

Lesson 1: Checks and Balances: Safe Harbor

Grade 8th Social Studies

LESSON DESCRIPTION: Students will work in teams to read a summary of the “Broadcast Decency Enforcement Act”. They will look for examples of “Checks and Balances” related to this issue”. They will predict the outcome of the bill and then discuss whether they agree with the decision. This lesson will also help prepare students for the next lesson: Taking a Stand on Public Policy.

FOCUS QUESTIONS: What are the primary jobs of the three branches of our governments: the executive branch, the legislative branch, and the judicial branch? What are examples of “Checks and Balances” that ensure a balance of power between the three branches and how do they work today to “promote the general welfare?”

OBJECTIVES: Students will:

- use historical perspective to analyze current issues related to media by reviewing the Broadcast Decency Enforcement Act of 2004.
- identify examples of how “Checks and Balances” are at work in this bill.
- discuss the effectiveness of this bill and develop their own bill addressing the national public policy issues related to media.

COMMON CORE STATE STANDARDS

- **READING STANDARDS FOR LITERACY IN HISTORY/SOCIAL STUDIES 6–12**
 - * **CCSS.6-8.RH.1** Cite specific textual evidence to support analysis of primary and secondary sources.
 - * **CCSS.6-8.RH.2** Determine the central ideas or information of a primary or secondary source; provide an accurate summary of the source distinct from prior knowledge or opinions.
 - * **CCSS.6-8.RH.7** Integrate visual information (e.g., in charts, graphs, photographs, videos, or maps) with other information in print and digital texts.
- **WRITING STANDARDS FOR LITERACY IN HISTORY/SOCIAL STUDIES, SCIENCE, AND TECHNICAL SUBJECTS 6–12**
 - * **CCSS.6-8.WHST.1** Write arguments focused on discipline-specific content.
 - * **CCSS.6-8.WHST.2** Write informative/explanatory texts, including the narration of historical events, scientific procedures/ experiments, or technical processes.
 - * **CCSS.6-8.WHST.4** Produce clear and coherent writing in which the development, organization, and style are appropriate to task, purpose, and audience.

LENGTH OF LESSON

Four lessons lasting 50 minutes.

MATERIALS NEEDED

- Handouts
- Summary of the Broadcast Decency Enforcement Act of 2004

PROCEDURES

Activity 1: Review the three branches of our government and how they provide checks and balances.

1. Give each student Activity 1 worksheet.

Tell Students: Look at the two pictures and talk with the person sitting next to you about what the pictures say about how the Constitution organized our government. Then write your own sentences that explain the pictures. Then give students the next worksheet *Separation of Power*. Have them read this and then revise their sentences on Activity 1 worksheet based on what they have read. You may also do this as a whole class activity with the teacher leading the discussion.

Activity 2: Look at how the three branches of Government promote the general Welfare of the American people using “cigarettes and smoking.”

1. **Tell Students:** We’re now going to see how the three branches of Government work today. Read the Activity 2 Directions to the students. Then give each student the Activity 2 worksheet. Students should fill out the worksheet individually. Solicit group discussion as they work on the activity.

Tell Students: Cigarette use is the leading preventable cause of death in the United States. I’m going to read a summary of events related to the history of cigarettes and smoking. If the event includes action by our government write the letters that represent the branch of Government on the line next to the event.

Activity 3: Students will use a cooperative learning activity to review background material about a Congressional bill related to media violence.

1. **Tell Students:** You are now going to be learning about a Congressional bill related to media violence. You will be working in teams to read the Congressional report which includes testimony that this Congressional committee heard.

Give each student a copy of the Congressional report on the **Broadcast Decency Enforcement Act of 2004**. Organize the class into "home" teams based on the number of students (6 groups of 4 or whatever works best). Each team is responsible for learning the same basic information; in this case, the 4 page summary of the report. Assign each person on the team one section of the report. Then reorganize the students again into groups with the same assigned reading. Call these the "expert" groups.

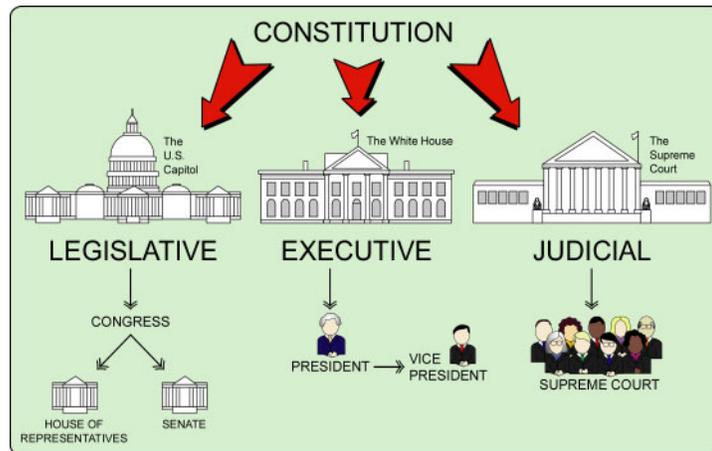
The teacher reads page 1 on Background and Needs to the whole class while students follow along. Then have students read the section they have been assigned and take notes. This is done individually; each student writes down notes including vocabulary. The students then discuss the section identifying the main idea and important information in their "expert" group. Students then go back to their original "home" team and "teach" the others what they learned about this legislation. Each student should write a summary, identifying the important ideas in the report.

