HEINONLINE

Citation: 3 Bernard D. Reams Jr. & William H. Manz Federal Law A Legislative History of the Telecommunications of 1996 Pub. L. No. 104-104 110 Stat. 56 1996 the Communications Decency Act E1565 1997

Content downloaded/printed from HeinOnline (http://heinonline.org) Wed Mar 20 16:15:54 2013

-- Your use of this HeinOnline PDF indicates your acceptance of HeinOnline's Terms and Conditions of the license agreement available at http://heinonline.org/HOL/License

-- The search text of this PDF is generated from uncorrected OCR text.

break-down oil spills, and the formulation of a drug for the HIV virus.

The significance of Professor Kim's work is self-apparent. He richly deserves the signal honor he has received for his valuable efforts.

In addition, another UC-Berkeley professor (emeritus) has been recognized by the Government of Israel for his work in enhancing the world's agriculture. The Israeli-based Wolf Foundation gave Professor Carl B. Huffaker the Wolf Prize in Agriculture for his groundbreaking research in integrated pest management. This international prize, presented to Professor Huffaker in March by Israeli President Ezer Weizman, is awarded to individuals who use their disciplines to benefit humanity.

This major international award is being shared by Professor Huffaker and Professor Perry L. Adkisson of Texas A & M University for their efforts to combat crop-destroying insects not with pesticides, but other insects. This innovative, environmentally safe way of preventing crop devastation has had a major impact on crop protection worldwide.

Professor Huffaker, who lives in Lafayette, CA, first came to UC-Berkeley in 1946 as an assistant entomologist, after which he joined the faculty. He was director of the university's International Center for Integrated and Biological Control from 1970–1983.

These two remarkable men are living evidence that uniting one's gifts with dedication and perseverance can make a true difference in the way we live our lives. Professors Kim and Huffaker have done this for the good of people throughout the world, and merit our thanks for their noble work.

TRIBUTE TO TARA SALLEE

HON. EARL F. HILLIARD

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 31, 1995

Mr. HILLIARD. Mr. Speaker, I come before you today to pay tribute to a young lady from my office, Ms. Tara Sallee. Ms. Sallee is my Washington, DC scheduler and special assistant.

At the end of this month, Ms. Sallee will be going back to Alabama to continue her studies at the University of Alabama at Birmingham. She has received a full scholarship so she may study and receive a master's degree in health care administration.

Ms. Sallee is one of the most dedicated workers that I have ever employed. She has a work ethic which is second to none. She not only does a great job at work, but she is also one of our most popular staff members. Everyone in our office regards her as one of their friends. She has an excellent attitude which this House of Representatives could use more of in our day to day dealings with one another. Needless to say, we will all miss her very much.

Although we will all miss her, I congratulate her for continuing her education. My congratulations go to Tara, as well as to her mother, Ms. Daisy Sallee of Montgomery, Alabama.

TRIBUTE TO THE OTTERBEIN-LEIPSIC RETIREMENT COMMUNITY

HON. PAUL E. GILLMOR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, July 31, 1995

Mr. GILLMOR. Mr. Speaker, it gives me great pleasure to rise today and pay tribute to an outstanding organization located in Ohio's Fifth Congressional District. On August 1, 1995, the Otterbein-Leipsic Retirement Community will break ground for its new assisted-living wing.

The center serves residents from Findlay, Defiance, Paulding, Napoleon, Fostoria, and Ottawa. Founded in 1988, it provides a wide variety of retirement services and living arrangements. The assisted-living project has been many years in the making and everyone is very excited about its ground-breaking.

The original Otterbein Home was established in 1912. The facility was purchased from the Shakers at Union Village by the United Brethren Church. Since its humble beginnings it has grown to include five campuses across the State of Ohio.

Selecting a retirement facility can be an extremely difficult decision for anyone. Otterbein has been successful because the dedicated staff at Otterbein-Leipsic understands this and strives to make the decisionmaking process as smooth and gentle as possible.

