March 17, 1997

Chairman Reed Hundt and FCC Commissioners
c/o Federal Communications Commission
1919 M Street NW, Room 222
Washington, D.C. 20554

CS 97-55

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APR 3 1997
Federal Communications Commission
Office of Secretary

DOCKET FILE COPY ORIGINAL

Dear Chairman Hundt and Commissioners:

Re: CS Docket No. 97-55, FCC 97-34

I have been dismayed by the new TV ratings guide. As a parent of a 7 and 10 year, I do not find this rating system useful in helping to select appropriate TV viewing for my children (or myself!). Additional information needs to be given explaining what is objectionable in the programs. I am also opposed to having others decide what is or isn't appropriate for my children to watch. I have found that a program rated TV-PG may be appropriate for my children to watch where a TV-14 is not according to my guidelines. Without additional information as to the reasoning of the rating I can not make an intelligent decision. Premium movie channels are already using a descriptive written rating systems - why can't regular channel TV do the same.

I am a PTA member and am involved in my children's lives. I plan to urge others to write to you on this matter so that you can better understand the widespread concern among parents. We must take a strong stance on this issue. It seems we have allowed the "line of decency" to get so far out of

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sight. Please give parents a useful tool in directing their children to helpful TV rather than harmful TV.

Sincerely,

Ellen Jones
411 Westcliff Dr
Euless, TX 76040

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APR 3 1997

Federal Communications Commission
Office of Secretary

March 13, 1997
CS 97-55

Dear Chairman Hundt & Commissioners,

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First I would like to thank you for comming up with the TV rating system. It's a good start. I also feel there is room for improvement. I would like to see the rating icon stay on the screen for the whole length of the program. For those of us who may tune in late or chanel changing to watch something more suitable. Also I would rather know what the shows content is: like "V" for violence, "L" for language, "S" for sexual content or nudity.

I'd like to thank you for your time on this matter for something thats important to me and my family.

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I'm also a member of our local P.T.A. This information was brought to our attention at our last meeting.

Thank you,
Carol Thomas
Farmington, AR
72730

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Federal Communications Commission
Office of Secretary

March 13, 1997

CS 97-55

Dear Chairman Hundt & Commissioners,

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Thank you,
Carol Thomas
Farmington, AR
72730

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221-0593
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Robert W. Larsen
Attorney at Law

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APR 3 1997
Federal Communications Commission
Office of Secretary

5205 Tonyawatha Trail
Madison, Wisconsin 53716

March 6, 1997

Office of the Secretary
Federal Communications Commission
1919 M Street, N. W.
Washington, DC 20554

DOCKET FILE COPY ORIGINAL

CS Docket No. 97-55

Dear Commissioners:

There is considerable controversy over the value and "acceptability" of the TV rating system recently announced by the television industry and now before the Federal Communications Commission. As an Assistant Attorney General for the State of Wisconsin, I have had 25 years' experience enforcing and interpreting state and federal laws. By this letter I wish to bring to the Commission's attention my opinion as a private attorney that the proposed rating system is deficient as a matter of law and should be rejected on that basis.

It is not complicated. The burden is on the industry to

> "establish rules for rating video programming that contains sexual, violent, or other indecent material about which parents should be informed before it is displayed to children" (P.L. 104-104. Sec. 551(e)(1)(A)).

Although the TV industry emphasizes that it has developed a ratings system, we must assume that Congress chose its words carefully and means what it says. The first part of sec. 551 (e) (1) (A) does focus on creating a ratings system, but it is the latter part of the provision which prescribes the purpose to be served and therefore the standard by which their adequacy must be judged. The latter portion indicates that there is "material about which parents should be informed before it is displayed to children." The kinds of material of main concern are stated to be "sexual, violent, or other indecent material."

Clearly, the provision requires the TV industry to give notice of the content of the programming and in particular whether it be "sexual, violent, or other indecent material."

The proposed system informs parents of what age categories the TV industry thinks should watch a program. There is nothing in the Telecommunications Act of 1996, that can be construed to call for an age-based rating system. The industry's

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categorization of a program is purportedly based on the content of the show, but the system does not inform the parent whether the show "contains sexual, violent, or other indecent material before it is displayed." The proposed system generally indicates that any or all of the types of material may be present, but that does not satisfy the clear intent of the law.