Activity 4: Students will work in teams to analyze the bill, identify an example of checks and balances, vote on the bill and then write their own bill.

1. Give each team of students the Activity 4 worksheets. Have students work in their team to predict the outcome of this bill and identify an example of checks and balances.
2. Students then read the proposed bill and as a team vote on each part.
3. Students read the outcome of the bill. Have students discuss the bill and whether they believe it was effective and summarize their discussion in writing at the bottom of the page.
4. Then ask each team to develop their own bill on the *Write a Bill* handout to address the problem of protecting children from media violence.

Activity 1 Worksheet

Explain each picture.





Activity 1

Separation of Power

The Constitution organizes our government into different parts or branches to separate the powers of government.

Legislative branch: The legislative branch is called Congress and is divided into two parts or houses called the Senate and the House of Representatives. The legislative branch has the power to make laws. To make a new law, the majority of the members of the House of Representatives must vote for the bill. Then, a majority of the Senate must also vote for the bill.

Executive branch: The President is the head of this branch and is given the power to enforce, or carry out, the laws made by Congress.

Judicial branch: This branch has the power to settle disagreements about what our laws mean. The Supreme Court is the highest court in this branch.

Checks and Balances

The founders also worked to balance the powers of government so that no one branch has so much power they can completely control the other branches. Each branch of government can check the power of the other branches.

Executive branch: The President can check the power of Congress by refusing to approve a bill it has passed. This is called veto.

Legislative branch: If the President has vetoed a bill, Congress may still approve the bill if two-thirds of Congress vote for the bill.

Judicial branch: The Supreme Court has the power to declare a law made by Congress unconstitutional and that Congress does not have the right to pass that law.

Activity 2 Directions – Read aloud to Students.

When the Constitution was written, the Founders used a very important idea: Government is the servant of the people. It is not the master of the people.

The beginning of the Constitution is the Preamble:

We the People of the United States, in Order to form a more perfect Union, establish Justice, insure domestic tranquility, provide for the common defence, **promote the general Welfare** and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this Constitution for the United States of America.

We are now going to look at how the three branches of Government promote the general Welfare of the American people.

Cigarette use is the leading preventable cause of death in the United States.

I'm going to read a summary of events related to the history of cigarettes and smoking. If the event includes action by our government write the following letters on the line next to the event:

L = Legislative Branch or Congress – Congress provides for the general Welfare by making laws that it thinks will help people.

E = Executive Branch – This branch has the power to enforce, or carry out, the laws made by Congress. It includes the President and his Cabinet which includes departments that are responsible for enforcing our laws. Health and Human Services is the department that focuses on health issues.

J = Judicial Branch – This branch has the power to settle disagreements about what our laws mean. The Supreme Court is the highest court in this branch.

Activity 2 Worksheet History of Cigarettes and Smoking

- ___ 1492 - Columbus Discovers Tobacco; "Certain Dried Leaves" Are Received as Gifts,
- ___ 1600 - Sir Walter Raleigh persuades Queen Elizabeth to try smoking.
- ___ 1614 - First sale of Virginia tobacco in England.
- ___ 1794 - The U.S. Congress passes the first federal tax on tobacco products.
- ___ 1864 - First American cigarette factory opens and produces 20 million cigarettes a year
- ___ 1898 - Tennessee Supreme Court upholds a total ban on cigarettes, ruling they are "not legitimate commerce, being wholly noxious to health. Their use is always harmful."
- ___ 1901 - Strong anti-cigarette activity now exists in 43 of the 45 states.
- ___ 1901 - 3.5 billion cigarettes and 6 billion cigars are sold. Four in five men smoke
- ___ 1909 - Baseball great H. Wagner orders American Tobacco take his picture off their cigarette packs, fearing it will lead children to smoke.
- ___ 1921- RJ Reynolds spends \$8 million in advertising on Camel and begins the very successful "I'd Walk a Mile for a Camel" ads. Camel soon captures 45% of the US market.
- ___ 1927 - Lucky Strike ads target women, urging them to "reach for a Lucky instead of a sweet." Smoking among females triple and Lucky Strike captures 38% of the market.
- ___ 1938 – A University study reports that smokers do not live as long as nonsmokers.
- ___ 1938 - Advertising uses doctors to counter claims that cigarettes are a health problem.
- ___ 1940 - Americans smoke 2,558 cigarettes per person a year, twice the amount in 1930.
- ___ 1942 - Ads claim Kools give extra protection against colds. Lucky Strike, Winstons and Camels promote health benefits of their cigarettes, including ads with doctors.
- ___ 1950 - Three studies provide the first powerful links between smoking and lung cancer.
- ___ 1952 - Kent introduces the 'Micronite' filter, which claim "offers the greatest health protection in cigarette history." It turns out to be made of asbestos.
- ___ 1963 - Marlboro ads now use cowboys and the Marlboro Man. Philip Morris research had shown that sales increased whenever cowboys appeared in their campaigns.
- ___ 1968 - Philip Morris introduces Virginia Slims with ads "You've come a long way baby."
- ___ 1971 - TV cigarette advertising banned.

___ 1972 - The Surgeon General's report became the first of a series of science-based reports to identify environmental tobacco smoke (ETS) as a health risk to nonsmokers.

