that has distorted values.

Just to respond, when you were talking about the heroin and, yes, that is really shocking and this junkie chic and all of that, it again has to do with how people feel in a sense bad about themselves and wanting to surround themselves in danger and in muck. You know, in dirt. That is why we have all the more need, more than ever, or certainly more than at anytime I can remember or know of, the need for these positive kinds of images and healthy kinds of images in the entertainment industry.

Mr. HORN. A brief comment from the gentleman from Indiana.

Mr. SOUDER. The most interesting speech I gave this year was one I was asked to give on character and character development to a group that was predominantly Asian and included the Minister of Education, all the regional ministers of education in Communist China, as well as 10 regional educators and national educators from the former Soviet Union, both Russia and other parts, as well as scattered others from Mongolia and a couple of other places. In addition to talking fast and having four translators going simultaneously was entertaining, it was very interesting the questions they asked because you realize there are major cultural differences, but there are still concerns about family, about how you earn your living, about how you have order in your society. But do you know what they were absolutely fascinated with? It was the media, movies and music and the negative influence of America on their stability in their societies and they have more freedoms and as they have more capitalism and was America, our Nation, and particularly the extra responsibility of this city going to corrupt their nations. It was embarrassing for me—I was just so proud to be an American—that we would be undermining the value structures and the family structures in the day-to-day lives of other people around the world and that they see us as producing filth to destroy their families.

In addition to what we see in our own hometowns, it is infecting the world. The idea that part of the reason we are producing it is because the world markets will absorb it, it is really—just like when we went to Central and South America and listened to the leaders of those nations tell us, "It's your market, your consump-

tion of the drugs that is destroying our societies, too." Now, that does not absolve them from responsibilities, but it is yet another reason that the problems that we are addressing here are no longer even just American problems. We are exporting it.

Dr. LIEBERMAN. That is absolutely right.

Mr. SOUDER. Destroying other nations around the world, both with our internal consumption of drugs and our exporting of the violence and the morals and the instability and kind of perversity of highlighting the worst parts of American society for the world.

Dr. LIEBERMAN. Yes. If you think about it, what we are doing is increasing the violence in these other countries and who are they going to wind up ultimately potentially aiming it back at? Us.

Mr. HORN. Well, let me just comment on one interesting aspect. We heard earlier from some witnesses that how would we get Hollywood's attention. A lot of us spend a lot of our time in the House of Representatives and in the U.S. Senate worrying about how we solve the intellectual property problem because the movies are affected as much by that as the book industry and others, any communication industry, television, so forth, in this country.

When you walk out of your hotel room in Beijing, you see replications of records, of video tapes, you name it, all done by the Chinese entrepreneur that simply is copying it and selling it at a very much lower price than the American video tape recording, whatever, film would be sold in that country. So, maybe if we did not much about intellectual property for awhile, we would get their attention because that does mean a lot in dollars to the film industry. Obviously, we try to do the right thing, so we plod on trying to deal with the intellectual property situation and we urge the President and his negotiators to do something with the Chinese, the Thai's and countries all over the world that are stealing the creative product of Hollywood, per se. But I do think if they want us to really be energetic from now on, they ought to help us a little bit in this cause.

Dr. LIEBERMAN. Perhaps a tax or some moneys could be taken from that to fund some of these things that we have been talking about.

Mr. HORN. Yes, absolutely.

Well, we thank you very much for your insights and we appreciate it. We hope you will keep in touch with us.

Dr. LIEBERMAN. OK. Thank you.

Mr. HORN. Thank you very much.

Now, has Mr. Hamilton, Dean Hamilton shown up? Tom Cole? Are either of them here and want to testify?

[Witness sworn.]

Mr. HORN. Why do you not introduce yourself and tell us a little bit about your background and then start in on your thoughts on this area.

STATEMENT OF TOM COLE

Mr. COLE. My name is Tom Cole. I have been a professional producer, independent primarily for the last 30 years in Hollywood. Probably more to the point, I am the former chairman of the Entertainment Industry Council, which was an organization that was formed by concerned people in Hollywood over the glamorization of

drugs and like problems in the entertainment industry. To share a thought of the first meeting of that council was Tim Conway who chaired the first meeting and there were eight of us sitting around the table. He said, "Are we nuts? We, as professionals in this town, will probably never work again because there are more people who are involved in drugs than we who are not."

As it turned out, more and more people were drawn to the Entertainment Industry Council by the fact that we aggressively pursued the networks and motion pictures who were depicting the use of drugs in a glamorous way. Just to give you an example of two small examples, one was it was generally known on the street that Miami Vice was a drug show. It catered to the drug users in the country and the world. NBC, even though they had a very energetic Standards and Practice Department, was not schooled in knowing what drug use was or how drug use was ingested. We took one particular episode where a very innocuous scene was taking place in front of the camera but where behind the camera was where all the drug use was being done. They were ingesting marijuana through the shotgun technique and various other ways. Even though the network had a strong anti-drug policy, they did not have any way to enforce it because they were not schooled in the ability to do it.

The motion picture that most typified the use of glamorization of drugs was "Gremlins," where the scene was two kids smoking a joint and the parents came in and they said, "You shouldn't do that. That's terrible. That's bad. You're going to destroy yourself and you shouldn't do it." With that they close the door and they go in their bedroom and they light up a joint. So that on the one hand it takes away and on the other hand it says it is all hypocrisy.