Consider a slightly different perspective. Since the proposed system gives only general notice that any or all of the various types of material is present, the only way a parent can determine whether the program contains material which the parent considers inappropriate to their child is to watch the entire program with the child. This obviously frustrates the whole purpose of the system. It is also in direct conflict with the statutory requirement that "parents should be informed before it is displayed to children."

This legal interpretation is supported by the Findings of Congress accompanying the legislation and in particular the one where Congress contemplates a system

> "providing parents with timely information about the nature of upcoming video programming and with the technological tools that allow them easily to block violent, sexual or other programming that they believe harmful to their children." (P. L. 104-104, Sec. 551 (a)(9)).

The proposed system is (1) not "timely," (2) does not provide parents with information about the nature of upcoming video program," and (3) does not allow parents to "easily" block violent, sexual, or other programming they believe harmful to their children. The only way the information will be "timely" and enable parents to "easily ... block violent, sexual or other programming" is if the information about content is provided to the parent prior to the program.

Likewise, the following remarks in the House Report accompanying the Telecommunications Act support this opinion:

> "In spite of the manifold benefits bestowed by H.R. 1555 on the nation's television industry, the bill fails to elevate the public interest obligations of broadcasters to meet the needs of parents and children. It is apparent that broadcasters are failing to meet the informational and educational needs of the child audience as required by the Children's Television Act of 1990. Moreover, the issue of increasing levels of violence in our society has focused attention on the graphic violence and other objectionable programming often found on both on [sic] broadcast and cable programming. ...

Despite repeated documentation of what society knows to be a serious problem, solutions have proved elusive. And when the hot glare of Congressional attention turns elsewhere, violence on television begins to increase again.

That is why we have concluded that parents must be given the technological ability to block violent shows when they are not in the room to supervise their children. Technology exists -- called a V-Chip ("v" for violence) or C-Chip ("c" for children) -- that allows parents in their own homes to block, in advance, any program rated violent. The decision to block is the parent's; the decision to rate is the broadcaster's. In this way, we can facilitate the job of parenting in the pervasive presence of television without having the government deciding which shows are acceptable and which are not." (Congressional & Administrative News, 104th Congress, pages 115 and 117.)

In addition to expressing the intent to give parents prior warning about content, this contemporaneous legislative history expressly contemplates that some programming will be "rated violent." The proposed system will not rate any program "violent."

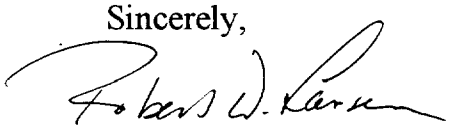
The House Report also recognizes the reality that

"In today's world, where most children have two working parents, it is unrealistic to expect that mom or dad will sit with their child for hours watching television and be there to turn off violent programs." (Congressional & Administrative News, 104th Congress, page 117.)

And yet, this is exactly what the proposed system will require.

Congress has delegated to the Commission the responsibility to determine whether the proposed system is "acceptable to the Commission" (Sec. 555(e)(1)(A)). This is a matter of judgment for the Commission, which will no doubt consider many of the same factors discussed above. However, this opinion is provided to inform the Commission that before undertaking to exercise its judgment, the Commission should determine that the proposed system is deficient as a matter of law.

Sincerely,



Robert W. Larsen

CS 97-55

1111 School Avenue
Freeport,Illinois
March 18,1997

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APR 3 1997
Federal Communications Commission
Office of Secretary

Mass Media Enforcement Division
1919 M Street
Washingotn, D.C.

Dear Mr. Reed Hundt, Chairman of the FCC

I am enclosing 4 copies of my comments to the Mass Media Enforcement Division regarding the TV Entertainment Industry Executives Rating System . I understand comments are to be made by April 8,1997.

yours truly,
Dorothy Rimington
Dorothy Rimington

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Mass Media Enforcement Division
1919 M Street
WAshington. D.C.
March 18,1997

Here are my comments regarding the TV Rating system being proposed by the TV Entertainment Industry Executives . I understand it went into effect two months ago.

