COMMITTEE AMENDMENT

[Staff Working Draft]

July 30, 2007

Purpose: To provide for a broader FCC inquiry into control technologies and methods of encouraging their development and use.

IN THE COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION—110TH Cong., 1ST Sess.

S. 602, 110TH Congress, 1ST Session

AUGUST 2, 2007

INTENDED to be proposed by Mr. PRYOR

Viz: Strike out all after the enacting clause and insert the following:

1 SECTION 1. SHORT TITLE.

This Act may be cited as the “Child Safe Viewing Act of 2007”.

2 SEC. 2. FINDINGS.

Congress finds the following:

(1) Video programming has a direct impact on a child’s perception of safe and reasonable behavior.

(2) Children may imitate actions they witness on video programming, including language, drug use, and sexual conduct.

(3) Studies suggest that the strong appeal of video programming erodes the ability of parents to
develop responsible attitudes and behavior in their
children.

(4) The average American child watches 4
hours of television each day.

(5) 99.9 percent of all consumer complaints
logged by the Federal Communications Commission
in the first quarter of 2006 regarding radio and tele-
vision broadcasting were because of obscenity, inde-
cency, and profanity.

(6) There is a compelling government interest
in empowering parents to limit their children’s expo-
sure to harmful television content.

(7) Section 1 of the Communications Act of
1934 requires the Federal Communications Commiss-
ion to promote the safety of life and property
through the use of wire and radio communications.

(8) In the Telecommunications Act of 1996,
Congress authorized Parental Choice in Television
Programming and the V-Chip. Congress further di-
rected action on alternative blocking technology as
new video technology advanced.

SEC. 3. EXAMINATION OF ADVANCED BLOCKING TECH-
NOLOGIES.

(a) INQUIRY REQUIRED.—Not later than 90 days
after the date of enactment of this Act, the Federal Com-
munications Commission shall initiate a notice of inquiry to consider measures to examine—

(1) the existence and availability of advanced blocking technologies that are compatible with various communications devices or platforms; and

(2) methods of encouraging the development, deployment, and use of such technology by parents that do not affect the packaging or pricing of a content provider’s offering.

(b) CONTENT OF PROCEEDING.—In conducting the inquiry required under subsection (a), the Commission shall consider advanced blocking technologies that—

(1) may be appropriate across a wide variety of distribution platforms, including wired, wireless, and Internet platforms;

(2) may be appropriate across a wide variety of devices capable of transmitting or receiving video or audio programming, including television sets, DVD players, VCRs, cable set top boxes, satellite receivers, and wireless devices;

(3) can filter language based upon information in closed captioning;

(4) operate independently of ratings pre-assigned by the creator of such video or audio programming; and
(5) may be effective in enhancing the ability of a parent to protect his or her child from indecent or objectionable programming, as determined by such parent.

(c) REPORTING.—Not later than 270 days after the enactment of this Act, the Commission shall issue a report to Congress detailing any findings resulting from the inquiry required under subsection (a).

(d) DEFINITION.—In this section, the term “advanced blocking technologies” means technologies that can improve or enhance the ability of a parent to protect his or her child from any indecent or objectionable video or audio programming, as determined by such parent, that is transmitted through the use of wire, wireless, or radio communication.