A well-known entertainment figure came to the Council at one point and said the reason that he had been a strong drug user for 30 years was because of "Reefer Madness," a picture that depicted the use of marijuana in a very negative sense. He said, "If they went to the trouble to show how bad it was, it has got to be great." He got so bad that he had, one night before he went to dinner, he had a pea over his eye, just kind of a raised element, and by the morning, it was the size of a baseball. When he got to UCLA Medical Center, they diagnosed it that he had no membranes left between his nose and his brain and, consequently, any bacteria that got in there went immediately to cause almost ultimate death. He had to resort to wearing a mask for many years. His point as has been stated here before that recovering drug users can relate the good side of drugs, the reason people take drugs, for the euphoria, for the escape, but that the elements that make up all of those pluses are the strongest elements of the negative. The negative being that there is no escape. Escape meaning that once you are hooked, you are hooked. As we, as a culture, spend a great deal of time and spend a great deal of money on attempting to keep people from going into drugs, we spend very little money on recovery.

At one point, in Hollywood, the entertainment industry had sponsored an organization that would offer rehab to drug users. They were so overbooked that every Friday night all they could tell a

drug user who wanted to go into rehab was just, "Drink beer until we can handle you." That did not solve any problems.

The difficult part about drugs in the entertainment industry is that we are segmented. We are segmented in the sense that we have both in motion pictures and television, we have above and below the line. We found that because management above the line are the people who can instigate programs for the rest of the company are in denial. In denial for a lot of reasons. In denial because they say, "Not my executives. It's the below-the-line people. It's the grips and the camera men and the people that work on the sets, but not my executives." So that seminars that were put out to inform the industry about the dangers of drugs would always fall flat when we got to the place of management wanting to be involved to talk about how important it was to just tell people how important it was to know what the signs of drug abuse were.

The sad stories of many people whose children were hooked on drugs and they never knew it until they OD'd or the wives who OD'd because of the executives saying that it just does not happen.

I was very interested in your remarks, Mr. Shadegg, about the private sector involvement. The Entertainment Industry Council was basically formed by Jack Anderson, the columnist, Jack Anderson, a producer named Ralph Andrews, Rene Valenti, former president of the Producers Guild, Tim Conway, Tim Reed, Gerald McRaney, Michelle Lee, Larry Stewart, who was a former president of the Television Academy were all on the original board.

The one thing that I noted as the chairman was that we had a real fight to maintain an organization, an expensive organization, to be good. Unfortunately, the Government involvement in the Entertainment Industry Council caused a good deal of its lack of effectiveness in that NIDA would put out RFPs for seminars to their specifications, not from either the professionals wanting to say, "This is the way to do it." Or even us in the entertainment industry saying, "This is the way you can reach the influential people."

Mr. HORN. Describe which Government groups were involved in this.

Mr. COLE. National Institute on Drug Abuse.

Mr. HORN. OK.

Mr. COLE. There is another one and I cannot recall the name.

Mr. HORN. Well, was the so-called Drug Czar at all involved on that side, because the other is I assume partly with NIH, National Institute of Health, is it?

Mr. COLE. Yes, it is.

Mr. HORN. But how about any other Government groups involved?

Mr. COLE. Well, we did not work with the Drug Czar at all, and primarily for funding. Our most successful endeavor was when we created an award for participating in anti-drug and because we gave the first award to Mrs. Reagan, we raised \$750,000 which was highly supported by the entertainment industry, well attended. We then gave awards, subsequently, to the president of NBC and the president of CBS, and then, subsequently, to Lee Iacocca as a spokesman for Chrysler in their work.

As Mitch Matovich had mentioned about one of the seminars that the Entertainment Industry Council did. I have seen what

happened was that the entertainment industry executives will use those forms to state their company policy which is in direct opposition to what the fact is, the facts of it being a forum to glamorize the company policy rather than a fact. It is the difficult part about it because the grass roots of the drug problem in Hollywood is based, as everybody has said, on money first; but it is also based on boredom. There is the common phrase that everybody uses. "The two most eventful days of your life or the most exciting is the first day on a motion picture set and the duller is the second day on a motion picture set." Because it is crushingly boring to create. Everybody cannot be involved in the creative process at all points in time and that leads to that extra area of excitement which either comes from a drug or from alcohol.

The solutions are not going to be easy. The easiest solution I ever heard was the one that we applied to the Vietnamese war, "Put it on ABC and in 13 weeks, it would be canceled." [Laughter.]

If we used that with the drugs, that would be wonderful. But the problems are so complex because everybody is complex. Every—the reason for drugs, the utilization of drugs is complex and it is not unique to the entertainment industry. The unfortunate part is that the uniqueness to the entertainment industry is that it is exported.

I went to a drug conference, a worldwide drug conference in Stockholm and I must say that it was probably one of the most shocking events I have ever been to. No. 1, Stockholm, where I saw a group of people shooting up on a street corner. I never saw that in the United States. I have never seen that in the United States. I am sure it happens, but I never saw it. The second thing was the vehemence of the places like the Chinese and the Japanese and the people from India who blamed us for the drug use, the predominance of drug use. The reason they were so afraid is because once it is inculcated in their culture, like Chinese, which is homogeneously Chinese, or homogeneously Japanese, it does not go away. It is a part of the culture. It has been suggested on more than one occasion, I am sure by drug dealers, "Why don't we just establish a percentage that is acceptable? 10 percent of the country takes drug. Acceptable. That's the way it is going to be." Then there is no problem. It is just accepted.

There is a drug counselor from India who had a great solution and he wanted me to be able to see it and he had a slide show presented. The first picture that he showed me on a slide projector was of a cage. And I said, "What's that?" And he said, "Well, what we do is," he said, "we take people who say they are going to use drugs or use drugs and we put them in a cage."

And I said, "Well, what happens then?"

He said, "Then we run them out on the wire and we leave them there until they say they won't do it anymore."

And I said, "Is it effective?"

And he said, "50 percent die and 50 percent say they will never do it again."

We are obviously not in that kind of a ball park, but it shows the intensity of the drug war in other parts of the world. When you see the amount of participation that the entertainment industry around the world has gone to to try to find solutions to their entertainment industry problems having to do with drug use is very in-

teresting because in Hong Kong or in Singapore, it is a capital offense and they stick to it.