Their proposed rating makes it easier for the Industry to rate TV programs the way they want to. Under the pretense of helping parents, they have done just the opposite.

They tell parents that all programs rated TV-y,TV-7, TV-PG, TV- 4, and TV-M, regardless of content or theme are suitable for children and youth. These six broad ratings are based on **their** estimation of **age appropriateness** and **their definition of content.**

Parents, congressmen and child advocates want ratings labeled for Sex (S). Violence (V) and Foul Language (L). Without this information parents will have to guess which heinous things have given a program its rating.

By 1998, new TV sets will come with TV- Chips that allow parents to block TV shows by their rating code if the rating code does not tell content or theme and is not rated for sex, violence or foul language how will a parent be warned about a program?.

The present TV Industry rating system went in effect at least two months ago. critics attacked immediately. They could see how ineffective it was for parents for the best interest for their children. On screen tags such as TV 14 are practically useless and are too vague to provide any helpful information.

It is not right for the persons producing the programs to rate their programs .It is like letting the fox in the hen house. Parents need **specific information** and it is up to the Federal Communication Commission to provide parents with the help they need to protect their children.

We, the public are **relying on the FCC** to protect our children by providing parents with a rating system that states specifically what is in a program - content and theme.

Yours truly,
Dorothy Rimington
Dorothy Rimington

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APR 3 1997

Federal Communications Commission
Office of Secretary

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RE: CS Docket No. 97-55, FCC 97-34

Dear Chairman Hundt and Commissioners:

I'm writing to voice my OPPOSITION to the v-chip rating system proposed by Jack Valenti, Chair of the TV Rating Implementation Group. The rating symbols as proposed on 1-17-97, do not provide sufficient information for parents to make a determination about the content of TV programming. Rating systems without content descriptors on the screen and publicized in written form are useless.

I request the following in order for the FCC to ensure the TV industry is meeting the statutory requirements of the Telecommunications Act of 1996.

· The FCC should accept only a system that includes content information - for example, V (for violence), S (for sexual depiction & nudity), and L (for language);

· The FCC require that the rating icon be prominently displayed on the screen, at frequent intervals throughout the program.

· The rating board be independent of the industry and include parents.

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Thank you for this opportunity to comment on an issue so important to children and families.

Sincerely,

Karen Lang-Cummings
Woodbine, MD 21797

March 10, 1997

Chairman Reed Hundt and FCC Commissioners
c/o Federal Communications Commission
1919 M Street N.W., Room 222
Washington, DC 20554

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APR 3 1997
Federal Communications Commission
Office of Secretary

Dear Chairman Hundt and Commissioners:

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RE: CS Docket No. 97-55, FCC 97-34

I am writing on behalf of the National PTA and the West Virginia PTA to voice my opposition to the v-chip rating system as presented by Jack Valenti, Chair of the TV Rating Implementation Group, on January 17, 1997. The rating symbol on the TV screen does not provide sufficient content information so that parents can make decisions about what is appropriate TV programming for their children. Major surveys released this fall which demonstrate overwhelming parent preference for a rating system that gives parents information about the content of programs were conducted by the National PTA, U.S. News and World Report, and Media Studies Center/Roper. Parents do not want the TV industry to interpret what is best for their children. Parents want to make those choices themselves based on content information about the program. Any rating system without content descriptions on the screen and publicized in periodicals that carry TV scheduling is useless.

The FCC, by law, is required to determine whether the industry's rating system has met statutory requirements of the Telecommunications Act of 1996. I do not believe this system does so and ask that the FCC not approve the industry rating system. Instead, I request the following:

* That under no circumstances should the FCC approve the industry's rating system. Further, the FCC should accept no rating system that does not include content information about programs such as V(for violence), S(for sexual depiction and nudity) and L(for language);

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* That the FCC require a V-chip band broad enough that would allow parents to receive more than one rating system;

* That the rating icon on the TV screen be made larger, more prominently placed on the screen, and appear more frequently during the course of a program;

* That the rating board be independent of the industry and the FCC and that it include parents; and

* That any rating system approved by the FCC be evaluated by independent research to determine if it meets the needs of parents.