___ 1973 - Arizona became the first state to restrict smoking in a number of public places because ETS exposure is a public hazard.

___ 1987 - Joe Camel's ads begin. Four years later, the American Medical Association publishes two studies. One study finds that 91% of 6 year olds recognize Joe Camel. The other study finds that since the beginning of the Joe Camel campaign in 1987, Camel's share of the under-18 illegal market rose from 1% to 33%, worth more than \$400 million.

___ 1988 - After a 15 year decline, teenage smoking increases.

___ 1988 - Congress prohibited smoking on airline flights.

___ 1989 - During the 93-minute broadcast of the Marlboro Grand Prix, the Marlboro name appeared on TV 5,933 times. Sponsorship of televised sporting events becomes the means by which cigarette companies subvert the 1971 ban on TV advertising.

___ 1990 - The US has a \$4.2 billion trade surplus from tobacco despite 2.5 million deaths due to smoking worldwide.

___ 1992 - Dying of lung cancer, 'Marlboro Man' Wayne McLaren appears at Philip Morris' shareholders meeting and asks the company to voluntarily limit its advertising. The chairman said, "We're sorry to hear about your medical problem. Without knowing your medical history, I don't think I can comment." The Marlboro Man soon after died of cancer.

___ 1992 - The Environmental Protection Agency (EPA) classified Environmental Tobacco Smoke or Second Hand Smoke as a "Group A" carcinogen, the most deadly.

___ 1993 - Cigarette advertising and promotion reach \$6 billion.

___ 1994 - Mississippi became the first state to sue the tobacco industry to recover Medicaid costs for tobacco-related illnesses, settling its lawsuit in 1997. Three other states settled individually with the tobacco industry.

___ 1997 - In response to pressure by the Federal Trade Commission, RJ Reynolds abandons the 'Joe Camel' ad campaign.

___ 1998 - Camel, Winston and Kool introduce youth-oriented ads.

___ 1998 - The tobacco industry approved a 46-state Master Settlement Agreement, the largest settlement in history, totaling nearly **\$206 billion to be paid through the year 2025**

___ 2002 - CDC estimates smoking health and productivity costs reach \$150 billion a year. CDC estimates cost of smoking at \$3,391 a year per smoker due to smoking-related costs.

Extracted from Tobacco.org Timeline CNN on the History of Cigarettes

Activity 3

2004 108TH CONGRESS 2D SESSION
 SENATE Report

108-253

Calendar No. 471

**BROADCAST DECENCY ENFORCEMENT ACT OF 2004
 REPORT
 OF THE
 COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION
 On S. 2056**

Congress.#13

APRIL 5, 2004- Ordered to be printed

Sam Brownback, Kansas sponsored the bill.	
	SENATE COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION
	one hundred eighth congress
	second session
JOHN MCCAIN, Arizona, <i>Chairman</i>	
TED STEVENS, Alaska CONRAD BURNS, Montana TRENT LOTT, Mississippi KAY BAILEY HUTCHISON, Texas OLYMPIA J. SNOWE, Maine SAM BROWNBACK, Kansas GORDON SMITH, Oregon PETER G. FITZGERALD, Illinois JOHN ENSIGN, Nevada GEORGE ALLEN, Virginia JOHN E. SUNUNU, New Hampshire	ERNEST F. HOLLINGS, South Carolina DANIEL K. INOUE, Hawaii JOHN D. ROCKEFELLER IV, West Virginia JOHN F. KERRY, Massachusetts JOHN B. BREAU, Louisiana BYRON L. DORGAN, North Dakota RON WYDEN, Oregon BARBARA BOXER, California BILL NELSON, Florida MARIA CANTWELL, Washington FRANK LAUTENBERG, New Jersey
JEANNE BUMPUS, <i>STAFF DIRECTOR AND GENERAL COUNSEL</i>	
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KEVIN D. KAYES, <i>DEMOCRATIC STAFF DIRECTOR AND CHIEF COUNSEL</i>	
GREGG ELIAS, <i>DEMOCRATIC GENERAL COUNSEL</i>	(ii)

PURPOSE OF THE BILL

The objective of this legislation is to increase and strengthen the enforcement mechanisms available to the Federal Communications Commission (FCC) to combat the broadcasting of indecent, obscene, and profane material over the airwaves. The legislation is also intended to assess the effectiveness of technology tools designed to block violent programming, and if necessary, prohibit the distribution of violent programming during hours when children are likely to make up a substantial portion of the audience.

BACKGROUND AND NEEDS

Since the beginning of the FCC, Congress has been concerned with indecent and obscene material broadcast over the airwaves.

Both the Radio Act of 1927 and The Communications Act of 1934 gave the agency the authority to regulate obscene, indecent, and profane material. In 1948, Congress passed section 1464 in the criminal code, which states, 'Whoever utters any obscene, indecent, or profane language by means of radio communication **shall be fined under this title or imprisoned not more than two years, or both.**'

The FCC is charged with enforcing section 1464 and has put forth rules prohibiting radio and television stations from broadcasting indecent material between 6 a.m. and 10 p.m. For those who violate the rules, the FCC may issue warnings, impose monetary fines (up to **\$27,500 for each violation** or up to \$275,000 for a continuing violation) or **revoke licenses** for the airing of indecent material.

