

105TH CONGRESS
1ST SESSION

S. 409

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 SENATE OF THE UNITED STATES

MARCH 6, 1997

Mr. COATS introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

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”.

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.

26 “(c) SYSTEM ELEMENTS.—

1 “(1) IN GENERAL.—Each system for rating the
2 content of television programming under this section
3 shall provide a rating of the specific content of each
4 pre-recorded program broadcast by the television
5 station concerned.

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

8 “(A) include information regarding lan-
9 guage content, sexual content, violent content,
10 and any other element that the person making
11 the application under subsection (a) considers
12 appropriate; and

13 “(B) be broadcast so as—

14 “(i) to appear in both visible and au-
15 dible form;

16 “(ii) to appear at the beginning of the
17 program, and every 30 minutes thereafter
18 in the case of a program in excess of 30
19 minutes in length; and

20 “(iii) to permit the automatic blocking
21 of display of the program using a feature
22 to block display of programs with a com-
23 mon rating required under section 303(x).

24 “(d) REVIEW BY COMMISSION.—

1 “(1) PURPOSE OF REVIEW.—The Commission
 2 shall review each system for rating the content of
 3 television programming submitted under this section
 4 solely for the purpose of assuring that such system
 5 meets the requirements of subsection (c).

6 “(2) SCOPE OF AUTHORITY.—Nothing in this
 7 section may be construed to authorize or require the
 8 Commission to establish or require a specific system
 9 for rating television programming.

10 “(3) APPLICABILITY OF CONTENT-BASED
 11 STANDARDS.—Nothing in this section may be con-
 12 strued to limit the applicability to television pro-
 13 grams covered by a system for rating television pro-
 14 gramming under this section of any content-based
 15 standards otherwise applicable to such programs
 16 under any other provision of law.

17 “(e) DEFINITION.—As used in this section:

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

21 “(2) TRANSITIONAL DIGITAL TELEVISION FRE-
 22 QUENCIES.—The term ‘transitional digital television
 23 frequencies’ means television frequencies allotted by
 24 the Commission for use by broadcast television sta-
 25 tions for the transition of such stations from the

- 1 broadcast of analog television services to the broad-
- 2 cast of advanced television services.”.