Mr. HORN. It solves recidivism—

Mr. COLE. Yes, it certainly does. I do not know what else I can add.

Mr. HORN. Well, let me ask you. What did you think of the suggestion that was made by Mr. Fitzsimons in terms of the award to encourage creativity?

Mr. COLE. I think that is excellent. I think that is the kind of thing that will get a good deal of attention and that is very important. The Partnership for a Drug Free Society does excellent public service announcements. They do excellent public service announcements because they are to the point and they are very effective.

What is necessary is for—television is rather responsible because there still is a fear of the FCC. There still is a fear of congressional action. The motion picture business is not fearful. They do not have any governing body that is over them. They certainly did not take any notice of Attorney General Reno's remarks saying that maybe they should set up a script advisory council in Washington through the Attorney General's Office to go over scripts. They certainly were not concerned about Senator Simon saying that, "If you don't clean up your act, we are going to censor you."

I guess when you have the segment of the national economy is based on export of feature films that are highly successful around the world, the only motion picture business that is from any country, you deal with a great deal of clout.

The Producers Guild a few years ago did a conference on violence and Lynn Hill, who is a prominent producer, pointed out that Hollywood has been a cash cow for politicians for years who have come to Hollywood and gone home with bags full of dollars. Hollywood has never held their feet to the fire for that money and it is time that that be done. It is time that it was done long since. But politicians—you all have that wonderful remark, "You're buying my philosophy; I'm not accepting yours." And that is primarily what the answer has always been.

Mr. HORN. Well, you are right. They probably turned the cheek the other way or turned their eyeballs the other way or whatever.

Mr. COLE. Yes.

Mr. HORN. I think it is of sufficient urgency now that no matter what they try to do, they are going to have a lot of aroused Members in Congress whether they are liberals as Senator Simon who is unfortunately leaving the Senate, a breath of fresh air on some of these issues, or they are conservatives. People are simply outraged and as was mentioned earlier by my colleagues, the same as with the Women Against Drunk Drivers is when you hear the outrage from the parents that see the results, the school teachers that see the results, there is a tide coming. They might not have seen it and they think there is a dam there or a dike there that is going to prevent the water from going over it. When it is finally aroused, there will be a lot of people that you would think had led the crusade, but you know that phenomena, because they will all be on the same side, or a lot of them, because it is becoming too massive a problem when you see the increase in drug use among school children in the last 4 years. That is partly because the administra-

tion did not pay much attention to it, did not care about it. Now, suddenly, they are playing catch-up just before the election and they do have a first-rate person as the Drug Czar, General McCafrey. No one can quibble against his credentials, his integrity, his courage and everything else. But it is a little tough when you are brought in, the village is afire, the prairies are afire and you are told to try to turn that situation around because it needs the cooperation of citizens throughout the country. It needs the arousal of citizens throughout the country if we are going to be effective.

Mr. COLE. No question.

Mr. HORN. This committee, I am not the chairman of it full time I am simply the guest chairman today. I have my own subcommittee which can get into a lot of these things on the money side and efficiency and effectiveness of it. But this committee, I think, with its field hearings, has done a lot of good in getting people to start thinking about this and what are some courses of action.

Do you have any comments you want to make on any of the other testimony you heard this morning?

Mr. COLE. Well, yes. I, of course, agree with Charles and Mitch in their assessment of the industry and also the ability for there to be a solution from the standpoint of trying to find positive images, which I had never heard before, but I think is an excellent award for it. I think your suggestion of having it be from drug money is superior.

Mr. HORN. Well, we will sure give that a whirl and I think it is a good idea. Well, we thank you very much, Mr. Cole, for coming and sharing your thoughts with us.

Has Mr. Hamilton ever arrived here?

OK. There were some individuals that would like to comment. We are going to take a recess.

Mr. SHADEGG. Can I ask Mr. Cole a question?

Mr. HORN. Excuse me. Mr. Cole, you have got one more question here. I am sorry.

Mr. SHADEGG. I know we are running late.

I just wanted to briefly followup on a couple of points you made. First, the name of the organization was the Entertainment Industry Council?

Mr. COLE. Correct.

Mr. SHADEGG. Your association with it lasted how many years?

Mr. COLE. I was chairman for 4 years.

Mr. SHADEGG. Does it still exist?

Mr. COLE. Yes, it does.

Mr. SHADEGG. What is it doing at this point?

Mr. COLE. I am not sure. I am not still a member of the board so I really cannot say other than what I have observed, that they had a seminar last year in Hollywood and invited a lot of people. I do not believe—I went and I do not believe that I saw that many movers and shakers in the audience. I know NIDA paid for it.

Mr. SHADEGG. Was it directed largely at drug use within the industry as opposed to the content of the product?

Mr. COLE. The industry always objected to our mission statement, which said to de-glamorize drugs, because the spin from the networks, at least, always was, "We don't do anything to glamorize drugs."

Mr. SHADEGG. That was the public face they had to put on it.

Mr. COLE. Well, in one sense, but it is like—I do not know if you ever saw “Miami Vice,” but in “Miami Vice” the bad guys always had a cigar boat and great looking ladies and terrific cars for 58 minutes and then they got killed at the last 1½ minutes, which is a great message to kids. Say, “Hey, live fast, die young, and have a good-looking corpse.” They said they never did anything to glamorize drugs and they objected to that.

But it was primarily to make the industry aware of the drug problem both internally and externally.

Mr. SHADEGG. Can you obtain and supply to the committee for inclusion in the record a copy of that mission statement?

Mr. COLE. Sure, I would be happy to.

Mr. HORN. Without objection, it is included at this point in the record.

[The information referred to follows:]

THE ENTERTAINMENT INDUSTRIES COUNCIL, INC. (A WASHINGTON, D.C. COMPANY)

THE MISSION

To bring the power and influence of the entertainment industry to the forefront of the national effort to combat and de-glamorize substance abuse in our society, especially among youth.