The increase in the number of indecency complaints filed at the Commission demonstrates the public's concern over the recent surge in indecent content on radio and television. **The number of complaints increased from 111 in 2000 to 2,240,350 in 2003...**

While the FCC has rules governing broadcasting indecent programs, **it has not adopted similar rules to protect children from exposure to violent programming on television.** The Telecommunications Act of 1996 required all TV sets made after January 1, 2000, to contain a '**V-Chip**,' a feature that provides parents with the ability to block TV programs based on a program's rating. An April 2000 survey conducted by the Kaiser Family Foundation, found that only 9 % of parents of children ages 2-17 had a TV with a V-Chip, **only 3 % of all parents had ever used the V-Chip** to block programs, and 39 % of parents had never heard of the V- Chip.

The American Psychological Association (APA) reports that by the time a child who watches 2 to 4 hours of television daily **leaves elementary school**, he or she will have **seen at least 8,000 murders and more than 100,000 other acts of violence on TV.** Research has also shown that children who watch violence on television may become more fearful of the world around them, and more likely to behave in aggressive or harmful ways toward others.

I. INDECENT PROGRAMMING ON RADIO AND TELEVISION

A. INDECENCY REGULATION

The FCC defines 'indecent speech' as language or material that describes offensive sexual or excretory activities. The standard is that of an average broadcast viewer or listener. [Footnote] Additionally, to be found indecent the material must be broadcast at a time of day when children are likely to be in the audience--between the hours of 6 a.m. and 10 p.m.

B. COMMISSION ENFORCEMENT ACTION

Some critics argue that the current process is ineffective and puts too many burdens on complainants. These critics note that in 2003 the FCC received about **2,240,000 complaints concerning 375 radio and television programs, and issued a total of 3 fines.**

Even with the FCC's recent actions on indecency, many critics have said that the fines are merely the 'cost of doing business' for these large companies. Commissioner Michael Copps stated: "**a mere \$27,500 fine for each incident . . .** such a fine will be easily absorbed as a 'cost of doing business' and fails to send a message that the FCC is serious about enforcing the nation's indecency laws. 'Cost of doing business' fines are never going to stop the media's slide to the bottom."

The following chart compares the FCC's current fines to the various companies' revenues.

STATION OWNER	Clear Channel	Infinity	Entercom	Emmis
FINES 2002	\$ 0	\$ 21,000	\$ 14,000	\$ 28,000
COMPANY REVENUE 2002	\$8,093,000,000	\$ 24,600,000,000	\$391,300,000	\$533,800,000
FINES 2003	\$1,057,500	\$ 412,500	\$ 0	\$ 0
COMPANY REVENUE 2003	\$8,042,000,000	\$ 26,600,000,000	\$401,100,000	Not Available

C. POSSIBLE RELATIONSHIP TO MEDIA OWNERSHIP The number of indecency complaints has risen during a period when the number of owners of media outlets has decreased. As a result, the Committee has become concerned that there may be a connection between the increased consolidation of owners in the media industry and the increased number of complaints on indecent programming. For example, Clear Channel, which was given the largest fine ever issued by the FCC, went from owning 512 stations in 1999 to over 1,200 stations in 2004.

A. IMPACT OF MEDIA VIOLENCE ON CHILDREN

The impact of media violence on children has been studied since motion pictures were created during the 1920s. As television grew in the 1950s, it became the primary focus of media violence researchers. Between the late 1950s and early 1960s, several studies suggested a strong link between television violence and youth aggression.

In 1969, the Surgeon General was asked to conduct a study on television and social behavior. The study, published in 1972, found that: (1) television content is heavily saturated with violence; (2) children and adults are watching more television; and (3) there is evidence that, viewing violent television entertainment increases the likelihood of aggressive behavior.

The Surgeon General's report increased concern and led to more studies, including a study released in 1975 by the Journal of American Medical Association. The study suggested that **television violence was having a deforming effect on children, resulting in abnormal child development, and increasing levels of physical aggressiveness.** In response, the America Medical Association (AMA) passed a resolution declaring that **television violence threatened the welfare of young Americans.**

Since the release of the Surgeon General's report, a number of major medical and public health organizations have studied and supported the link between violent programming and violent behavior in children. In 1982, the National Institute of Mental Health produced a report, 'Television and Behavior: Ten Years of Scientific Progress and Implications for the Eighties,' concluding that **TV violence affects all children.**

After 10 more years of research, the agreement among most of the research community is that violence on television does lead to aggressive behavior by children and teenagers who watch the programs.

In 1992, Dr. Centerwall, a Professor of Epidemiology at the University of Washington, conducted a study on the homicide rates in South Africa, Canada, and the United States in relation to the introduction of television. In all three countries, Dr. Centerwall found that the murder rate doubled about 10 or 15 years after the introduction of television. ...Dr. Centerwall concludes that 'long-term childhood exposure to television is a causal factor behind approximately one-half of the murders committed in the United States.' This report found that extensive exposure to television violence could lead to chronic effects extending into later adolescence and adulthood.

In June 2000, representatives from 6 of the nation's top public health organizations, including the Academy of Pediatrics, the APA, and the AMA, issued a statement noting that: "Well over 1,000 studies--point overwhelmingly to a causal connection between media violence and aggressive behavior in some children. The conclusion of the public health community, based on over 30 years of research, is that watching entertainment violence can lead to increases in aggressive attitudes, values and behavior, particularly in children. Its effects are measurable and long lasting."

