

111TH CONGRESS  
1ST SESSION

# H. R. 1084

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IN THE SENATE OF THE UNITED STATES

DECEMBER 16, 2009

Received; read twice and referred to the Committee on Commerce, Science,  
and Transportation

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## AN ACT

To require the Federal Communications Commission to pre-  
scribe 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Commercial Advertise-  
3 ment Loudness Mitigation Act” or the “CALM Act”.

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

5 (a) **REGULATION REQUIRED.**—Within 1 year after  
6 the date of enactment of this Act, the Federal Commu-  
7 nications Commission shall prescribe pursuant to the  
8 Communications Act of 1934 (47 U.S.C. 151 et seq.) a  
9 regulation that is limited to incorporating by reference and  
10 making mandatory (subject to any waivers the Commis-  
11 sion may grant pursuant to subsection (b)(2)) the “Rec-  
12 ommended Practice: Techniques for Establishing and  
13 Maintaining Audio Loudness for Digital Television” (A/  
14 85), and any successor thereto, approved by the Advanced  
15 Television Systems Committee, only insofar as such rec-  
16 ommended practice concerns the transmission of commer-  
17 cial advertisements by a television broadcast station, cable  
18 operator, or other multichannel video programming dis-  
19 tributor.

20 (b) **IMPLEMENTATION.**—

21 (1) **EFFECTIVE DATE.**—The Federal Commu-  
22 nications Commission shall prescribe that the regula-  
23 tion adopted pursuant to subsection (a) shall become  
24 effective 1 year after the date of its adoption.

25 (2) **WAIVER.**—For any television broadcast sta-  
26 tion, cable operator, or other multichannel video pro-

