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Electronic Industries Association

DEC 1995

December 8, 1995

Mr. William F. Caton
Acting Secretary and Deputy Secretary
Federal Communications Commission
1919 M Street, NW, Room 222
Mail Stop 1100
Washington, DC 20554

Re: V-Chip
Re: Advanced Television Systems and Their Impact Upon the Existing Television Broadcast Service
MM Docket No. 87-268

Dear Mr. Caton:

Mr. Gary Shapiro and Mr. Joe Peck met with Commissioner Ness's office on Friday, December 8, 1995, to discuss the above-referenced issues. Information discussed is attached.

In accordance with Section 1.1206 of the Commission's rules we are enclosing an original and one copy of this letter for placement in the file.

Respectfully submitted,

Joe Peck

Joe P. Peck
Staff Director, Congressional Affairs
Consumer Electronics Manufacturers Association

Attachment

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V-CHIP FACTS

* There is currently no such piece of technology as the so-called V-Chip available to consumers. V-Chip technologies are still under development.

* V-Chip technology does not work without the implementation of a program content ratings system.

* The V-Chip, furthermore, does not work unless the resulting ratings are encoded into programs electronically. Without the code, the technology cannot recognize a program based on content.

* Pending V-Chip legislation does not require program ratings or encoding.

* The EIA continues to work toward establishment of a voluntary industry standard for encoding program content information regarding violence, sex and adult language.

* V-Chip technology will cost manufacturers and consumers real dollars (up to $40 per set to the manufacturer) to install in television receivers. Costs associated with implementation of the feature will generally be inversely proportional to the market price of the television receiver. Thus the V-Chip mandate is a regressive "tax" on consumers.

* Two-thirds of the American households do not contain minor children.

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To: William A. Lagoni, Chairman EIA R-4

CC: George Hanover, EIA/CEMA

From: Joseph W. Forler, Interim Chairman EIA R-4.3

Subject: Content Advisory Amendment to ANSI/EIA-608 Standard

Date: November 13, 1995

At the November 1, 1995 meeting of R-4.3, the final reports from two seperate Line 21 Bandwidth Utilization studies were reviewed. These studies were performed to address the technical concerns raised during the Content Advisory ballot. As a result of these studies, R-4.3 has made editorial changes to the Content Advisory amendment to ANSI/EIA-608. The new version of this amendment is enclosed.

R-4.3 will continue to address recommended practices for the implementation of the Program Rating/Content Advisory XDS packet, in addition to field testing of Content Advisory XDS transmissions.

Based on the above actions, I consider that R-4.3 has met its obligation concerning the balloting of the Content Advisory amendment and request that you submit the amendment to ANSI for general balloting.

Regards,

Joseph W. Forler

Joseph W. Forler, Interim Chairman EIA R-4.3

Enclosure: Expanded XDS Program Rating Specification, 11/6/95

05h Program Rating

This packet includes two characters that contain information about the program's MPAA rating and mature-content advisories. The characters are non-ASCII, so bit 6 must always be set high (b6=1). The following chart indicates the contents of the characters:

Character	b6	b5	b4	b3	b2	b1	b0
Rating	1	-	-	a0	r2	r1	r0
Advisory	1	v1	v0	s1	s0	m1	m0

The bit a0 is used to indicate whether or not the content advisory character is used or applies to the program. A value of "1" indicates that the content advisory character does apply and a value of "0" indicates that the character does not apply.

The three bits r0 - r2 are used to encode the MPAA picture rating if used.

r2	r1	r0	Rating
0	0	0	N/A
0	0	1	"G"
0	1	0	"PG"
0	1	1	"PG-13"
1	0	0	"R"
1	0	1	"NC-17"
1	1	0	"X"
1	1	1	Not Rated

A distinction is made between N/A and Not Rated. When all zeros are specified (N/A) it means that motion picture ratings are not applicable to this program (e.g. made for TV movies). When all ones are used (Not Rated) it indicates a motion picture that did not receive a rating for a variety of possible reasons.

Bits b5 - b0 in the second character are used to indicate program's mature-content advisories. This character provides for three categories of mature content, each with four levels. The degree of content increases as the advisory level number increases in any given category. Bits v1 - v0 are used to convey information about any violent content in the program, s1 - s0 are used to provide information regarding any sexual content in the program, and the bits m1 - m0 are used to provide information about any mature content in the program.

v1	v0	Advisory level
0	0	No violent content
0	1	V1
1	0	V2
1	1	V3

s1	s0	Advisory level
0	0	No sexual content
0	1	S1
1	0	S2
1	1	S3

m1	m0	Advisory level
0	0	No mature content
0	1	M1
1	0	M2
1	1	M3

All program content analysis is the function of parties involved in program production or distribution. No precise criteria for establishing content ratings or advisories are given or implied in this section. The characters are provided for the convenience of consumers in the implementation of a parental viewing control system.

The data within this packet should be cleared or updated upon a change of the information contained in the Current Class Program Identification Number and/or Program Name packets.