THE GOALS

Briefly stated, The Entertainment Industries Council, Inc. was organized to:

1. Identify and provide opportunities for celebrities to serve as Drug-Free role models for youth.
2. Determine the areas, within the entertainment industry, which can be most effective in a nationwide campaign to deglamorize drug and alcohol use.
3. Develop short and long-term projects through which the entertainment industry can address substance abuse problems within the industry.
4. Specify areas through which the entertainment industries may be recognized as valuable contributors to our nation's war on drugs, and become a resource for local and national drug awareness efforts.
5. Collect and disseminate information and data about the work the entertainment industry has undertaken to deglamorize substance abuse in our society.

THE PROJECTS

The underutilization of all facets of the industry has precluded the establishment of what could be the most effective national drug awareness campaign possible - one that reaches young people through the media they know best: television, radio, music and motion pictures. The EIC can serve as a catalyst to encourage and coordinate greater participation of the industry in a long term drug awareness campaign that reaches the American public - especially youth.

Mr. SHADEGG. The only other point I want to clear up is that, as I understood what you said, EIC's efforts to try to promote its mission statement were, in fact, hampered by Government interference.

Mr. COLE. I believe that they were diverted by the call of the dollar.

Mr. SHADEGG. As is all too often the case. Thank you very much.

Mr. COLE. You bet.

Mr. HORN. Thank you.

We are going to take a 5-minute recess and some in the audience want to make a statement. We will limit those to about 5 minutes. I know there is an Alice LaBrie would like to comment and we welcome any others of you that have sat here and get your reflections. So, during the 5-minute recess, why, come on up and take a seat. The staff will get your names and we will close the hearing after those 5-minute statements.

[Recess.]

Mr. HORN. OK. The hearing is resumed. Before we formally start on it, I am just going to ask to make sure we know where everybody is here now. Alice LaBrie is on the end and then Elaine Blythe is No. 2.

Ms. BLYTHE. OK. Thank you.

Mr. HORN. Rich Reed is No. 3. Then Don Lowry is No. 4. OK. I just want to get the sequence. We will simply, when we get going, we will simply go down the line. I think we will let you all make your statements and then we will have your colleagues question you. We can have a dialog here where you can all participate in it as well as we can.

OK. We are ready to begin. Alice LaBrie, if you will tell us a little bit about yourself and then give us a statement on where you stand on this and we would be glad to have your reaction to other comments that were made this morning and so forth.

STATEMENT OF ALICE LABRIE

Ms. LABRIE. Well, thank you for the opportunity and, if I might, in the essence of time—

Mr. HORN. You want to get near that microphone or nobody will hear you.

Can the staff help on the microphone situation?

Thank you.

Ms. LABRIE. Is that better now?

Mr. HORN. Yes.

Ms. LABRIE. Well, in the interest of time and not boring anyone, I took the liberty while sitting in the audience to jot down my notes in a concise form and they are under 5 minutes.

Mr. HORN. Good. Great. Thank you.

Ms. LABRIE. As a taxpayer and citizen, I just wish to register great disappointment at what I consider the poor notice to the taxpayers and citizens of this field hearing.

Next, upon arriving to the site by public transit and walking a great distance to the gates, I would like to say that the poor signage for the Brentwood Theater resulted in my being late.

Mr. HORN. We are well aware of all those. Let's get to the substance.

Ms. LABRIE. OK. I didn't know if you wanted it in the record.

I come as a citizen and a taxpayer and a parent. My background includes a TV producer, a writer, a former member of the United States Department of State, Foreign Service, posted to political sections of embassies in Turkey, Oman and Sweden and saw firsthand the power of the United States entertainment industry upon the culture of other countries.

As a believer in democracy and capitalism, I appreciate the balance between Government interference legislation, my personal freedoms and one of which is to decide for myself what is good taste or bad taste and the right to choose what I want to see and hear as it relates to entertainment or to educate myself.

I am quite taken with Mr. Fitzsimons' comments about the susceptible and nonsusceptible for my focus, as it relates to a child. Therefore, I wish to offer my comments from the perspective of a mother and a long-time advocate of responsible birthing. I think because all of society's, both its good and its bad, begin in the womb and as I always like to say, "The buck stops in our belly as women."

Where is the cat? I'm terrified of cats.

[A cat enters the room.]

Mr. HORN. Is he a potential witness? [Laughter.]

He lives here. We do not want to get the cat vote upset this afternoon.

Ms. LABRIE. Women must take the personal responsibility of, first of all, conceiving responsibly, and then after they are here, we need to act responsibly by giving them examples of what we want them to emulate. One of my worst examples of motherhood is Demi Moore allowing her child to appear with her in the movie, "Strip Tease." We need to watch how we dress, particularly, and how we act. Next, we need to establish a strong deterrent to unacceptable behavior in our children, which is the fear of punishment. My son, who is now 32 years old, still knows that I will personally blow his brains out for any unacceptable act against society or me.

I think the fathers are now so wimpy that children do not fear them anymore. I need the Government—where I would like some Government interference is to give parents help in or give parents help in dealing with the horrid children, some of which are not our own fault or in the cases of some mothers who did not conceive properly from good gene pools or whatever. We need help with governmental lockup when our children are uncontrollable and I think even the right to put them to sleep when necessary.

So, in summation, while I have no solutions for Hollywood and its product that would not be censorship and, so, that area has already been discussed today and I have no concrete things on that. I do know that as a citizen, I can choose whether I wish to support through my purchasing power what I want to see or what I want on the market in a free market. As a parent and, particularly as a mother, I can choose whether I wish to allow it in my home. I do not always have the control over preventing them once they are outside my home except punishment when they come back. As a mother, I can and I have used shame and guilt directly to corporations and their boards to help change policies. So, that is my comment. I thank you for the opportunity to comment.

