

110TH CONGRESS  
2D SESSION

# S. 3156

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.

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IN THE SENATE OF THE UNITED STATES

JUNE 18, 2008

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

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## 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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