This conclusion has been further supported by additional research. In March 2003, Dr. Rowell Huesmann and Dr. Leonard Eron (University of Michigan) reviewed the long-term relationship between viewing media violence in childhood and young-adult aggressive behavior. The doctors found that both males and females are placed at increased risk for

the development of adult aggressive and violent behavior when they viewed a high and steady diet of violent television shows in early childhood.'

Finally, in March 2003, the Committee heard testimony from Dr. Michael Rich, **Director of the Center on Media and Children's Health** at the Children's Hospital of Boston and Harvard Medical School, concerning neurobiological research and the impact of media violence on children. At that hearing, Dr. Rich testified that the correlation between violent media and aggressive behavior:

. . . is stronger than that of calcium intake and bone mass, lead ingestion and lower IQ, and environmental tobacco smoke and lung cancer, all associations that clinicians accept as fact, and on which preventive medicine is based without question.

Given this evidence about the correlation between exposure to violent programming and violent behavior, many organizations have become increasingly alarmed by the **increased prevalence of violent programming on broadcast, cable, and satellite television**. As noted earlier, the APA estimates that a typical child will watch 8,000 murders and 100,000 acts of violence before finishing elementary school....

B. PRIOR CONGRESSIONAL ACTION

Congress has expressed concern about the amount of violence on television since the 1950s. Studies conducted in the 1950s showed that violent crime increased significantly early in that decade, and some researchers believed that the spread of television was partly to blame. In response, **Congress held hearings concerning violence in television and its impact on children** in 1952 and 1954. After the **broadcast industry pledged to regulate itself** and after the FCC testified against regulatory action, **Congress chose not to act**.

In the early 1960s, as a follow up to the earlier Senate hearings, President John F. Kennedy and Attorney General Robert Kennedy **placed significant pressure on the television networks to reduce violent content in their programming. However, the pressure yielded few results**. Several more hearings were held after the release of the Surgeon General's report in the 1970s. In 1975, a report by the JAMA suggested that television violence was having a deforming effect on children, resulting in abnormal child development, and increasing levels of physical aggressiveness. **Despite the findings, little congressional action was taken**.

However, with regard to the issue of television violence, the FCC did not recommend any congressional action because the industry had recently adopted a voluntary family viewing policy as part of a industry code of conduct.

During the 101st Congress, Senator Paul Simon (D--IL) introduced the Television Program Improvement Act. That legislation requested television industry representatives meet and jointly agree upon implementing voluntary standards that would lead to a reduction in television violence. Despite these efforts by the industry, many in Congress believed the voluntary standards did not adequately address the concerns over television violence.

In October 1993, the Committee held a hearing on television violence to consider a variety of legislative proposals. Attorney General Janet Reno testified that the legislation before the Committee at that time, the Children's Protection From Violent Programming Act of 1993 (Hollings-Inouye), **would be constitutional**.

On February 29, 1996, all segments of the television industry created the 'TV Ratings Group' headed by Motion Picture Association. The group submitted its voluntary age-based ratings proposal to the FCC on January 17, 1997.

In addition to concerns about the ratings system, national surveys conducted by the Kaiser Family Foundation, show that an overwhelming majority of parents do not know the meaning of the content ratings.

Finally, in March 2004, the Ad Council released the result of its nationwide survey of parents with children aged 2 to 17, which found that while most parents are concerned about age-appropriate television content, less than 10 percent of all parents are using the V-Chip. Furthermore, the survey found that 80 percent of parents that own a TV set with a V-Chip are unaware that their television has the technology.

(C) SAFE HARBOR REGULATION

Some have questioned whether limiting violent programming to certain hours of the day would be consistent with the First Amendment of the Constitution. Attorney General Janet Reno testified in October 1993 that the safe harbor approach before the Committee at that time were constitutional.

(1) SAFE HARBOR UNDER AN ACT /V CASE ANALYSIS

In 1992 Congress enacted legislation sponsored by Senator Robert Byrd to prohibit the broadcast of indecent programming during certain hours of the day. The Byrd amendment allowed indecent broadcasts between the hours of midnight and 6 a.m. On June 30, 1995, the United States Court of Appeals, upheld the constitutionality of the Byrd amendment.

[Footnote] First, the court found that 'the Government has a compelling interest in supporting parental supervision of what children see and hear on the public airwaves.' The court cited *Ginsberg v. New York*. [Footnote] Second, the court found that 'the Government's own interest in the well-being of minors is compelling. A democratic society rests, for its continuance, upon the healthy, well-rounded growth of young people into full maturity as citizens.

Industry Self-Regulation

The television industry has been directed to improve its programming by Congress for over 40 years....At many of these hearings, representatives of the television industry testified that they were committed to ensuring that their programming was safe and appropriate for children. In 1972, the Surgeon General **called for Congressional action, but this call was ignored after the broadcast industry reached an agreement** with the FCC to restrict violent programs and programs unsuitable for children during the family hour.

There is substantial evidence, however, that despite the promises of the television industry, **the amount of violence on television is far greater than the amount of violence in society and continues to increase.** According to one study, 'Since 1955, television characters have been murdered at **a rate one thousand times higher than real-world** victims. Indeed, television violence has far outstripped reality since the 1950s.