Mr. HORN. Well, thank you very much.

Our next witness is Elaine Blythe. Ms. Blythe, you are a founder president of the Film Advisory Board in Hollywood, CA. So, tell us a little bit about that and give us your thoughts.

STATEMENT OF ELAINE BLYTHE

Ms. BLYTHE. Our international base is in Hollywood. We review and evaluate films, videos and programs for TV. We developed a rating system in 1988. It was featured on many videos. A Senate bill was passed, Senate bill 184 making our rating system an official system with the MPAA.

Mr. HORN. Now, that is a California law or a Federal law?

Ms. BLYTHE. It is West Virginia.

Mr. HORN. West Virginia.

Ms. BLYTHE. Yes. It was passed. However, it became a national subject because all the video dealers and Jack Valenti and MPAA tried to get it squashed. He was unsuccessful. Our ratings had appeared—we had many independent companies, including my friend, Mr. Turner. He was our client until just last year when he purchased Castle Rock and New Line and they were locked into MPAA.

We had a debate, Jack Valenti and I, on CNN in 1988 and at that time I had suggested that we needed a rating system with contents to inform the public—not to censor—but to inform. For instance, the biggest problem we felt was the drug and alcohol problem. At that time, he called that all “alphabet soup” until he came out with the NC17 rating and NIDA’s suggested that he follow suit and come up with a rating with contents. He does list contents of the ratings now of the MPAA, but they are never featured in your full-page ads, in the movies, nor are they featured on the movie, itself. We do that. We feel that if an R is given to a film, the parents and adults—many, many, many, adults wrote to us saying, “We don’t even have children, but we want to know why did that film get an R? Is it because of violence, sex, drugs or what?”

Well, again, his claim was, “That’s alphabet soup.”

We were doing very, very well until we lost our big client, Ted Turner. But our other portion of Film Advisory Board which we started in 1975 when I came up with the symbols of V for violence, L for language, S for sex and N for nudity. We give awards of excellence to good family and children’s entertainment. We feel that is our contribution to encourage more good family films.

Fortunately, we have been given credit for keeping the studios informed of our organization and when they come out with a good family film, now, we are the first to be invited because they love to see that “Award Winner’s Seal” on their product and we felt that this is a good way of getting what you have been talking about today. Giving an award, it is like giving a child an award because he really has done something that is good and positive. They know that we do not give an award for any drug-related film or any film that is filled or full of violence or alcohol. We are not considered a goody-goody organization. We are now—our symbol is out in English, Spanish, French and Italian.

I might tell you, we just reviewed a beautiful video cassette on martial arts. It is an unusual one in that it accentuates that power

is not violence and this company is also tied in with the YWCA and this year, October 8th, they are involved with the National Convention and Conference on Violence—Eliminating Violence. So I thought you should know that.

Mr. HORN. Thank you.

Ms. BLYTHE. Magic Johnson is the chairman here.

Mr. HORN. Thank you very much.

Our third panelist here is Rich Reed.

Rich, tell us a little bit about yourself and then we will appreciate your comments.

STATEMENT OF RICH REED

Mr. REED. My name is Rich Reed. I live in El Segundo, CA. For a number of years, now, I have been working on education reforms in music and math and languages. Fundamental reforms to make it inherently easier for people to learn, whether or not they are notably gifted or prodigies. Mr. Horn is familiar with my work from my presenting it a number of times at the California State University Board of Trustees.

Mr. HORN. Very exciting work.

Mr. REED. About 2½ weeks ago, I talked on the phone with Charlie Parsons who, as many people here will know, was formerly the head of the L.A. Office of the FBI and who on that day when I talked with him became the new Executive Director, worldwide, for D.A.R.E. America, the Drug Abuse Resistance Education Program. I wrote to him and among other things pointed out that it is rather startling that so many educators and law enforcement people have not caught onto the idea that if you make fundamental reforms in education so that most children are successful in learning and enjoy using their brains, they will be much less likely to risk damaging their brains with drugs.

Some of the results obtained in the packet that I have left as part of the written testimony, a Washington Post article referring to a 10-year old girl, a music beginner, in one lesson playing 15 songs, 10 classical themes, 6 scales and a bit of Moonlight Sonata from using Fundamental Reforms in Music Education; a 6-year old, lesson one with Language Reforms reading a bit and pronouncing reasonably accurately in Spanish, Italian, French, German, Russian, and Japanese. None of these reforms are yet in use in the California State University System or the University of California, although some of you know perhaps Clara Bergener, a former Congressman, and now a regent of the University of California who is providing some support for getting this going in the University of California.

From there, of course, the teachers, the people getting their credentials from UC or eventually from CSU would be able to take the reforms into the classrooms and get some of these wild results with most children.

About 4½ weeks ago, I met with Congressman Buck McKeon and that was the best meeting I have ever had with a Congressman. Without my even asking him, he made two proposals which have great promise and do not require huge amounts of money. It is a matter of leadership rather than money. He said that he would allow me to present the education reforms in congressional commit-

tee hearings which he will be holding locally, I assume similar to this; and the other is that he will share the language reforms, and I have already done that myself, with Missionary Training Center of the Mormon Church in Provo, UT, so that they could try the reforms in their missionary work, not just with foreign languages; but let me close by pointing out one projection. This is not an actual result like the other ones I mentioned, but a projection. The director of a pre-kindergarten who helped test and improve these reforms herself said that if she could teach English the way I recommend, she could take typical 5-year old children, not just gifted and talented sons of professional parents with private tutors and computers in the home, but typical 5-year old children and in 1 year could have them reading the Encyclopedia Britannica out loud pronouncing accurately. Of course, they wouldn't understand everything in the Britannica—neither do I. I assume most of you do not understand everything in the Britannica, but imagine if you could get that type of result, the impact that could have on the society of having 90 percent or more of children being very successful and very happy in using their brains and, therefore, being afraid of drugs and alcohol as I am afraid of drugs and alcohol.

