

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2001

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HOUSE RESOLUTION 1793

Sponsors: Representative Ellis.

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

September 11, 2002

1 A HOUSE RESOLUTION REQUESTING THAT THE CONGRESS OF THE
2 UNITED STATES ENACT LEGISLATION ESTABLISHING A DOMAIN
3 EXCLUSIVELY FOR THE POSTING AND DISSEMINATION OF
4 PORNOGRAPHIC MATERIALS.

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

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

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

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

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

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

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

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

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

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

9 Be it resolved by the House of Representatives:

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

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

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