Mr. Speaker, it is obvious that the Otterbein-Leipsic Retirement Community has benefited the residents of northwest Ohio. I ask my colleagues to join me today in recognizing the achievements of the center and encouraging them to continue to uphold what has become the standard for service in Ohio.

INTRODUCTION OF A BILL TO AMEND THE FEDERAL CROP INSURANCE ACT

HON. PAT ROBERTS

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Monday, July 31, 1995

Mr. ROBERTS. Mr. Speaker, today I am introducing legislation that would eliminate the requirement that all agricultural producers must buy a Federal crop insurance policy if they are to retain their eligibility for USDA programs. In return for this flexibility, producers will give up any possible Federal assistance for weather-related losses.

The one problem with the new catastrophic crop insurance program is it imposes a government program on someone who doesn't want it. Because any person who receives a USDA payment must purchase a catastrophic policy, we have seen landlords with a minimal interest in a farming operation faced with buying insurance coverage they do not want and do not need. As I cited in Subcommittee hearings recently, nine persons with an interest in three crops in two counties were required to buy three policies in the two counties costing $2700. This figure does not include the costs to the tenant farmer. I can assure my colleagues this implementation of crop insurance reform was not what the Committee intended and needs to be fixed.

The bill I am introducing will strike this onerous requirement and instead require the producer to sign a waiver acknowledging his refusal of crop insurance with the understanding there will be no disaster assistance provided in the event the producer suffers a weather-related disaster. In addition to the commonsense this brings to the program, the Congressional Budget Office estimates this provision will save nearly $180 million during the period 1996 through 2002. That is good news during these times of budget cuts.

Finally, Mr. Speaker, the bill also deals with a problem summer-fallow farmers experienced this spring with failed wheat acres. Current law restricts a producer who intends to plant a substitute crop to do so only on those acres where the failed crop was planted. This does not work in high plains winter wheat country where a substitute crop will not grow on ground where the failed crop was growing. There is insufficient moisture to grow a substitute crop. The amendment I am introducing today would allow the crop to be planted on summer fallow ground where there would be moisture sufficient to grow a substitute crop so long as the producer maintained compliance with his conservation plan.

These amendments are necessary for the credibility of the crop insurance program and the flexibility producers need in order to plant substitute crops. Thank you, Mr. Speaker.

INTRODUCING THE MARKEY-MORAN-BURTON-SPRATT AMENDMENT ON PARENTAL BLOCKING OF TV SHOWS THAT HARM CHILDREN

HON. EDWARD J. MARKEY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, July 31, 1995

Mr. MARKEY. Mr. Speaker, today I am introducing into the RECORD the Markey-Moran-Burton-Spratt amendment on parental blocking of TV shows that harm children as submitted to the House Rules Committee. We are introducing this amendment on behalf of a diverse coalition of parents, teachers, elementary school principals, school psychiatrists, churches, pediatricians, doctors, and civic organizations working to combat violence in our homes, our schools, and on the streets.

Our request is their request—that the rule for consideration of H.R. 1555 make in order the Markey-Moran-Burton-Spratt amendment to promote the health and welfare of children by including in TV sets technology that parents can use to manage and reduce the flood of violent, sexual and indecent material delivered to young children over the television set.

This request is bipartisan, as you will note from today's witnesses and from the signatures on the letter we have delivered to you, Mr. Chairman, in support of this amendment's consideration by the full House of Representatives.

The subject of this amendment has received extensive consideration by the House of Representatives during five hearings on television violence held in the House Telecommunications Subcommittee in the last Congress and a similar number in the Senate.

When I first began pressing this technological defense against TV violence in 1993, I introduced a bill with the support of 4 Republicans and 10 Democrats.