Mr. HORN. Thank you very much. Those are very exciting ideas, and I am glad Congressman McKeon is going to followup on it.

Our last witness is Don Lowry, former teacher, now producer. Tell us a little bit about yourself, Don.

STATEMENT OF DON LOWRY

Mr. LOWRY. I have been producing using entertainment for 18 years, programs that are making a difference and are reducing the problems. They go further than just dealing with drugs. They deal with violence and turn around a lot of issues.

We have got one client that is the State of Tennessee in which we reach approximately 2 million people and in a school situation, we have reduced everything in terms of problem areas, conflict resolution, drop-out, poor academic achievement. We have dealt with all the issues. It has been studied by Memphis State University. As a result, the schools are much more harmonious places and resulting in a lot more success and the program goes into the community as well.

But I use entertainment as the primary vehicle for educating people and to get across messages to people to create different ways of seeing the world and ways of functioning in society. The basis for that is an understanding of the predispositions people have to certain messages and behavior. So, our characters convey the messages to the audience, but our studies show that people relate to certain characters. They identify with a character. You cannot deliver a message unless they have a relationship with that character to the audience. So we use the characters and our understanding of every audience member to drive messages to them that literally change their perception of themselves and others. We also build into that a relationship how to relate more successfully with other people. So I am just here to say that we use entertainment and have been using it for years as a vehicle that we can demonstrate and prove it enhances people's lives and reduces the problems.

Mr. HORN. Thank you very much.

Let me ask the gentleman from Arizona, do you have some questions?

Mr. SHADEGG. I really simply want to say thank you each for coming forward and for speaking. I appreciate each of your perspectives. I think they have added to the hearing and I assume, Mr. Reed, that you have added, the teaching materials that you are talking about are described in the written material that you turned in.

Mr. REED. Right.

Mr. SHADEGG. Mr. Lowry, I encourage you. I appreciate all of you coming forward and taking your time to be here today.

Mr. HORN. The gentleman from Indiana.

Mr. SOUDER. I want to reiterate that same point. Thank you for coming forward. I have a couple of items I wanted to put into the record that were not really questions. I just want to note that Partnership for Drug Free America was mentioned a couple of times. That is an effort of the advertising industry to volunteer time, not to be paid, but to volunteer time in the advertising industry and we just featured a lot of their ads at our Thursday hearing. We also had them I think two other times in the last 2 years come in as they have been developing their programs. Partly, we just need to make sure they get more air time.

Many of the questions that you are trying to raise here, we're always looking for new information. We want to commend those people who are working with that and it ranges through the whole thing. I mean we are trying to deal with education issues in the Education Committee and we are about to spend another it looks like \$3 billion additional spending next week on the education on top of what we had in our regular budget. We have a Juvenile Justice Act that is pending. I do not know whether we will get it through this year, but we will have more accountability for teens. The goal is to keep teens from getting into the problem years through education, through stressing the importance of family responsibility. But where we have teens terrorizing neighborhoods, we are not going to allow that to happen and the records need to follow them.

We are also—I wanted to make a particular commendation. Indiana is in no way going to become Hollywood Midwest, but they—I got involved when I was a staffer with Senator Coates down in New Harmony, IN. They have an effort and they brought in quite a few people from California to try to develop award systems and funding through Jane Owen whose family originally were a lot of the people who did New Harmony in theater and that led into an annual Indianapolis Family Film Festival. I believe Don Blont was involved in that and others where each year they give financial awards and it is not huge, but it is not \$100,000. I mean they are larger than that and have a week where they try to highlight family films. I know there are other parts of the country that are doing that, too. In middle America and throughout the Nation there is a demand for this and we need to encourage it.

One last thing, as somebody who sometimes is critical of the press, I think that your work on the rating system and trying to draw out different points is now catching on in many different ways. One is in the Washington Post which, whatever other criti-

cism I have of the Washington Post, gives a detailed description of what the content is, whether it is language, whether it is sex, what types. I know that in Fort Wayne, IN, my hometown, Knight Rider must be supplying a similar thing to those papers and for parents who would avail themselves of it, it is there. I am pleased that the media is making efforts in the voluntary area.

I think we realize that part of our problem here is that those who are strong and desire to remain strong where you have parents there that are actively involved, where you have economic opportunity, where you have good education are able to fight back. The problem is the little kids who do not have all those advantages and what are we going to do to protect them and that was part of why we had this hearing today and part of our responsibility is not just to protect the strong, but to watch out for the weak.

Mr. HORN. Well, that is excellently stated and I want to thank both my colleagues, Mr. Shadegg of Arizona and Mr. Souder of Indiana, for coming out here. I think we have had excellent witnesses today. This panel has made a real contribution and I think each of our principal witnesses earlier made a tremendous contribution which I am sure our colleagues when they read the hearing and read the report that comes out of the hearing will gain a lot from. I think it can be the basis for some legislative proposals that we have sort of semi-explored here and can refine as we go along. So, I thank you all for coming and I want to thank in particular the staff that worked on this hearing, starting with Sean Littlefield, the professional staff member from the National Security Subcommittee; Chris Marston, legislative assistant on that subcommittee; our faithful clerk, Ianthe Saylor and for the minority, Dan Hernandez, professional staff member. For Mr. Souder, he has here with him Chris Donesa, his legislative director. On my staff, Connie Sziebl, the district director and members of her staff, Nancy Salisbury, who is an expert on women's issues and violence in that area; and Rob Drummond and David Coher of her staff. I also want to thank those with the Veterans Administration, that Peter Roy, managing director of Brentwood Theatre and who is the VA technician, and Arthur Dorame, who is the program specialist here. Last, but not least, our overworked, overworn official reporter of the committee proceedings, Dennis Davis. With that, this hearing is adjourned.

