

Calendar No. 588

110TH CONGRESS
2^D SESSION

S. 602

[Report No. 110-268]

To develop the next generation of parental control technology.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 15, 2007

Mr. PRYOR (for himself, Mr. MENENDEZ, Mr. KOHL, Mr. DORGAN, and Mr. JOHNSON) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

MARCH 3, 2008

Reported by Mr. INOUE, with an amendment in the nature of a substitute

[Strike out all after the enacting clause and insert the part printed in *italic*]

A BILL

To develop the next generation of parental control technology.

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 “Child Safe Viewing
5 Act of 2007”.

1 **SEC. 2. FINDINGS.**

2 Congress finds the following:

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

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

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

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

14 (5) Seventy-five percent of adults surveyed be-
15 lieve that television content marketed toward chil-
16 dren should be subject to compulsory principles.

17 (6) Ninety-nine and nine-tenths percent of all
18 consumer complaints logged by the Federal Commu-
19 nications Commission in the first quarter of 2006
20 regarding radio and television broadcasting were be-
21 cause of obscenity, indecency, and profanity.

22 (7) There is a compelling government interest
23 in empowering parents to limit their children's expo-
24 sure to harmful television content.

25 (8) Section 1 of the Communications Act of
26 1934 requires the Federal Communications Commis-

1 sion to promote the safety of life and property
2 through the use of wire and radio communications.

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

8 **SEC. 3. EVALUATION OF ALTERNATIVE PARENTAL CON-**
9 **TROL TECHNOLOGIES.**

10 (a) **RULEMAKING PROCEEDING REQUIRED.**—Not
11 later than 120 days after the date of enactment of this
12 Act, the Federal Communications Commission shall ini-
13 tiate a proceeding to consider measures to encourage or
14 require the use of advanced blocking technologies that are
15 compatible with various communications devices or plat-
16 forms.

17 (b) **CONTENT OF PROCEEDING.**—In conducting the
18 proceeding required under subsection (a), the Federal
19 Communications Commission shall consider advanced
20 blocking technologies that—

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

24 (2) may be appropriate across a wide variety of
25 devices capable of transmitting or receiving video or

1 audio programming, including television sets, DVD
2 players, VCRs, cable set top boxes, satellite receivers,
3 and wireless devices;

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

6 (4) operate independently of ratings pre-as-
7 signed by the creator of such video or audio pro-
8 gramming; and

9 (5) may be effective in enhancing the ability of
10 a parent to protect his or her child from indecent or
11 objectionable programming, as determined by such
12 parent.

13 (e) DEFINITION.—In this section, the term “ad-
14 vanced blocking technologies” means technologies that can
15 improve or enhance the ability of a parent to protect his
16 or her child from any indecent or objectionable video or
17 audio programming, as determined by such parent, that
18 is transmitted through the use of wire, wireless, or radio
19 communication.

20 **SECTION 1. SHORT TITLE.**

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

23 **SEC. 2. FINDINGS.**

24 *Congress finds the following:*

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

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

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

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

12 (5) *99.9 percent of all consumer complaints*
13 *logged by the Federal Communications Commission*
14 *in the first quarter of 2006 regarding radio and tele-*
15 *vision broadcasting were because of obscenity, inde-*
16 *cency, and profanity.*

17 (6) *There is a compelling government interest in*
18 *empowering parents to limit their children's exposure*
19 *to harmful television content.*

20 (7) *Section 1 of the Communications Act of 1934*
21 *requires the Federal Communications Commission to*
22 *promote the safety of life and property through the*
23 *use of wire and radio communications.*

24 (8) *In the Telecommunications Act of 1996, Con-*
25 *gress authorized Parental Choice in Television Pro-*

1 *gramming and the V-Chip. Congress further directed*
2 *action on alternative blocking technology as new video*
3 *technology advanced.*

4 **SEC. 3. EXAMINATION OF ADVANCED BLOCKING TECH-**
5 **NOLOGIES.**

6 *(a) INQUIRY REQUIRED.—Not later than 90 days after*
7 *the date of enactment of this Act, the Federal Communica-*
8 *tions Commission shall initiate a notice of inquiry to con-*
9 *sider measures to examine—*

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

13 *(2) methods of encouraging the development, de-*
14 *ployment, and use of such technology by parents that*
15 *do not affect the packaging or pricing of a content*
16 *provider's offering.*

17 *(b) CONTENT OF PROCEEDING.—In conducting the in-*
18 *quiry required under subsection (a), the Commission shall*
19 *consider advanced blocking technologies that—*

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

23 *(2) may be appropriate across a wide variety of*
24 *devices capable of transmitting or receiving video or*
25 *audio programming, including television sets, DVD*

1 *players, VCRs, cable set top boxes, satellite receivers,*
2 *and wireless devices;*

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

5 *(4) operate independently of ratings pre-assigned*
6 *by the creator of such video or audio programming;*
7 *and*

8 *(5) may be effective in enhancing the ability of*
9 *a parent to protect his or her child from indecent or*
10 *objectionable programming, as determined by such*
11 *parent.*

12 *(c) REPORTING.—Not later than 270 days after the en-*
13 *actment of this Act, the Commission shall issue a report*
14 *to Congress detailing any findings resulting from the in-*
15 *quiry required under subsection (a).*

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

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