[Footnote] The incentives of the television industry to air violent programming are best illustrated by a quote from a memo giving directions to the writers of the program 'Man Against Crime' on CBS in 1953: 'It has been found that we retain audience interest best when our stories are concerned with murder. Therefore, although other crimes may be introduced, **somebody must be murdered, preferably early, with the threat of more violence to come.**'

Activity 4 Worksheet

In 2004 Senator Sam Brownback, sponsored the BROADCAST DECENCY ENFORCEMENT ACT.

The purpose of this legislation was to:

1. Increase and strengthen the enforcement mechanisms (fines and licenses) available to the Federal Communications Commission (FCC) to combat the broadcasting of indecent, obscene, and profane material over the airwaves.
2. The legislation is also intended to assess the effectiveness of technology tools (the V Chip) designed to block violent programming, and...
3. If necessary, prohibit the distribution of violent programming during hours when children are likely to comprise a substantial portion of the audience.

1. What does your team predict will happen? Does the bill pass?

2. Identify an example of checks and balances in the report.

Activity 4

	What was in the Bill? How would you vote?	Vote
Section 102	Increase in Penalties for Obscene, Indecent, and Profane Broadcasts. This would increase maximum fines from \$27,500 to \$275,000 for the first violation,	
Section 105.	Voluntary Industry Code of Conduct Governing Family TV Viewing. The Committee encourages broadcast networks to develop 'family viewing' programs for the 1st hour of prime time and preceding hour when the audience may contain children.	
Section 106	Deadlines for Action on Complaints. This gives the FCC 270 days to respond to any complaint received.	
Section 108	Media Ownership and Indecency Broadcast. This would require a study to see if increased size of media companies results in increased indecency complaints to the FCC	
TITLE II--CHILDREN'S PROTECTION FROM VIOLENT PROGRAM		
Section 203	Assess the Effectiveness of Current Ratings System for Violence and Effectiveness of V-Chip. If the FCC finds that the measures referred to are ineffective, then the FCC shall prohibit violent video programs during the hours when children are likely to make up a large portion of the audience.	
Sec. 204.	Unlawful Distribution of Violent Video Programming that Is Not Rated for Violence and Therefore Is Not Blockable.	
	Senator Stevens offered an amendment to require the FCC to begin mandatory license revocation against a licensee who has broadcast obscene, or indecent language on 3 or more occasions.	

Activity 4

What happened in the end?

The bill went through many changes and after it was passed by both the House of Representatives and the Senate, the bill was signed by President Bush on June 15, 2006 and became law. This is the final version:

An Act to increase the penalties for violations by television and radio broadcasters of the prohibitions against transmission of obscene, indecent, and profane language.

SECTION 1. SHORT TITLE. This Act may be cited as the 'Broadcast Decency Enforcement Act of 2005'.

SEC. 2. INCREASE IN PENALTIES FOR OBSCENE, INDECENT, AND PROFANE BROADCASTS.

(ii) determined by the Commission (1) to have broadcast obscene, indecent, or profane language, the amount of any penalty shall not exceed \$325,000 for each violation or each day of a continuing violation, except that the amount shall not exceed a total of \$3,000,000 for any single act or failure to act.

What does your team think of the final bill?

Activity 4

Now your team should write a bill to protect children from violent broadcasting.

