

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.