[Whereupon, at 2 p.m., the subcommittee was adjourned.]

[Additional information submitted for the hearing record follows:]

Statement of Rep. Mark Souder
Report from the Front Line: the Drug War in Hollywood
September 21, 1996

Mr. Chairman, in lieu of an opening statement I would like to insert in the record a copy of an important speech recently given by Senator Bob Dole on the subject matter of this hearing. It was worked on by my friend Mike Gerson, and no statement I could present could be as eloquent or powerful.



DOLE KEMP

EMBARGOED UNTIL DELIVERY
Wednesday, September 18, 1996

CONTACT: Nelson Warfield
202/414-8050

**REMARKS PREPARED FOR DELIVERY
BOB DOLE**

**REPUBLICAN NOMINEE FOR PRESIDENT OF THE UNITED STATES
CHAMINADE COLLEGE PREPARATORY HIGH SCHOOL
WEST HILLS, CALIFORNIA
WEDNESDAY, SEPTEMBER 18, 1996**

As you know, Bill Clinton and I are engaged in a public debate on drugs, and that is good, because the scale of the problem demands it. But even in the heat of a campaign, it is important to step back a moment and remind ourselves why this issue matters... to talk about the flesh and blood reasons that we care. That is what I am going to do today.

One fact in this debate stands out for me. If a young man or woman does not use drugs by the age of 21, there is virtually no chance he or she will ever use them. And that decision is usually made between the ages of 15 and 17.

Let me tell you what that means. It means that every violent crime of a desperate addict, every AIDS death from a dirty needle, every life that ends from an overdose in a gutter, with no one to mourn... all these things come down to a child and a choice. A child at the most vulnerable and impressionable stage of his or her life. A choice that can follow them forever.

Look through the eyes of a seventeen year old -- of any race or region -- and look at the world they see.

Two-thirds say they know where to buy marijuana within a day.

Almost sixty percent say they know someone who uses LSD, heroin or cocaine.

Forty percent have seen a drug deal in their own neighborhood.

It is a world of temptation and confusion. A world where their heroes die for heroin and not for honor. A world where over a million more children than just four years ago have given up and given in to drugs. A world that, too often, leads a child from drugs, to petty crimes, to more and harder drugs, and to more serious crime.

I utterly reject that this is acceptable in America. I utterly reject that the world of our children must include addiction. We must begin the job of ending this disgrace. And those who are content or complacent -- without a serious plan or direction for change -- have no place in this fight and no business leading our nation.

I know that changing the choices of children is not simple, because their minds and motivations are not simple. And I also know that this task is not purely political.

But this much we can say with confidence: Children are not at fault for this crisis. It is their nature to test limits. It is the role of adults to maintain those limits, with courage

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and confidence. If standards are not treated seriously, they are not taken seriously. If our actions contradict our words, our lipservice means little. When adult worlds, the entertainment community, and government fail to define a confident standard on drug use, our children are endangered.

There can be no question that the perceptions of a 15-year-old are shaped by music, movies and fashion. This is not a matter of debate, it is the daily struggle of countless families.

And there can be no question that the trendiest trend of our popular culture is the return of drug use. Stars too young to have seen the devastation of drugs in the 1960s now seem intent on repeating it. The marijuana leaf and the heroin needle have become the symbols of fashionable rebellion.

Two of the most widely praised movies of the past two years, Pulp Fiction and Trainspotting, feature the romance of heroin. The latter has been reviewed as "the first funny, upbeat look at heroin addiction." Just what America needs.

Fashion magazines feature models what is known as the "junkie look." Rock musicians create and celebrate a culture of heroin. And some have become role models, even in death. When a member of one rock band died recently, demand for his brand of heroin rose dramatically after his overdose.

There is a cultural problem with all drugs, but heroin has become a symbol, embodying an attitude. A fascination with risk and death. The attraction of self-destruction.

I have been making a case that I will continue to make. Our popular culture owes a duty to the fragile world of children. The market is not the only standard by which we live. It is possible to entertain us without debasing us. Free expression does not require the destruction of our children's character.

Just a few years ago, heroin was a taboo restricted to the margins of society. Now drug education curriculums have been revised to warn eighth graders about its increasing popularity.

I have a message to the fashion, music, and film industries: Take your influence seriously. Respect your talent and power. Stop the commercialization of drug abuse. Stop the glorification of slow suicide. Not because you are frightened of public outrage, but because you are responsible adults, with duties and standards.

In politics, we are not exempt from those duties and standards. And I also believe that political failures have complicated the choices of children.

I have spent several weeks calling attention to the actions -- and inaction-- of the Clinton administration.

Days after taking office, Bill Clinton slashed the staff in the Office of National Drug Control Policy by 83 percent -- from 146 employees to 25.

This was followed by a conspiracy of silence on this issue. Of over 1,600 presidential statements, addresses and interviews in 1993, illegal drugs was mentioned just 13 times. In 1994, of 1,700 presidential statements, the subject was mentioned 11 times. In formal addresses to the nation during those years, the drug problem was never mentioned, not even once.

And while the rest of the administration ignored the war on drugs, Surgeon General Joycelyn Elders suggested that illegal drugs should be legalized

The administration's indifference to the issue was seen elsewhere, too. Between 1992 and 1996, the Department of Defense's drug interdiction budget was cut by 53 percent.

In 1994, the administration proposed cutting the number of drug enforcement agents by more than 600.

And even as drug use began to spiral, federal drug prosecutions fell by 10.3 percent from 1992 to 1995.

President Clinton's National Security Council dropped the drug war from one of the three top priorities to No. 29 on a list of 29.

In just one year, the Clinton Administration let two million commercial trucks pass through the busiest point of entry without seizing a single kilogram of cocaine.

Any one of these things would be disturbing, but not decisive. Taken together, they communicate that drugs are no longer a national priority. The President has sent up a white flag of surrender. It is a naked failure of leadership.