TITLE: _____

SPONSORED_BY _____

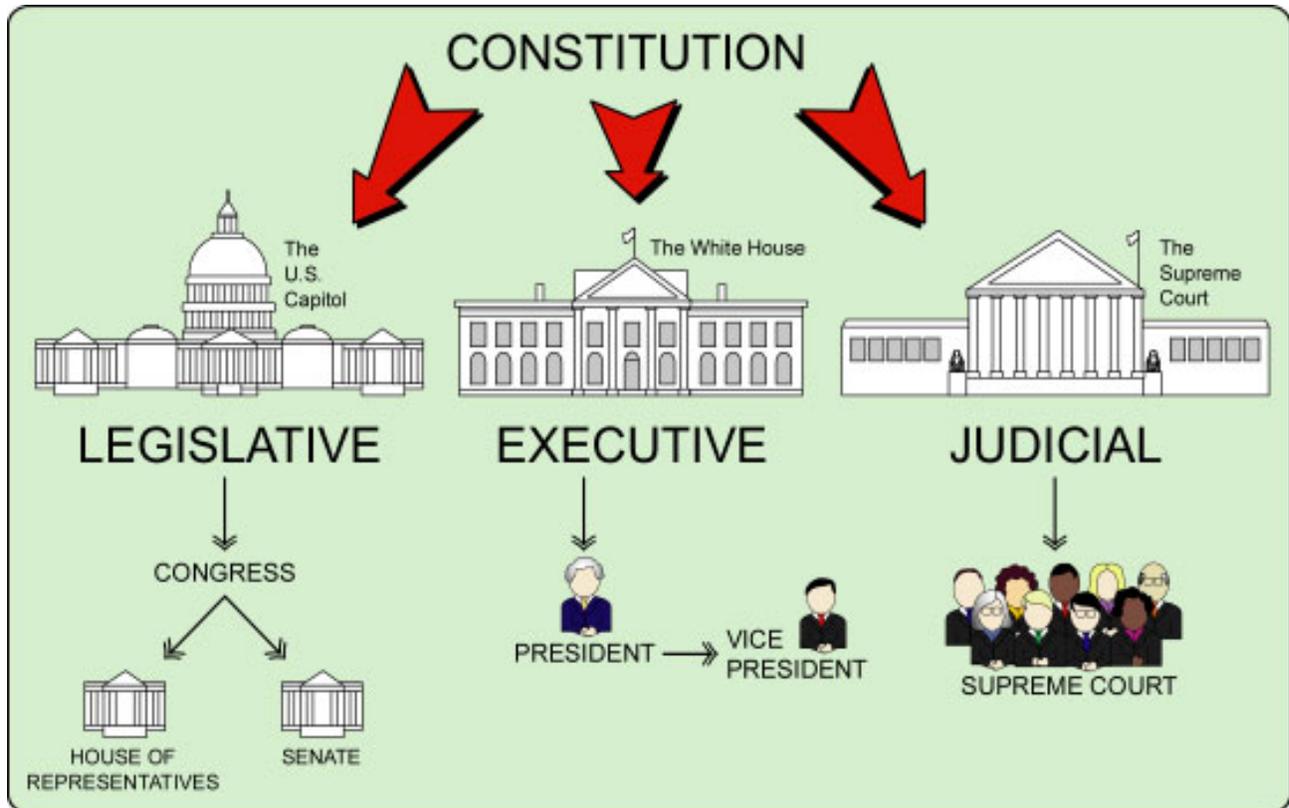
SECTION:1 _____

SECTION:2 _____

SECTION:3 _____

SECTION:4 _____

Government Posters:



THE EXECUTIVE BRANCH



The President

The power of the Executive Branch is vested in the President of the United States, who also acts as head of state and Commander-in-Chief of the armed forces. **The President is responsible for implementing and enforcing the laws written by Congress and appoints the heads of the federal agencies, including the Cabinet.**

The Cabinet – 15 Executive Departments

The Cabinet and independent federal agencies are responsible for the day-to-day enforcement and administration of federal laws. Fifteen executive departments — each led by an appointed member of the President's Cabinet — carry out the day-to-day administration of the federal government. They are joined in this by other executive agencies such as the CIA and Environmental Protection Agency, the heads of which are not part of the Cabinet, but who are under the full authority of the President.

The President also appoints the heads of more than 50 independent federal commissions, such as the Federal Reserve Board or the Securities and Exchange Commission, as well as federal judges, ambassadors, and other federal offices. The Executive Office of the President (EOP) consists of the immediate staff to the President, along with entities such as the Office of Management and Budget and the Office of the United States Trade Representative.

The Vice President is also part of the Executive Branch, ready to assume the Presidency should the need arise.

The President has the power either to sign legislation into law or to veto bills enacted by Congress, although Congress may override a veto with a two-thirds vote of both houses.

Including members of the armed forces, the Executive Branch employs more than 4 million Americans.

The Cabinet includes the Vice President and the heads of 15 departments

In order of succession to the Presidency:

Vice President of the United States

Joseph R. Biden

Department of State

Secretary Hillary Rodham Clinton

Department of the Treasury

Secretary Timothy F. Geithner

Department of Defense

Secretary Robert M. Gates

Department of Justice

Attorney General Eric H. Holder, Jr.

