

109TH CONGRESS
2^D SESSION

H. R. 5264

To provide American consumers information about the broadcast television transition from an analog to a digital format.

IN THE HOUSE OF REPRESENTATIVES

MAY 2, 2006

Mr. ENGEL introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To provide American consumers information about the broadcast television transition from an analog to a digital format.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Digital Television Con-
5 sumer Education Act”.

6 **SEC. 2. LABELING AND CONSUMER EDUCATION.**

7 Section 330 of the Communications Act of 1934 (47
8 U.S.C. 330) is amended—

9 (1) by redesignating subsection (d) as sub-
10 section (e); and

1 (2) by inserting after subsection (c) the fol-
2 lowing new subsection:

3 “(d) LABELING AND CONSUMER EDUCATION.—

4 “(1) REQUIREMENTS FOR MANUFACTURERS.—

5 Effective 180 days after the date of enactment of
6 the Digital Television Consumer Education Act, any
7 manufacturer of any television receiving equipment
8 described in section 303(s) that does not include a
9 digital tuner shall—

10 “(A) place a label on any television screen,
11 removable by the purchaser, that displays in
12 clear and conspicuous print, the following con-
13 sumer advisory label: ‘After February 17, 2009,
14 this television will receive broadcast television
15 signals only by using additional equipment. For
16 more information, call the Federal Communica-
17 tions Commission at 1-888-225-5322 (TTY:
18 1-888-835-5322) or visit the Commission’s
19 website at: www.dtv.gov or www.fcc.gov.
20 Después del 17 de Febrero del 2009, este tele-
21 visor solo podra recibir señales de emisoras de
22 televisión unicamente con la ayuda de equipo
23 adicional. Si requiere más información, llame a
24 la Comisión Federal de Comunicaciones al 1-
25 888-225-5322 (TTY: 1-888-835-5322) o

1 visite el sitio web de la Comisión en:
2 www.dtv.gov o www.fcc.gov ’; and

3 “(B) place such advisory label permanently
4 and conspicuously on the outside of the retail
5 packaging of such television set.

6 “(2) REQUIREMENTS FOR RETAIL DISTRIBUTU-
7 TORS AND OTHER VENDORS.—

8 “(A) RETAIL DISTRIBUTORS.—Any retail
9 distributor of any television receiving equipment
10 described in section 303(s) that does not in-
11 clude a digital tuner shall—

12 “(i) effective 180 days after the date
13 of enactment of the Digital Television Con-
14 sumer Education Act, place adjacent to
15 each unit of such equipment that such dis-
16 tributor displays for sale or rent a con-
17 sumer advisory label as provided by the
18 manufacturer pursuant to paragraph (1),
19 except that such distributor shall not be
20 required to affix such label to the television
21 screen on such equipment, as long as the
22 label is—

23 “(I) in the close vicinity of, and
24 associated with, the unit on display;
25 and

1 “(II) clearly visible to consumers;

2 and

3 “(ii) effective 90 days after the enact-
4 ment of the Digital Television Consumer
5 Education Act, provide information to con-
6 sumers, on signs and in pamphlet form, in
7 the display area for product categories that
8 include any television receiving equipment
9 described in section 303(s) that does not
10 include a digital tuner television, sufficient
11 to convey the information carried in the
12 consumer advisory label. Such signs and
13 pamphlets shall also include information on
14 recycling old televisions and other con-
15 sumer electronics.

16 “(B) OTHER VENDORS.—Effective 180
17 days after the date of enactment of the Digital
18 Television Consumer Education Act, any seller
19 via direct mail, catalog, or electronic means,
20 such as the Internet, of any television receiving
21 equipment described in section 303(s) that does
22 not include a digital tuner, shall include in clear
23 and conspicuous print the consumer advisory
24 label required by paragraph (1) at the point of
25 display for the apparatus, or, if there is no dis-

1 play, at the point of sale. Such information
2 shall also include information on recycling old
3 televisions and other consumer electronics.

4 “(3) OTHER DEVICES.—For devices other than
5 television sets that are included in section 303(s)
6 and that contain an analog tuner, but not a digital
7 tuner, the Commission shall require the clear and
8 conspicuous placement of a comparable consumer
9 advisory label on such devices, as well as on the out-
10 side of the retail packaging of such devices.

11 “(4) ADDITIONAL DISCLOSURES.—

12 “(A) ANNOUNCEMENTS AND NOTICES RE-
13 QUIRED.—From November 1, 2007, through
14 March 31, 2009—

15 “(i) each television broadcaster shall
16 air, at a minimum, 120 seconds per day of
17 public service announcements between the
18 hours of 6 a.m. and 11:35 p.m., at variable
19 time slots throughout the week, with at
20 least half aired between the hours of 5
21 p.m. and 11:35 p.m.; and

22 “(ii) any multichannel video program
23 distributor shall include a notice in or with
24 each periodic bill.

1 “(B) CONTENT OF ANNOUNCEMENTS AND
2 NOTICES.—The announcements and notices re-
3 quired by this paragraph shall educate con-
4 sumers about the deadline for termination of
5 analog television broadcasting and the equip-
6 ment options consumers have after such termi-
7 nation. Announcements aired and notices dis-
8 tributed after January 1, 2008, shall also edu-
9 cate consumers about the need for and avail-
10 ability of the converter box voucher program
11 and the steps to redeem the voucher.

12 “(5) ADVISORY COMMITTEE.—

13 “(A) ESTABLISHMENT.—The Commission
14 shall, after consultation with the National Tele-
15 communications and Information Administra-
16 tion and the Federal Trade Commission, create
17 a DTV Transition Federal Advisory Committee
18 to lead the effort to educate the public about
19 the digital television transition and to ensure
20 that the public knows the information described
21 in paragraph (3)(B). Such consumer education
22 shall commence no later than September 1,
23 2007.

24 “(B) COMPOSITION.—The committee shall
25 be composed of representatives from the fol-

1 lowing groups: commercial broadcasters, non-
2 commercial broadcasters, cable operators, sat-
3 ellite providers, retailers and manufacturers of
4 consumer electronics equipment, electronic recy-
5 clers, minority groups, Hispanic Americans,
6 Americans whose primary language is not
7 English, Americans with disabilities, Americans
8 living in rural communities, general business,
9 senior citizens, commercial advertising, and
10 consumers in general.

11 “(C) ADVISORY COMMITTEE ROLE.—The
12 committee shall—

13 “(i) develop a comprehensive edu-
14 cation plan for consumers regarding the
15 digital television transition which in-
16 cludes—

17 “(I) specific and targeted mes-
18 sages to reach various consumer con-
19 stituencies (such as low income, mi-
20 norities, Spanish-speaking, and the el-
21 derly);

22 “(II) best methods to deliver the
23 message to affected consumers;

24 “(III) implementation of the
25 plan;

1 “(IV) website information and
2 toll-free numbers; and

3 “(V) information on recycling old
4 televisions and other consumer elec-
5 tronics;

6 “(ii) coordinate with stakeholders to
7 ensure that the transition is properly im-
8 plemented; and

9 “(iii) report to Congress every 6
10 months on how the transition is pro-
11 gressing.

12 “(D) FIRST MEETING.—The advisory com-
13 mittee shall conduct its first meeting within 60
14 days after the date of enactment of the Digital
15 Television Consumer Education Act.

16 “(6) COMMISSION INFORMATION SERVICES.—
17 The Commission’s toll-free number for consumers
18 information and the Commission’s Internet website
19 shall provide information concerning the digital tele-
20 vision transition, in the English and Spanish lan-
21 guages, not later than September 1, 2007.”.

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