

104TH CONGRESS
1ST SESSION

H. R. 1390

To provide means of limiting the exposure of children to violent programming on television, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 4, 1995

Mr. JACOBS introduced the following bill; which was referred to the Committee on Commerce

A BILL

To provide means of limiting the exposure of children to violent programming on television, and for other purposes.

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 “Childrens’ Media Pro-
5 tection Act of 1995”.

6 **SEC. 2. FINDINGS.**

7 Congress makes the following findings:

8 (1) On average, a child in the United States is
9 exposed to 27 hours of television each week, and

1 some children are exposed to as much as 11 hours
2 of television each day.

3 (2) The average American child watches 8,000
4 murders and 100,000 acts of other violence on tele-
5 vision by the time the child completes elementary
6 school.

7 (3) By the age of 18 years, the average Amer-
8 ican teenager has watched 200,000 acts of violence
9 on television, including 40,000 murders.

10 (4) The Times Mirror Center reports that a re-
11 cent poll of Americans indicates that 72 percent of
12 the American people believe that there is too much
13 violence on television, and, according to a survey by
14 U.S. News and World Report dated May 1994, 91
15 percent of American voters believe that mayhem in
16 the media contributes to violence in real life.

17 (5) On several occasions since 1975, The Jour-
18 nal of the American Medical Association has alerted
19 the medical community to the adverse effects of tele-
20 vised violence on child development, including an in-
21 crease in the level of aggressive behavior and violent
22 behavior among children who view it.

23 (6) The National Commission on Children rec-
24 ommended in 1991 that producers of television pro-

1 grams exercise greater restraint in the content of
2 programming for children.

3 (7) A report of the Harry Frank Guggenheim
4 Foundation, dated May 1993, indicates that there is
5 an irrefutable connection between the amount of vio-
6 lence depicted in the television programs watched by
7 children and increased aggressive behavior among
8 children.

9 (8) It is in the National interest that parents
10 be empowered with the technology to block the view-
11 ing of television programs whose content is overly
12 violent or objectionable for other reasons.

13 (9) Technology currently exists to permit the
14 manufacture of television receivers that are capable
15 of permitting parents to block television programs
16 having violent or otherwise objectionable content.

17 **SEC. 3. ESTABLISHMENT OF TELEVISION VIOLENCE RAT-**
18 **ING CODE.**

19 Section 303 of the Communications Act of 1934 (47
20 U.S.C. 303) is amended by adding at the end the follow-
21 ing:

22 “(v) Prescribe, in consultation with television broad-
23 casters, cable operators, appropriate public interest
24 groups, and interested individuals from the private sector,
25 rules for rating the level of violence in television program-

1 ming, including rules for the transmission by television
2 broadcast systems and cable systems of signals containing
3 specifications for blocking violent programming.”.

4 **SEC. 4. REQUIREMENT FOR MANUFACTURE OF TELE-**
5 **VISIONS THAT BLOCK PROGRAMS.**

6 Section 303 of the Communications Act of 1934 (47
7 U.S.C. 303), as amended by section 3, is further amended
8 by adding at the end the following:

9 “(w) Require, in the case of apparatus designed to
10 receive television signals that are manufactured in the
11 United States or imported for use in the United States
12 and that have a picture screen 13 inches or greater in
13 size (measured diagonally), that such apparatus—

14 “(1) be equipped with circuitry designed to en-
15 able viewers to block the display of channels, pro-
16 grams, and time slots; and

17 “(2) enable viewers to block display of all pro-
18 grams with a common rating.”.

19 **SEC. 5. SHIPPING OR IMPORTING OF TELEVISIONS THAT**
20 **BLOCK PROGRAMS.**

21 (a) REGULATIONS.—Section 330 of the Communica-
22 tions Act of 1934 (47 U.S.C. 330) is amended—

23 (1) by redesignating subsection (c) as sub-
24 section (d); and

1 (2) by adding after subsection (b) the following
2 new subsection (c):

3 “(c)(1) Except as provided in paragraph (2), no per-
4 son shall ship in interstate commerce, manufacture, as-
5 semble, or import from any foreign country into the
6 United States any apparatus described in section 303(w)
7 of this Act except in accordance with rules prescribed by
8 the Commission pursuant to the authority granted by that
9 section.

