

Reps. Steil, Pappageorge, Moolenaar, Casperson, Amos, Shaffer, Robertson, Kooiman, Palmer, Hoogendyk, Vander Veen, Shackleton, Milosch, Sheen, Stahl, Wenke, Hummel, Newell, Emmons, Middaugh, DeRoche, LaJoy, Caswell, Van Regenmorter, Stakoe, Hager, Pumford, Stewart, Bradstreet, Huizenga, Caul, Rocca, Meyer, Nofs, Daniels, Brandenburg, DeRossett, Pastor, Taub, Voorhees, Acciavatti, Gleason, Ruth Johnson, Koetje, Murphy, Sak, Sheltroun and Stallworth offered the following resolution:

House Resolution No. 200.

A resolution to urge the Federal Communications Commission to continue its strong enforcement against entities that violate indecency and profanity regulations in radio and television broadcasting.

Whereas, Over the past few years, the number of radio and television broadcasts that seem far beyond any acceptable standard of decency have increased significantly. Some of the individual occurrences are remarkable in the level of crudity and offensiveness. They are, however, very believable to anyone who has channel surfed with a young child nearby or anyone who knows of the “shock jock” mentality that seems pervasive on some radio stations. Incidents during the 2004 Super Bowl Halftime Show, the 2003 Golden Globes awards, and broadcasts of indecent material in connection with the Howard Stern Show and other programs have served to focus national attention on this problem; and

Whereas, The FCC has both statutory authority, under Chapter 18, Section 1464 of the USC, and promulgated regulatory authority, under 73.3999 (47 CFR), to administer sanctions to deal with indecent broadcasting. The commission's recent actions against entities violating such provisions have served warning for future broadcasts; and

Whereas, On April 7, 2004, the FCC imposed a \$495,000 fine in connection with the willful broadcasting of indecent material on the Howard Stern Show. This figure represented a maximum statutory \$27,500 fine for each of the eighteen total violations. In addition, on March 3, 2004, the FCC overruled an earlier decision that had previously held that isolated or fleeting use of the “F-word” was not indecent. Because of the FCC’s reversal, broadcasters are now on clear notice that, in the future, they will be subject to strong enforcement action for any broadcast of the “F-word,” such as was broadcast during the 2003 Golden Globe awards. Furthermore, FCC Chairman Michael K. Powell recently testified before Congress to assure lawmakers that the FCC had already launched an extensive investigation of the 2004 Super Bowl Halftime Show that would be thorough and swift; and

Whereas, The FCC’s recent enforcement actions responding to the concerns and sentiments of countless citizens who have voiced verbal and written complaints against the broadcasting of indecency and profanity are welcomed and encouraged; now, therefore, be it

Resolved by the House of Representatives, That we urge the Federal Communications Commission to continue to take decisive actions to restrict indecency and profanity in radio and television broadcasting; and be it further

Resolved, That copies of this resolution be transmitted to the Federal Communications Commission.