

104TH CONGRESS
1ST SESSION

H. R. 2030

To provide technology for parents to control the viewing of programming they believe is inappropriate for their children, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 13, 1995

Mr. MARKEY (for himself, Mr. MORAN, Mr. SPRATT, Mr. BEREUTER, Mr. BURTON of Indiana, Mr. BRYANT of Texas, Mr. DICKEY, Mr. HUNTER, Mr. WOLF, Mr. BEILENSON, Mr. BONIOR, Mr. CLEMENT, Mr. COLEMAN, Mr. FRAZER, Mr. GEJDENSON, Mr. GORDON, Mr. HILLIARD, Ms. JACKSON-LEE, Mr. JACOBS, Mr. JOHNSON of South Dakota, Mr. LAFALCE, Ms. LOFGREN, Mrs. LOWEY, Mr. LUTHER, Mr. MARTINEZ, Mr. McHALE, Mr. MENENDEZ, Mr. MILLER of California, Mr. PAYNE of Virginia, Mr. POMEROY, and Mr. UNDERWOOD) introduced the following bill; which was referred to the Committee on Commerce

A BILL

To provide technology for parents to control the viewing of programming they believe is inappropriate for their children, 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 “Parental Choice in Tel-

5 evision Act of 1995”.

1 **SEC. 2. PARENTAL CHOICE IN TELEVISION PROGRAMMING.**

2 (a) FINDINGS.—The Congress makes the following
3 findings:

4 (1) Television influences children’s perception
5 of the values and behavior that are common and ac-
6 ceptable in society.

7 (2) Television station operators, cable television
8 system operators, and video programmers should fol-
9 low practices in connection with video programming
10 that take into consideration that television broadcast
11 and cable programming has established a uniquely
12 pervasive presence in the lives of American children.

13 (3) The average American child is exposed to
14 25 hours of television each week and some children
15 are exposed to as much as 11 hours of television a
16 day.

17 (4) Studies have shown that children exposed to
18 violent video programming at a young age have a
19 higher tendency for violent and aggressive behavior
20 later in life than children not so exposed, and that
21 children exposed to violent video programming are
22 prone to assume that acts of violence are acceptable
23 behavior.

24 (5) Children in the United States are, on aver-
25 age, exposed to an estimated 8,000 murders and

1 100,000 acts of violence on television by the time the
2 child completes elementary school.

3 (6) Studies indicate that children are affected
4 by the pervasiveness and casual treatment of sexual
5 material on television, eroding the ability of parents
6 to develop responsible attitudes and behavior in their
7 children.

8 (7) Parents express grave concern over violent
9 and sexual video programming and strongly support
10 technology that would give them greater control to
11 block video programming in the home that they con-
12 sider harmful to their children.

13 (8) There is a compelling governmental interest
14 in empowering parents to limit the negative influ-
15 ences of video programming that is harmful to chil-
16 dren.

17 (9) Providing parents with timely information
18 about the nature of upcoming video programming
19 and with the technological tools that allow them eas-
20 ily to block violent, sexual, or other programming
21 that they believe harmful to their children is the
22 least restrictive and most narrowly tailored means of
23 achieving that compelling governmental interest.

1 (b) ESTABLISHMENT OF TELEVISION RATING
2 CODE.—Section 303 of the Act (47 U.S.C. 303) is amend-
3 ed by adding at the end the following:

4 “(v) Prescribe—

5 “(1) on the basis of recommendations from an
6 advisory committee established by the Commission
7 that is composed of television broadcasters, television
8 programming producers, cable operators, appro-
9 priate public interest groups, and other interested
10 individuals from the private sector and that is fairly
11 balanced in terms of the points of view represented
12 and the functions to be performed by the committee,
13 rules to identify and rate video programming that
14 contains sexual, violent, or other material about
15 which parents should be informed before it is dis-
16 played to children; and

17 “(2) rules requiring the transmission by dis-
18 tributors of video programming of signals that con-
19 tain an identification of the rating (pursuant to the
20 rules prescribed under paragraph (1)) of the pro-
21 gramming being distributed and that permit parents
22 to block the display of video programming that they
23 have determined is inappropriate for their chil-
24 dren.”.

1 (c) REQUIREMENT FOR MANUFACTURE OF TELE-
2 VISIONS THAT BLOCK PROGRAMS.—Section 303 of the
3 Act, as amended by subsection (a), is further amended by
4 adding at the end the following:

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

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

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

15 (d) SHIPPING OR IMPORTING OF TELEVISIONS THAT
16 BLOCK PROGRAMS.—

17 (1) REGULATIONS.—Section 330 of the Com-
18 munications Act of 1934 (47 U.S.C. 330) is amend-
19 ed—

20 (A) by redesignating subsection (c) as sub-
21 section (d); and

22 (B) by adding after subsection (b) the fol-
23 lowing new subsection (c):

24 “(c)(1) Except as provided in paragraph (2), no per-
25 son shall ship in interstate commerce, manufacture, as-

1 semble, or import from any foreign country into the
2 United States any apparatus described in section 303(w)
3 of this Act except in accordance with rules prescribed by
4 the Commission pursuant to the authority granted by that
5 section.

6 “(2) This subsection shall not apply to carriers trans-
7 porting apparatus referred to in paragraph (1) without
8 trading it.

9 “(3) The rules prescribed by the Commission under
10 this subsection shall provide for the oversight by the Com-
11 mission of the adoption of standards by industry for block-
12 ing technology. Such rules shall require that all such appa-
13 ratus be able to receive the rating signals which have been
14 transmitted by way of line 21 of the vertical blanking in-
15 terval and which conform to the signal and blocking speci-
16 fications established by industry under the supervision of
17 the Commission.

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

22 (2) CONFORMING AMENDMENT.—Section
23 330(d) of such Act, as redesignated by subsection
24 (a)(1), is amended by striking “section 303(s), and

1 section 303(u)” and inserting in lieu thereof “and
2 sections 303(s), 303(u), and 303(w)”.

3 (e) APPLICABILITY AND EFFECTIVE DATES.—

4 (1) APPLICABILITY OF RATING PROVISION.—

5 The amendment made by subsection (b) of this sec-
6 tion shall take effect 1 year after the date of enact-
7 ment of this Act, but only if the Commission deter-
8 mines, in consultation with appropriate public inter-
9 est groups and interested individuals from the pri-
10 vate sector, that distributors of video programming
11 have not, by such date—

12 (A) established voluntary rules for rating
13 video programming that contains sexual, vio-
14 lent, or other material about which parents
15 should be informed before it is displayed to chil-
16 dren, and such rules are acceptable to the Com-
17 mission; and

18 (B) agreed voluntarily to broadcast signals
19 that contain ratings of such programming.

20 (2) EFFECTIVE DATE OF MANUFACTURING PRO-
21 VISION.—In prescribing regulations to implement
22 the amendment made by subsection (c), the Federal
23 Communications Commission shall, after consulta-
24 tion with the television manufacturing industry,
25 specify the effective date for the applicability of the

1 requirement to the apparatus covered by such
2 amendment.

○