HeinOnline -- 3 Bernard D. Reams, Jr. & William H. Manz, Federal Telecommunications Law: A Legislative History of the Telecommunications Act of 1996, Pub. L. No. 104-104, 110 Stat. 56 (1996) including the Communications Decency Act E1565 1997

When Mr. MORAN, Mr. BURTON, and Mr. SPRATT and I introduced a new bill in this Congress, 4 Republicans and 25 Democrats joined us.

When a similar proposal was offered by Senator CONRAD in June as an amendment to the Senate counterpart to H.R. 1555, it received the support of 32 Republicans and 41 Democrats, passing 73–26.

On July 10, the President of the United States endorsed this approach, calling the V-chip "a little thing but a big deal".

And as you know, the letter we delivered today includes 19 Republicans and 23 Democrats.

So this is a subject of intense interest receiving broad support from both parties.

It is supported by huge majority of the American public, with some polls and reader surveys putting support as high as 90 percent.

Mr. Chairman, its time has come.

The average American child has seen 8,000 murders and 100,000 acts of violence by the time he or she leaves elementary school.

Parents know what's going on. I have held five hearings over the last 2 years on the subject of children and televised violence. In every hearing I have heard both compelling testimony about the harmful effects of negative television on young children, and about the efforts of industry to reduce gratuitous violence. But parents don't care whether the violence is gratuitous or not. When you have young children in your home, you want to reduce all violence to a minimum.

That's why parents are not impressed with the temporary promises of broadcast executives to do better. Parents know that the good deeds of one are quickly undermined by the bad deeds of another.

The pattern is familiar. Parents plea for help in coping with the sheer volume and escalating graphics of TV violence and sexual material. Congress expresses concern. The industry screams first amendment. The press says they're both right, calling on Congress to hold off and calling on industry to tone things down.

Meanwhile, parents get no help.

Until parents actually have the power to manage their own TV sets using blocking technology, parents will remain dependent on the values and programming choices of executives in Los Angeles and New York who, after all, are trying to maximize viewership, not meet the needs of parents.

Mr. Chairman, here is what the amendment would do:

First, we will give the industry a year to develop a ratings system and activate blocking technology on a voluntary basis. If they fail to act, then the legislation will require the FCC to:

First, form an advisory committee, including parents and industry, to develop a ratings system to give parents advance warning of material that might be harmful to children; Please note that the government does not do the ratings.

Second, require that any ratings implemented by a broadcaster be transmitted to TV receivers, and

Third, require TV set manufacturers to include blocking technology in new TV sets so that parents can block programs that are rated, of block programs by time or by program.

We want both the House and the Senate on record as favoring this simple, first amendment friendly, parent-friendly, child-friendly solution to this ongoing problem.

You will hear arguments from some that this technological way of dealing with the problem of TV violence is akin to Big Brother. It's exactly the opposite. It's more like Big Mother and Big Father. Parents take control.

And we know this technology works. In this country, the Electronics Industries Association has already developed standards for it. In Canada, a test in homes in Edmonton proved that it works and works well.

This is not a panacea. It will take some time for enough new sets to be purchased to have an impact on the Nielsen ratings and, therefore, an impact on advertisers. But its introduction in the cable world through set-top boxes is likely to be much more rapid. The cable industry has said that it is prepared to move forward with a V-chip approach as long as broadcasters move forward as well.

And the Electronic Industries Association has already agreed to introduce the technology into sets that would allow up to four levels of violence or sexual material to be rated.

Only the broadcasters have remained adamant in their opposition. They are opposed because the V-chip will work so well, not because it won't work. It will take only a small number of parents in key demographic groups using the V-chip to test the willingness of advertisers to support violent programming.

Parents will have the capacity to customize their own sets—to create their own private safe harbor—to protect their own children as they see fit.

I urge my colleagues to support this important initiative.