ADDITIONAL NEW PARAGRAPH FOR SECTION 1.6

The following paragraph should be inserted between the second and third paragraphs of Section 1.6 on Extended Data Services.

As an adjunct to program identification, XDS provides the transport mechanism to identify advisories about mature program content, intended to help consumers make appropriate viewing choices.

EDITS TO SECTION 6.6

6.6.2.5 Program Rating

Bits 0-2 of the first byte of this packet carries information about the MPAA rating of the program while bit 3 indicates whether the second byte carries any relevant information about the program's content. This first byte is included in the Composite 1 packet and can be used to determine whether the second byte should be processed.

The MPAA designations should only be used for programs that have been labeled as such by the MPAA. The N/A (Not Applicable) in the ratings category should be used by all programs that would not normally be rated by the MPAA. The N/R designation would apply only for a motion picture (or version of a motion picture) not rated by the MPAA (Motion Picture Association of America).

The content advisory byte should include the appropriate information for each of the mature-content categories defined. The bits for any category in which there is No Content should be set to zero.

NEW SECTION 8.20

8.20 Viewer Control by XDS Program Rating

Receivers may be designed which act on the XDS Program Rating by informing consumers appropriately or by blocking selected program content. If the receiver is designed with a blocking feature based on the mature-content advisory bits of the XDS Program Rating packet (see Section 6.5.1), the following actions are mandatory.

When the blocking mechanism is triggered in accordance with the content advisory levels selected by the user, the receiver should do all of the following:

- mute the program audio
- render the video black or otherwise indecipherable
- eliminate program-related captions

The receiver must display information relevant to the action taken and may optionally display other XDS data.

EDITS TO SECTION 10.7

10.7.3 XDS Packet Handling Requirements

1. XDS data packets should be transmitted continuously to fill all available bandwidth beyond what is used by captioning and text. Text packets should be delayed if they consume more than 50% of the field 2 bandwidth available after captioning, and retransmitted at a 50% bandwidth rate.

   See annex C for suggested repetition rate algorithms.

2. These packets, if they contain data, might be transmitted every 2 to 4 seconds (high priority):

   Current Class: Composite 1, Composite 2, Length/Time-in-show, Program Title, Rating, Aspect Ratio.
   Channel Information Class: Network Name, Call letter/native channel
   Misc. Class: Impulse Capture
   Public Service Class: NWS Code

   Composite packets provide for a more efficient means of transmitting information than sending their component fields as individual packets. Each packet transmitted has at least four bytes of overhead (Start, Type, End, Checksum). By combining the data of several individual packets together, only one set of overhead bytes are used. If the information for two or more of their component fields is known, these packets may be used. If these packets are used, the individual packets which represent the same information should not be used--except as noted below. If information is to be added to a subsequent field, any prior field for which no information is available must be encoded as nulls as space holders. However, no nulls should be used after the last (right most) field of actual information. In the case of the Composite 1 packet, when the rating packet contains two significant bytes of information the Composite 1 packet should include the correct first byte of the rating packet and the complete Rating Packet should be sent independently at the recommended repetition rate.

(NEW PARAGRAPH)

The rating packet contains information that may be used to control a Parental Control Blocking feature of a television receiver. To prevent undue delay in the receiver's Blocking response time, it is important that this packet take precedence over other packets of equal or lower priority where practical. Therefore, the Rating Packet should be repeated at intervals no greater than 3 seconds unless delayed by captioning. The prioritization of time critical packets should be handled as follows:

Field 2 Captions always take priority.

The Time Of Day packet with a Z bit set can interrupt the transmission of any other XDS packet.

When the elapsed time since the previous transmission of the Rating Packet reaches 3 seconds, the transmission of any XDS packet other than TOD with Z bit set should be interrupted to send the Rating Packet.

When the NWS Code Packet is first received it should be sent out after the XDS packet currently being transmitted. Thereafter, it should be transmitted at a high repetition rate. (This paragraph clarifies the term "immediately" as used in 10.8.4.4.10.)

Any new XDS packets that are defined with a time critical option will have lower priority than the three XDS packets identified above.

3. These packets, if they contain data, might be transmitted every 10 to 30 seconds (medium priority):

   Current Class: Program ID (scheduled start time), Program Type, Audio Services, Caption Services, Program Description 1-8.

(The balance of 10.7.3 unchanged.)

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Electronic Industries Association

TECHNICAL REQUIREMENTS AND TELEVISION VIOLENCE: FACT SHEET AND POLICY STATEMENT

Representing the nation's television manufacturers, the Electronic Industries Association (EIA) is concerned about efforts to require every new TV set to allow parenting by remote control. Television manufacturers cannot determine program content and wish only to provide features that consumers demand.