And I do believe this sends an implicit message to parents and children. The adult world of politics is not serious about drugs, it is casual, permissive and liberal. Zero-tolerance has become live-and-let-live.

Sometimes this implicit message has become very direct-- and directed at children themselves. Bill Clinton, you'll remember, was asked on MTV, before an audience of teenagers, if he would inhale marijuana given the chance again. Laughing, he told them, "Sure, if I could. I tried before."

Think about that for a moment. Teenagers, many struggling with the lure of drugs, have seen a United States President make light of his own experimentation with drugs. A president is supposed to show the way. This president has shown his moral confusion. We will never have a firm, confident, national message against drugs when our leaders are ambivalent themselves.

Americans should understand, however, that our political resolve must be local as well as federal. When a local community shuts down an open-air drug market, it is also a signal that adults are serious about drug use. When local police strictly enforce the law against marijuana, that is also a visible symbol of strength. By proving our resolve, at every level, we make children less likely to doubt it and less likely to test it.

Adults, of course, are on the front line in the lives of children. Their message is strengthened when it is reinforced, not undermined, by our culture and our government. In preventing drug use, there is nothing more dangerous than resignation, and nothing more effective than communication.

At one time, not long ago, all these institutions of the adult world worked together in the interests of children. Movies and music condemned drug dealers as villains and drug users as losers. Nancy Reagan set a simple standard of "Just Say No," and politicians, of both parties, pounded that message home. Parents became more educated and involved. We communicated a clear, unmistakable message. And we made a clear, unmistakable difference.

Elite opinion, of course, dismissed this effort. As recently as last week, the *New York Times Sunday Magazine* published an article which flatly asserted that the "Just Say No" to drugs campaign was a failure.

That is flat wrong. Between 1979 and 1992, overall illegal drug use fell by half.

We reached and changed the world of our children. We convinced them that drugs were unfashionable and dangerous and wrong. And we saved many from empty lives and early deaths. That is the power of confident conviction. That is the power of drawing bright lines in our national life. That is the standing and authority and hope we must find again.

In truth, as Bill Bennett points out, the War on Drugs in the 1980s was one of the greatest social policy victories of our times. Can you imagine a 50 percent reduction in violent crime? Or a 50 percent reduction in out-of-wedlock births? These things would be hailed as miracles. Yet, on drugs, this triumph was abandoned at the moment of our success. And this is why the dangerous resurgence of drugs is the greatest social policy failure of our times. We came so far, but have lost so much.

Through much of August, President Clinton traveled around the country by train, telling Americans that the nation is on the right track. Let me suggest, Mr. President, that when it comes to the War on Drugs, we are on the wrong track.

Both victory and defeat are temporary against drugs, because our effort must be repeated each year, as new children cross the threshold into a world of hard choices. Every child is another chance to make things right... to recover our nerve. So often our children are encouraged to "Just Do It." That's good advice on the basketball court or the football field. But when it comes to advice about drug use, the Dole administration will set a very different but simple standard: "Just Don't Do It." When we are accused of being simplistic and repetitive, we will repeat it again, "Just Don't Do It." And we will honor and reinforce those words with actions.

As president, I will ensure that the Office of National Drug Control Policy is adequately staffed and given the tools to do the job. Never again will this office be abandoned by the president and left with 25 people.

As president, I will not preside over a conspiracy of neglect. I will speak out on drugs every month that I am in office. I will not let one month go by without adding my voice to the chorus of the concerned who will say to our young people: "Just Don't Do It."

As president, I will encourage the movie, television, and music industries to embrace a no-use, zero-tolerance message in the products they market to America's youth. I will invite parents groups, educators and members of the entertainment industry to a White House conference to establish a voluntary strategy to end the glamorization of drugs.

As president, I will ensure that the Justice Department and federal prosecutors throughout the United States take a hard line against drug dealers. When it comes to fighting drug crime, our nation will keep its word.

As president, I will spearhead the creation of 1,000 new community-based anti-drug coalitions, involving parents, religious leaders, businessmen, educators, policemen and health care professionals in spreading the word against drug abuse.

And as president, I will establish a concrete, measurable goal as the test of our success: a 50 percent reduction in teen drug use by the end of the year 2000. This is not impossible. We have done it before. We must do it again.

When we say, "Just Don't Do It," the first question from our children-- as anyone knows who has had children -- is "Why?" We can answer that drug use is bad for their health, which is true. We can answer that drugs use is not in their long-term interest,

which is true. But if that is all we say, we have not said enough. People should not use drugs because some things are right, and some things are wrong, and this is badly wrong.

This moral understanding is the source of our certainty. Drug use is wrong because it destroys individual character and responsibility. It is wrong because it leaves us useless to God and our neighbor. It is wrong because it drains humans of their humanity and robs children of the childhoods. It is wrong because it numbs our capacity for loyalty and love.

It has been widely reported that in the movie Trainspotting, the main character concludes, "I choose not to choose life. I choose something else. And the reasons? There are no reasons. Who needs reasons when you've got heroin."

Drugs are wrong, not just because they hurt our bodies, but because we want our children to choose life and what is best in life... to choose dignity, to choose kindness, to choose family, to choose nobility of purpose. This is the world we want for them, for every child, with all our heart. And this is the reason we must restore the certainty of our standards, and the commitment of our government.

We know that resolve and moral clarity have the power to change our world, and the world of our children. We know it, because we have done it before. Together, a president and a nation can take a stand and make a difference. Let us resolve to take that stand for our children.

There is only one goal worthy of their hopes: a drug-free America. No compromise. No excuses. No uncertainty. No ambivalence.

It is a goal that must be shared by every institution of the adult world. To this effort I can pledge one thing. I will bring all the power and prestige of the office of President of the United States to a renewed war on drugs. So help me God.

Thank you very much, God bless you, and God bless America.

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