

By: Representatives Aldridge, Baker (74th), Beckett, Bentz, Bounds, Chism, Ellington, Fillingane, Nicholson, Parker, Patterson, Reed, Smith (39th), Turner, Wells-Smith

To: Rules

## HOUSE CONCURRENT RESOLUTION NO. 49

1 A CONCURRENT RESOLUTION URGING THE FEDERAL COMMUNICATIONS  
2 COMMISSION TO TAKE SWIFT ACTION IN PENALIZING CBS BROADCASTING,  
3 INC., FOR THE FEBRUARY 1, 2004, OFFENSIVE SUPER BOWL HALF-TIME  
4 SHOW, AND TO ASK CONSUMERS AND ADVERTISERS TO BOYCOTT GOODS,  
5 PROGRAMMING AND SPONSORSHIPS RELATED TO ALL INDIVIDUALS AND  
6 ENTITIES ASSOCIATED WITH THE PRODUCTION OF THE SHOW.

7 WHEREAS, during the prime-time broadcast of the National  
8 Football League's (NFL) Super Bowl by CBS Broadcasting, Inc., on  
9 February 1, 2004, the MTV Network's half-time show featured  
10 entertainment by several musicians and singers; and

11 WHEREAS, the content of the show was indecent, vulgar and  
12 tasteless, including such activities as Janet Jackson grabbing her  
13 breasts, Justin Timberlake and Jackson bumping and grinding and  
14 groping each other, Sean P. Diddy fondling his crotch,  
15 cheerleaders performing a striptease routine and other dancers  
16 simulating sexual activities; and

17 WHEREAS, the offensive production ended with an obscene  
18 display of nudity by the exposure of Jackson's breast during the  
19 final lyric of the song "Rock Your Body," that includes the  
20 language "...going to have you naked by the end of this song.";  
21 and

22 WHEREAS, it is a violation of federal law to broadcast  
23 obscene programming at all times, and to broadcast indecent  
24 programming between the hours of 6:00 a.m. and 10:00 p.m., and the  
25 Federal Communications Commission (FCC) is charged with the  
26 responsibility of enforcing this law; and

27 WHEREAS, even if this offensive production does not reach the  
28 level of an obscene broadcast under a legal interpretation, it  
29 certainly qualifies as an indecent broadcast, meaning that federal

30 laws require that its broadcast must be restricted in order to  
31 avoid times of the day when there is a reasonable risk that  
32 children may be in the audience; and

33 WHEREAS, this tasteless production was aired during a time  
34 when millions of young Americans who are football fans were  
35 watching the Super Bowl, and the parents of these children had no  
36 advance warning or notice that the content of the show would be so  
37 offensive and indecent; and

38 WHEREAS, regardless of which individual(s) engineered the  
39 final deplorable stunt, the overall content of the entire  
40 half-time show is the joint responsibility of the performers, the  
41 NFL, CBS Broadcasting, Inc., and each television station  
42 affiliated with CBS, MTV Networks and Viacom International, Inc.,  
43 which owns both CBS Broadcasting and MTV Networks; and

44 WHEREAS, while some of the parties involved may claim to have  
45 been unaware of the planned finale of the show, all of the named  
46 performers and entities associated with broadcasting the show were  
47 very aware in advance of the overall indecent content of the show,  
48 whether through observing rehearsals or reviewing plans for the  
49 content of the performance, and their claims of ignorance about  
50 the final stunt are without merit with regard to the overall  
51 indecent content of the show; and

52 WHEREAS, it is the responsibility of the FCC to take swift  
53 action in this specific instance so that performances of this  
54 obscene and indecent nature will not be broadcast in the future on  
55 noncable television channels in America, and the FCC is urged to  
56 impose monetary fines on CBS Broadcasting and on each television  
57 station affiliated with CBS that broadcast the show, to the  
58 maximum amounts allowable; and

59 WHEREAS, it is the obligation of those who use or associate  
60 the individuals and entities responsible for the offensive program  
61 in connection with advertising or promoting products or events to  
62 carefully reconsider using those individuals and entities in the

63 future, in light of the message that such individuals and entities  
64 transmit to the American public, and in particular its most  
65 cherished resource--our children; and

66 WHEREAS, it is hoped that purchases of the body of commercial  
67 and musical work performed by all of the performers involved in  
68 the production of the show will be boycotted by consumers,  
69 demonstrating the American public's collective disgust in a  
70 monetary way to these performers; and

71 WHEREAS, it is the policy of this Legislature to voice its  
72 opinion on matters which it believes are in the public interest of  
73 the citizens of the State of Mississippi and our sister states:

74 NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF  
75 REPRESENTATIVES OF THE STATE OF MISSISSIPPI, THE SENATE CONCURRING  
76 THEREIN, That the FCC is strongly urged to immediately take all  
77 action authorized under federal law to penalize the entities  
78 involved in the indecent Super Bowl half-time show on February 1,  
79 2004, to the fullest extent possible, and that American citizens  
80 and advertisers are encouraged to demonstrate their displeasure  
81 with the incident by failing to purchase goods or view programming  
82 offered by individuals or entities associated with the show.

83 BE IT FURTHER RESOLVED, That copies of this resolution be  
84 furnished to the FCC, the NFL, CBS Broadcasting, Inc., MTV  
85 Networks, each television station in the State of Mississippi that  
86 is affiliated with CBS Broadcasting, Inc., and the Capitol Press  
87 Corps.