

110TH CONGRESS
2D SESSION

S. 3154

To require the Federal Communications Commission to prescribe a standard to preclude commercials from being broadcast at louder volumes than the program material they accompany.

IN THE SENATE OF THE UNITED STATES

JUNE 18, 2008

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

A BILL

To require the Federal Communications Commission to prescribe a standard to preclude commercials from being broadcast at louder volumes than the program material they accompany.

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 “Commercial Advertise-
5 ment Loudness Mitigation Act”.

6 **SEC. 2. RULEMAKING ON LOUD COMMERCIALS REQUIRED.**

7 (a) REGULATION REQUIRED.—Within one year after
8 the date of enactment of this Act, the Federal Commu-

1 nications Commission shall prescribe pursuant to the
2 Communications Act of 1934 (47 U.S.C. 151 et seq.) a
3 regulation that provides, in connection with any video pro-
4 gramming that is broadcast or that is distributed by any
5 multichannel video programming distributor, that—

6 (1) advertisements accompanying such video
7 programming shall not be excessively noisy or stri-
8 dent;

9 (2) such advertisements shall not be presented
10 at modulation levels substantially higher than the
11 program material that such advertisements accom-
12 pany; and

13 (3) the average maximum loudness of such ad-
14 vertisements shall not be substantially higher than
15 the average maximum loudness of the program ma-
16 terial that such advertisements accompany.

17 (b) DEFINITIONS.—For purposes of this section, the
18 terms “video programming” and “multichannel video pro-
19 gramming distributor” have the meanings given such
20 terms in section 602 of Communications Act of 1934 (47
21 U.S.C. 522).

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