10 “(2) This subsection shall not apply to carriers trans-
11 porting apparatus referred to in paragraph (1) without
12 trading it.

13 “(3) The rules prescribed by the Commission under
14 this subsection shall provide performance standards for
15 blocking technology. Such rules shall require that all such
16 apparatus be able to receive the rating signals which have
17 been transmitted by way of line 21 of the vertical blanking
18 interval and which conform to the signal and blocking
19 specifications established by the Commission.

20 “(4) As new video technology is developed, the Com-
21 mission shall take such action as the Commission deter-
22 mines appropriate to ensure that blocking service contin-
23 ues to be available to consumers.”.

24 (b) CONFORMING AMENDMENT.—Section 330(d) of
25 such Act, as redesignated by subsection (a)(1), is amended

1 by striking “section 303(s), and section 303(u)” and in-
2 serting in lieu thereof “and sections 303(s), 303(u), and
3 303(w)”.

4 **SEC. 6. ELIMINATION OF VIOLENT PROGRAMMING ON TEL-**
5 **VISION DURING CERTAIN HOURS.**

6 Title I of the Children’s Television Act of 1990 (47
7 U.S.C. 303a et seq.) is amended by adding at the end the
8 following:

9 “PROHIBITION ON VIOLENT PROGRAMMING

10 “SEC. 105. (a) The Commission shall, within 30 days
11 of the date of the enactment of this Act, initiate a rule-
12 making proceeding to prescribe a prohibition on the broad-
13 cast on commercial television and by public telecommuni-
14 cations entities, including the broadcast by cable opera-
15 tors, from the hours of 6 a.m. to 10 p.m., inclusive, of
16 programming that contains gratuitous violence.

17 “(b) As used in this section:

18 “(1) The term ‘cable operator’ has the meaning
19 given such term in section 602 of the Communica-
20 tions Act of 1934 (47 U.S.C. 522).

21 “(2) The term ‘programming’ includes adver-
22 tisements but does not include bona fide newscasts,
23 bona fide news interviews, bona fide news documen-
24 taries, and on-the-spot coverage of bona fide news
25 events.

1 “(3) The term ‘public telecommunications en-
2 tity’ has the meaning given such term in section
3 397(12) of the Communications Act of 1934 (47
4 U.S.C. 397(12)).”.

5 **SEC. 7. BROADCAST ON TELEVISION AND CABLE OF EDU-**
6 **CATIONAL AND INFORMATIONAL PROGRAM-**
7 **MING FOR CHILDREN.**

8 (a) BROADCAST TELEVISION.—Section 309 of the
9 Communications Act of 1934 (47 U.S.C. 309) is amended
10 by adding at the end the following:

11 “(k) EDUCATIONAL AND INFORMATION PROGRAM-
12 MING FOR CHILDREN.—In granting an application for a
13 license for a television broadcasting station (including an
14 application for renewal of such a license), the Commission
15 shall impose such conditions upon the applicant as the
16 Commission requires in order to ensure that the applicant
17 complies under the license with the standards for chil-
18 dren’s television programming established under section
19 102 of the Children’s Television Act of 1990 (47 U.S.C.
20 303a) and otherwise serves the educational and informa-
21 tional needs of children through its overall program-
22 ming.”.

23 (b) CABLE SERVICE.—Part III of title VI of the
24 Communications Act of 1934 (47 U.S.C. 541 et seq.) is
25 amended by adding at the end the following:

1 “EDUCATIONAL AND INFORMATION PROGRAMMING FOR
2 CHILDREN

3 “SEC. 629. A franchise, including the renewal of a
4 franchise, may not be awarded under this part unless the
5 cable operator to be awarded the franchise agrees to com-
6 ply with the standards for children’s television program-
7 ming established under section 102 of the Children’s Tele-
8 vision Act of 1990 (47 U.S.C. 303a) and to otherwise
9 serve the educational and informational needs of children
10 in the provision of cable service under the franchise.”.

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