

108TH CONGRESS  
1ST SESSION

# H. R. 2825

To require the Federal Communications Commission to take actions necessary to ensure expeditious access by consumers to terrestrial digital television services.

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## IN THE HOUSE OF REPRESENTATIVES

JULY 23, 2003

Mr. TERRY (for himself, Mr. BOUCHER, Mr. BLUNT, Mr. SHIMKUS, Mr. ENGEL, Mr. OTTER, Mr. WYNN, Mr. BILIRAKIS, Mr. BASS, Mr. WHITFIELD, Mr. GREEN of Texas, and Mrs. CUBIN) introduced the following bill; which was referred to the Committee on Energy and Commerce

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## A BILL

To require the Federal Communications Commission to take actions necessary to ensure expeditious access by consumers to terrestrial digital television services.

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 “Consumer Access to  
5 Digital Television Enhancement Act of 2003”.

6 **SEC. 2. FINDINGS.**

7 The Congress finds the following:

1           (1) Multiple obstacles exist that prohibit or  
2 limit consumers' access to broadcast digital tele-  
3 vision services.

4           (2) Rapid elimination of several of these obsta-  
5 cles is readily achievable and would expand con-  
6 sumer access to digital television services, thus accel-  
7 erating the transition to DTV, consistent with sec-  
8 tion 309(j)(14) of the Communications Act of 1934.

9           (3) Swift adoption of "plug and play" regula-  
10 tions, enabling the manufacture and sale to the pub-  
11 lic of digital cable-ready televisions, is critical to en-  
12 suring access to DTV services by the 70 percent of  
13 television households that subscribe to cable.

14           (4) The ability of televisions marketed or la-  
15 beled as "digital cable-ready" to also include off-air  
16 digital reception capability further expands con-  
17 sumer access to digital television services.

18           (5) While the DTV transition is burdensome for  
19 broadcasters, the adoption of minimum power levels  
20 for transmission of digital television signals is impor-  
21 tant to expand consumer access to digital television  
22 services.

23           (6) In an effort to further the DTV transition,  
24 requiring off-the-air digital television broadcast tun-

1       ers in digital cable-ready DTV sets will expand con-  
2       sumer access to digital television services.

3       **SEC. 3. ACCESS TO DTV SERVICES BY CONSUMERS.**

4       (a) **ADOPTION OF CABLE COMPATIBILITY REQUIRE-**  
5       **MENTS.**—Within 30 days after the date of enactment of  
6       this Act, the Federal Communications Commission shall,  
7       by regulation, adopt and implement the regulations pro-  
8       posed in the memorandum of understanding between the  
9       cable and consumer electronics industries filed with the  
10      Commission on December 19, 2002, as contained in the  
11      Commission’s notice of proposed rulemaking concerning  
12      compatibility between cable systems and consumer elec-  
13      tronics equipment (FCC 03–3; adopted January 7, 2003).

14      (b) **OFF-AIR DIGITAL TELEVISION RECEPTION CA-**  
15      **PABILITY IN DIGITAL CABLE-READY TELEVISIONS.**—Reg-  
16      ulations adopted by the Commission under subsection (a)  
17      also shall require that all television receivers marketed or  
18      labeled as “digital cable-ready” include the capability to  
19      receive off-the-air digital television broadcast signals  
20      transmitted in conformance with part 73 of the Commis-  
21      sion’s rules.

22      **SEC. 4. MINIMUM REQUIRED POWER LEVELS FOR OFF-THE-**  
23      **AIR DIGITAL TELEVISION SIGNALS.**

24      Within 90 days after the date of enactment of this  
25      Act, the Federal Communications Commission shall revise

1 its regulations to establish minimum power levels and  
2 deadlines for achieving such power levels for any television  
3 broadcasting facility transmitting a digital broadcast sig-  
4 nal. Such regulations, at a minimum, shall require broad-  
5 casters to transmit a digital signal at sufficient power to  
6 ensure that its digital broadcast service matches the Grade  
7 A service contour of its NTSC broadcast signal by no later  
8 than July 1, 2004. Nothing in this Act shall limit the  
9 Commission's authority to prescribe higher power levels  
10 consistent with the objective of concluding the transition  
11 to digital television by December 31, 2006.

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