Department of the Interior

Secretary Kenneth L. Salazar

Department of Agriculture

Secretary Thomas J. Vilsack

Department of Commerce

Secretary-designate: Gary F. Locke

Department of Labor

Secretary Hilda L. Solis

Department of Health and Human Services

Department of Housing and Urban Development

Secretary Shaun L.S. Donovan

Department of Transportation

Secretary Raymond L. LaHood

Department of Energy

Secretary Steven Chu

Department of Education

Secretary Arne Duncan

Department of Veterans Affairs

Secretary Eric K. Shinseki

Department of Homeland Security

Secretary Janet A. Napolitano

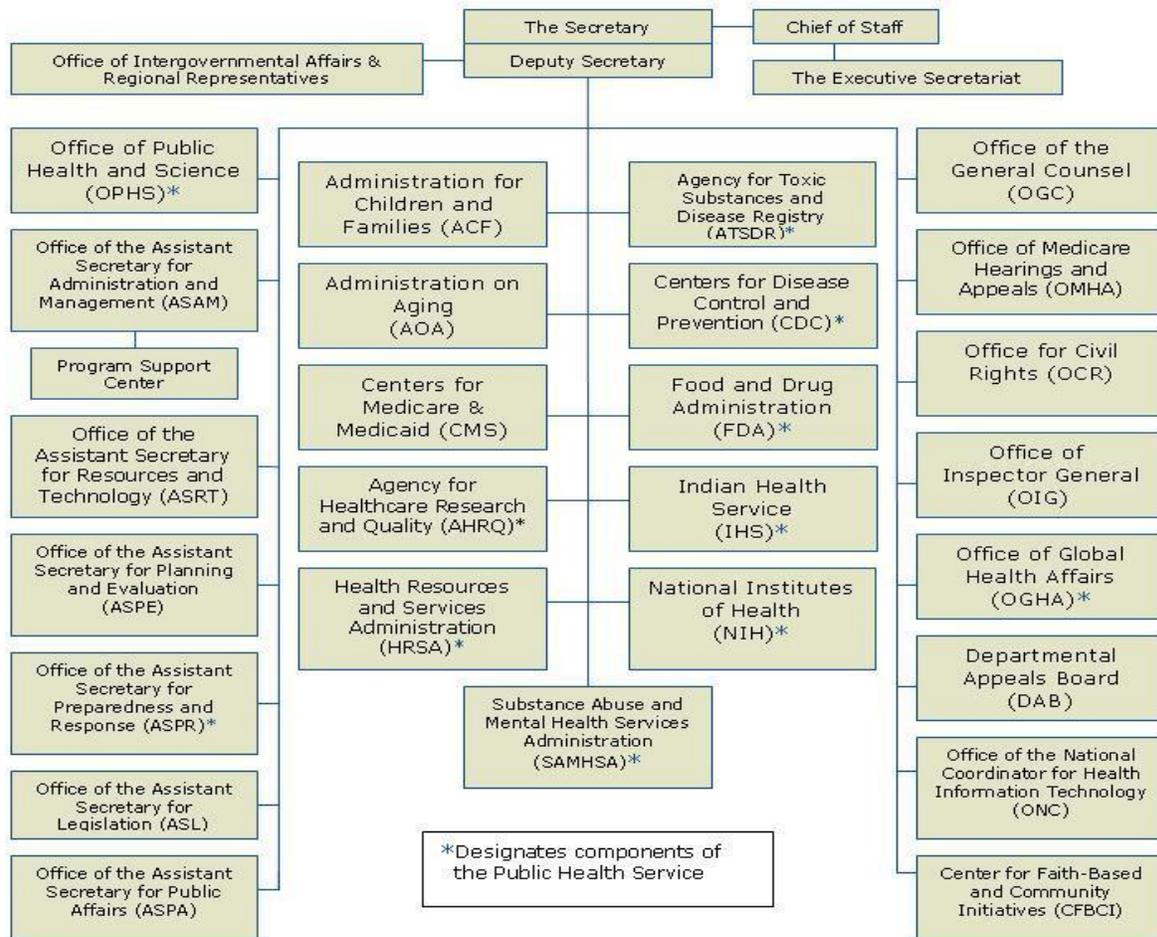
Department of Health and Human Services

The Department of Health and Human Services (HHS) is the United States [government's principal agency for protecting the health of all Americans](#) and providing essential human services, especially for those who are least able to help themselves. Agencies of HHS conduct health and social science research, work to prevent disease outbreaks, assure food and drug safety, and provide health insurance.

In addition to administering Medicare and Medicaid, which together provide health insurance to one in four Americans, HHS also oversees the National Institutes of Health, the Food and Drug Administration, and the

Centers for Disease Control (CDC).

The Secretary of Health and Human Services oversees a budget of **\$700 billion and approximately 65,000 employees.**





CDC Fact Sheet Tobacco Industry Marketing

In 2005 cigarette companies spent \$13.11 billion on advertising. This amounted to more than \$36 million per day and more than \$302 for each U.S. adult smoker.

Cigarette companies spent \$31 million on the sponsorship of sports teams or individual athletes in 2005.

If current youth tobacco use trends continue, 6.4 million of today's young people will die from tobacco-related diseases.

Nearly all first-time tobacco use occurs before high school graduation. This suggests that if kept tobacco-free, most youth will never start using tobacco.

Introduction to Tobacco-Free Sports

Improve Your Game - Sports and Tobacco Don't Mix!





* The figures quoted have been checked and verified as by STERNE, BOSS BROS AND MONTGOMERY, Accountants and Auditors.

20,679* Physicians

say "LUCKIES
are less irritating"

"It's toasted"

Your Throat Protection against irritation against cough



He's one of the busiest men in town. While his door may say *Office Hours 2 to 4*, he's actually on call 24 hours a day.

The doctor is a scientist, a diplomat, and a friendly sympathetic human being all in one, no matter how long and hard his schedule.

According to a recent Nationwide survey:

MORE DOCTORS SMOKE CAMELS THAN ANY OTHER CIGARETTE

DOCTORS in every branch of medicine—113,597 in all—were queried in this nationwide study of cigarette preference. Three leading research organizations made the survey. The gist of the query was—What cigarette do you smoke, Doctor?

The brand named most was Camel!

The rich, full flavor and cool mildness of Camel's superb blend of costlier tobaccos seem to have the same appeal to the smoking tastes of doctors as to millions of other smokers. If you are a Camel smoker, this preference among doctors will hardly surprise you. If you're not—well, try Camels now.



Your "T-Zone" Will Tell You...

**T for Taste . . .
 T for Throat . . .**

that's your proving ground for any cigarette. See if Camels don't suit your "T-Zone" to a "T."



CAMELS *Costlier Tobaccos*

To keep a slender figure
No one can deny...



Reach
for a
LUCKY
instead of a
sweet



"It's toasted"
No Throat Irritation - No Cough.



Blow in her face and she'll follow you anywhere.

Hit her with tangy Tipalet Cherry. Or rich, grape-y Tipalet Burgundy. Or luscious Tipalet Blueberry. It's Wild! Tipalet. It's new. Different. Delicious in taste and in aroma. A puff in her direction and she'll follow you, anywhere. Oh yes.... you get smoking satisfaction without inhaling smoke.

			
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Smokers of America, do yourself a flavor. Make your next cigarette a **Tipalet.**

New from Muriel. About 5 for 25¢.