

105TH CONGRESS
1ST SESSION

H. R. 1760

To amend the Communications Act of 1934 to provide for the implementation of systems for rating the specific content of specific television programs.

IN THE HOUSE OF REPRESENTATIVES

JUNE 3, 1997

Mr. BURTON of Indiana introduced the following bill; which was referred to the Committee on Commerce

A BILL

To amend the Communications Act of 1934 to provide for the implementation of systems for rating the specific content of specific television programs.

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 “Family Television
5 Viewing Information and Empowerment Act of 1997”.

6 **SEC. 2. IMPLEMENTATION OF RATING SYSTEMS FOR TELE-**
7 **VISION PROGRAMMING.**

8 Part I of title III of the Communications Act of 1934
9 (47 U.S.C. 301 et seq.) is amended by adding at the end
10 the following:

1 **“SEC. 337. RATING SYSTEMS FOR TELEVISION PROGRAM-**
2 **MING.**

3 “(a) SYSTEM REQUIRED FOR GRANT OR RENEWAL
4 OF BROADCAST TELEVISION LICENSE.—The Commission
5 shall not grant or renew a license for a broadcast television
6 station unless the person applying for the license submits
7 to the Commission with the application evidence of—

8 “(1) in the case of an application for the grant
9 of a license, a plan for the implementation of a sys-
10 tem for rating the content of television programming
11 to be broadcast by the station under the license; or

12 “(2) in the case of an application for the re-
13 newal of a license, evidence of the implementation as
14 of the date of the application of a system for rating
15 the content of television programming broadcast by
16 the station.

17 “(b) SYSTEM REQUIRED FOR ASSIGNMENT OF TRAN-
18 SITIONAL DIGITAL TELEVISION FREQUENCIES.—The
19 Commission shall not assign transitional digital television
20 frequencies to a broadcast television station unless the
21 person licensed to operate the station submits to the Com-
22 mission with the request for assignment evidence of the
23 implementation as of the date of the request of a system
24 for rating the content of television programming broadcast
25 by the station.

1 “(c) RECOVERY OF CERTAIN TRANSITIONAL FRE-
2 QUENCIES.—The Commission shall require a person as-
3 signed transitional digital television frequencies before the
4 date of enactment of this section to surrender such fre-
5 quencies to the Commission if the person does not submit
6 to the Commission, before commencement of the use of
7 such frequencies, evidence of the implementation of a sys-
8 tem for rating the content of television programming to
9 be broadcast using such frequencies.

10 “(d) SYSTEM ELEMENTS.—

11 “(1) IN GENERAL.—Each system for rating the
12 content of television programming under this section
13 shall provide a rating of the specific content of each
14 pre-recorded program broadcast by the television
15 station concerned.

16 “(2) SPECIFIC ELEMENTS.—The rating of a tel-
17 evision program under such system shall—

18 “(A) include information regarding lan-
19 guage content, sexual content, violent content,
20 and any other element that the person imple-
21 menting the system considers appropriate; and

22 “(B) be broadcast so as—

23 “(i) to appear in both visible and au-
24 dible form;

1 “(ii) to appear at the beginning of the
2 program, and every 30 minutes thereafter
3 in the case of a program in excess of 30
4 minutes in length; and

5 “(iii) to permit the automatic blocking
6 of display of the program using a feature
7 to block display of programs with a com-
8 mon rating required under section 303(x).

9 “(e) REVIEW BY COMMISSION.—

10 “(1) PURPOSE OF REVIEW.—The Commission
11 shall review each system for rating the content of
12 television programming submitted under this section
13 solely for the purpose of assuring that such system
14 meets the requirements of subsection (d).

15 “(2) SCOPE OF AUTHORITY.—Nothing in this
16 section may be construed to authorize or require the
17 Commission to establish or require a specific system
18 for rating television programming.

19 “(3) APPLICABILITY OF CONTENT-BASED
20 STANDARDS.—Nothing in this section may be con-
21 strued to limit the applicability to television pro-
22 grams covered by a system for rating television pro-
23 gramming under this section of any content-based
24 standards otherwise applicable to such programs
25 under any other provision of law.

1 “(f) DEFINITION.—As used in this section:

2 “(1) ADVANCED TELEVISION SERVICES.—The
3 term ‘advanced television services’ has the meaning
4 given such term in section 336(g)(1).

5 “(2) TRANSITIONAL DIGITAL TELEVISION FRE-
6 QUENCIES.—The term ‘transitional digital television
7 frequencies’ means television frequencies allotted by
8 the Commission for use by broadcast television sta-
9 tions for the transition of such stations from the
10 broadcast of analog television services to the broad-
11 cast of advanced television services.”.

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