Congress is considering legislation to help parents restrict or limit access to violent programming. To serve consumer needs and avoid unnecessary confusion, EIA believes that certain principles ought to apply to any TV receiver-based proposal:

- The approach taken to empower consumers should be reasonably calculated to **serve the intended purpose**;
- Any TV receiver-based parental control mechanism should:
  - Not be unduly expensive or complicated for **retailers to explain** and **consumers** to **implement**;
  - (Not be **resented**) by the consumers it is meant to serve;
  - **Be voluntary** - a feature to be selected by concerned consumers;
  - **Not be required** on all television models - consumers should not be forced to pay for an unwanted technology, but rather should have a choice.

Based on these principles, EIA **opposes** legislation requiring **mandatory** television circuitry that is both program-based and content-based. Basic **demographic** and **marketplace** facts demonstrate that such a mandatory approach would **be ineffective** and would confuse and impose unnecessary burdens on many consumers.

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Why Mandatory Technical Requirements Would Not be Effective

Legislation pending in Congress would require two types of circuitry in all new TVs of screen size 13" or larger: (1) a **circuit** that blocks programs which carry a common rating code for violent content; and (2) circuitry to lock out specific **time slots, programs and channels**.

Before **mandating** such features, consider that:

- **Two-thirds** of American households do **not** contain children under age 18.
- No violence rating system is in place for television programs. Much of the legislation introduced does not require any program encoding which is necessary to trigger the blocking circuitry.
- Mandating this circuitry would impose new costs on all television sets purchasers.
- Some **220 million** TVs are now in use in America. With 20 million sets sold yearly, it would take ten years to replace these sets **even if** an old set were destroyed for every new one purchased. But in reality, old TV sets usually are kept working in bedrooms, dens, etc. **To watch a show with a violent rating code, the child will only need one set in the household that pre-dates the new requirements.** Thus, it could take a **decade** or more for the proposed mandate to have an appreciable effect.

Mandated technical requirements on all new TVs would be overbroad and could take years before a discernable impact is felt -- even if program providers transmitted the violence rating code which activates the circuitry. **Voluntary** efforts can result in a more targeted and effective solution.

Voluntary Efforts Are A More Effective Approach

Those who care about children's viewing should know:

- Over 20 TV models now on the market offer a **channel blocking** feature that enhances parental options.
- In an EIA industry standard for **Extended Data Services (XDS)**, EIA has reserved space for TV program providers to encode their programs with "program content advisories." If TV programmers begin rating and encoding their programs, manufacturers will offer consumers the option of an XDS-equipped set that responds to such encoding.

- EIA is currently considering a proposed amendment to the XDS standard which would define the program content advisory slots which could be used as a basis for the electronic transmission of program content information.

- Most, or all, TV manufacturers will likely offer models that respond to consumers' desires who do need and want parental control features.

* * * * *

Simply stated, market forces combined with television programming industry sensitivity and parental responsibility will reach the desired goal of reducing children's viewing of TV violence. Mandating costly and confusing new features will not achieve this goal.

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ATV TALKING POINTS

EIA and the ATV Committee urge the Commission to conclude in their pending consideration of the ATV issue as follows:

- HDTV should remain the centerpiece of ATV. HDTV programming is needed to provide consumers with the incentive to transition from today's familiar NTSC service to tomorrow's ATV.

- Licensees should be required to broadcast a reasonable minimum amount of HDTV programming on their ATV channels. Such an obligation can be imposed without unduly burdening broadcasters or restricting their operating flexibility.

- Cable television will be key to the success of ATV. The Commission should confirm that the must-carry obligations of cable operators extend to both ATV and NTSC broadcasting. The Commission should also require cable operators to support the ATV standard adopted for over-the-air broadcasting.

- The Commission should not prescribe technical standards for television receivers. The marketplace can be safely relied upon to provide consumers with a rich variety of affordable television receivers capable of receiving multiple combinations of NTSC, SDTV and HDTV, as well as digital converters capable of supporting all present and future NTSC receivers. The marketplace can also be relied upon to inform consumers of their equipment options.

- Broadcasters should not be permitted to restrict competition in the consumer electronics marketplace through collective action.

- Initial eligibility to obtain ATV channels should be limited to existing broadcasters and they should be given the opportunity to do so without cost. If broadcasters use their spectrum for other than free, over-the-air TV programming, these broadcasters should be assessed spectrum fees (to the extent the Commission has the authority to do so).

- Broadcasters should be subject to date-certain ATV application and construction deadlines, giving due regard to the special circumstances of non-commercial broadcasters and broadcasters operating in small markets.

- The Commission should not decide now when to terminate NTSC broadcasting. The Commission, however, can productively address the kinds of factors that should be considered at a later point in the transition to ATV, including the number of households that remain exclusively dependent on terrestrial NTSC broadcasting, the availability of low-cost digital converters, and the amount of ATV programming available.

- The Commission should promptly recover as much contiguous television spectrum as possible. Toward this end, the Commission should make clear that NTSC spectrum is on "loan" to broadcasters pending the transition to ATV. The Commission should also consider economic incentives, as well as regulatory mechanisms, to speed the recovery and reallocation of this spectrum for new and innovative services.