

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2001**

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HOUSE RESOLUTION 1799

Sponsors: Representative Capps.

Referred to: Rules, Calendar, and Operations of the House.

September 19, 2002

1 A HOUSE RESOLUTION ENCOURAGING THE CONGRESS OF THE UNITED
2 STATES TO ENACT LEGISLATION PROTECTING OUR CHILDREN BY
3 ESTABLISHING AN EXCLUSIVE WEB DOMAIN EXTENSION OF ".XXX"
4 AND LIMITING THE POSTING AND DISSEMINATION OF OBSCENE OR
5 PORNOGRAPHIC MATERIALS TO THE DESIGNATED DOMAIN.

6 Whereas, in recent years there has been a proliferation of pornographic web
7 sites on the Internet; and

8 Whereas, these pornographic web sites are easily accessible by children who
9 may be negatively impacted by the materials posted on the web sites; and

10 Whereas, Congress has sought legislative solutions to this growing epidemic
11 through the Child Online Protection Act (47 USC 231) and the Children's Internet
12 Protection Act (Pub. L. 106-554); and

13 Whereas, the Children's Internet Protection Act required that schools and
14 libraries that receive specified federal funding certify that they have in place an Internet
15 Safety Policy that includes monitoring the use of Internet access by children and
16 implementation of technology that will filter out objectionable content; and

17 Whereas, House Bill 478 was introduced by Representative Sam Ellis and
18 cosponsored by 75 other members of the House of Representatives in the North
19 Carolina General Assembly on March 5, 2001, and referred to the House Committee on
20 Science and Technology; and

21 Whereas, House Bill 478 would require that all libraries and public schools
22 that provide minors access to the Internet use an Internet provider service that provides
23 services to shield minors from obscene and violent material on all computers that are
24 used by minors; and

25 Whereas, a three-judge panel sitting in the United States District Court for the
26 Eastern District of Pennsylvania issued a decision on May 31, 2002, finding major
27 provisions of the Children's Internet Protection Act facially unconstitutional and
28 violative of the First Amendment and therefore permanently enjoined the government
29 from enforcing those provisions; and

1 Whereas, other attempts to limit children's access to adult content through
2 filtering software and on-line informational web sites designed by service providers
3 have been largely unsuccessful; and

4 Whereas, the evolving of adult content production on the Internet has led to a
5 situation in which legal standards regarding content can no longer be enforced
6 effectively or affordably; and

7 Whereas, it would be in the best interests of our children and the entire nation
8 to require the operators of any web site or on-line service whose primary business is
9 making available material that is pornographic, obscene, or harmful to minors to register
10 and operate such web site or on-line service only under a domain specifically designated
11 for such materials; Now, therefore,

12 Be it resolved by the House of Representatives:

13 **SECTION 1.** The House of Representatives urges the Congress of the
14 United States to support and enact legislation that would establish a ".XXX" Internet
15 domain for the posting and dissemination of material that is pornographic, obscene, or
16 harmful to minors and to limit such material to the designated domain.

17 **SECTION 2.** The Principal Clerk shall transmit copies of this resolution to
18 the Speaker of the House of Representatives, the Majority Leader of the Senate, and to
19 each Senator and Representative from North Carolina in the Congress of the United
20 States.

21 **SECTION 3.** This resolution is effective upon adoption.