DEPARTMENTS OF VETERANS AFFAIRS AND HOUSING AND URBAN DEVELOPMENT, AND INDEPENDENT AGENCIES APPROPRIATIONS ACT, 1996

SPEECH OF

HON. ANNA G. ESHOO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 28, 1995

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 2099) making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 1996, and for other purposes:

Ms. ESHOO. Mr. Chairman, I rise in strong support of the Stokes/Boehlert amendment.

The VA–HUD bill drives a stake through the heart of our Nation's environmental laws. The new majority apparently doesn't think cutting EPA's budget by 34 percent is enough—they've weighed the bill down with restrictions on EPA spending which ties their hands in implementing and enforcing critically important programs for the protection of the American people.

The riders on the bill would prohibit EPA from spending any money on programs which protect wetlands, control polluted runoff, prevent raw sewage from being discharged into our waters, implement the 1990 Clean Air Act amendments, and then proceed with new standards for arsenic and radioactive pollutants in our drinking water.

Mr. Chairman, more than 35 million people would be exposed to significant levels of arsenic in their drinking water, heightening cancer risks across our Nation.

And while the republicans are proposing that EPA's ability to protect the health of American citizens be decimated, they are giving special favors and granting exemptions to environmental laws to their friends in the oil and gas industry and cement kiln operators.

The Stokes/Boehlert amendment strips the appropriations bill of these legislative riders and enables the EPA, with the limited resources it has left, to implement the laws that the American people want, need and support which protect their air, water, and overall health.

I thank the gentlemen for offering this amendment and urge my colleagues to support it.

HONORING THE 100TH ANNIVERSARY OF LONG BEACH POLYTECHNIC HIGH SCHOOL

HON. STEPHEN HORN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 31, 1995

Mr. HORN. Mr. Speaker, I rise today to salute the 100th anniversary of Long Beach Polytechnic High School—a much-loved, venerable institution in Long Beach, CA, which has been producing scholars and champions for the past century.

Poly high, as it is affectionately known, had humble beginnings in the chapel of a local church, but a strong—for the time—starting enrollment. At that time, 1895, Long Beach was a modest village of approximately 2,000 residents. The Federal census counted 2,252 in 1900. Though small in number, these early citizens saw learning as a large part of their children's lives. The first school had begun in 1885, with under a dozen students in a tent loaned by the local postmaster, when the community numbered 12 families. Ten years later, with over 100 elementary school students studying in their own building, an election was held on September 3, 1895, to determine whether a high school district should be formed in Long Beach. The vote in favor was unanimous. Two weeks later—in an era when education beyond the eighth grade was not the norm—43 9th, 10th, and 11th graders began classes with a faculty of two: Professor Walter Bailey and Mrs. Hattie Mason Willard.

Three years later, in 1898, the community's strong desire for a high school education for one and all supported the opening of a separate high school building—the first in Los Angeles County outside of the city of Los Angeles. They even levied a special tax on themselves to raise the $10,000 to cover the city's part of the construction costs.

The new high school was known as American Avenue High School for its location and offered a strong, but limited program primarily aimed at preparing students for college. The quality of instruction was so high that 6 years after opening its doors, the high school was accredited by the University of California, thus permitting its graduates to enter the university without passing special examinations.

HeinOnline -- 3 Bernard D. Reams, Jr. & William H. Manz, Federal Telecommunications Law: A Legislative History of the Telecommunications Act of 1996, Pub. L. No. 104-104, 110 Stat. 56 (1996) including the Communications Decency Act E1566 1997

Document No. 62

HeinOnline -- 3 Bernard D. Reams, Jr. & William H. Manz, Federal Telecommunications Law: A Legislative History of the Telecommunications Act of 1996, Pub. L. No. 104-104, 110 Stat. 56 (1996) including the Communications Decency Act [cl] 1997

HeinOnline -- 3 Bernard D. Reams, Jr. & William H. Manz, Federal Telecommunications Law: A Legislative History of the Telecommunications Act of 1996, Pub. L. No. 104-104, 110 Stat. 56 (1996) including the Communications Decency Act [cli] 1997