Thank you for this opportunity to comment on an issue so important to children and families.

Sincerely, Harold D. Snider Jr.

3/24/97

RD #1 Box 467
NEW CUMBERLAND WVA. 26047

March 10, 1997

Chairman Reed Hundt and FCC Commissioners
c/o Federal Communications Commission
1919 M Street N.W., Room 222
Washington, DC 20554

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APR 3 1997
Federal Communications Commission
Office of Secretary

Dear Chairman Hundt and Commissioners:

MM: CS Docket No. 97-55, FCC 97-34

I am writing on behalf of the National PTA and the West Virginia PTA to voice my opposition to the v-chip rating system as presented by Jack Valenti, Chair of the TV Rating Implementation Group, on January 17, 1997. The rating symbol on the TV screen does not provide sufficient content information so that parents can make decisions about what is appropriate TV programming for their children. Major surveys released this fall which demonstrate overwhelming parent preference for a rating system that gives parents information about the content of programs were conducted by the National PTA, U.S. News and World Report, and Media Studies Center/Roper. Parents do not want the TV industry to interpret what is best for their children. Parents want to make those choices themselves based on content information about the program. Any rating system without content descriptions on the screen and publicized in periodicals that carry TV scheduling is useless.

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* That the rating board be independent of the industry and the FCC and that it include parents; and

* That any rating system approved by the FCC be evaluated by independent research to determine if it meets the needs of parents.

Thank you for this opportunity to comment on an issue so important to children and families.

Sincerely,

Mrs Harold D Snider
RD #1 Box 467
New Cumberland WV
26047

3/24/97

March 10, 1997

Chairman Reed Hundt and FCC Commissioners
c/o Federal Communications Commission
1919 M Street N.W., Room 222
Washington, DC 20554

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APR 3 1997
Federal Communications Commission
Office of Secretary

Dear Chairman Hundt and Commissioners:

RE: CS Docket No. 97-55, FCC 97-34

I am writing as a concerned citizen in support of the National PTA and its position of opposition to the v-chip rating system as presented by Jack Valenti, Chair of the TV Rating Implementation Group, on January 17, 1997. The rating symbol on the TV screen does not provide sufficient content information so that parents can make decisions about what is appropriate TV programming for their children. Major surveys released this fall which demonstrate overwhelming parent preference for a rating system that gives parents information about the content of programs were conducted by the National PTA, U.S. News and World Report, and Media Studies Center/Roper. Parents do not want the TV industry to interpret what is best for their children. Parents want to make those choices themselves based on content information about the program. Any rating system without content descriptions on the screen and publicized in periodicals that carry TV scheduling is useless.

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* That the rating icon on the TV screen be made larger, more prominently placed on the screen, and appear more frequently during the course of a program;

* That the rating board be independent of the industry and the FCC and that it include parents; and

* That any rating system approved by the FCC be evaluated by independent research to determine if it meets the needs of parents.

Thank you for this opportunity to comment on an issue so important to children and families.

Sincerely,

Herb + Lorene Morris
Hancock County
West Virginia

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March 22, 1997

Chairman Reed Hundt and FCC Commissioners
c/o Federal Communications Commission
1919 M Street N.W., Room 222
Washington, DC 20554

RECEIVED

APR 3 1997

Federal Communications Commission
Office of Secretary

Dear Chairman Hundt and Commissioners:

RE: CS Docket No. 97-55, FCC 97-34

I am writing on behalf of the National PTA and the San Luis Obispo County PTA to voice my opposition to the v-chip rating system as presented by Jack Valenti, Chair of the TV Rating Implementation Group, on January 17, 1997. The rating symbol on the TV screen does not provide sufficient content information so that parents can make good decisions about what is appropriate TV programming for their children, nor does the symbol appear long enough or frequently enough to be useful. Results of major surveys, including one conducted by the National PTA, indicate overwhelming parent preference for a rating system that gives parents information about the content of television programs. We do not want the TV industry to interpret what is best for our children instead we prefer to make informed decisions ourselves. Any rating system without content descriptions on the screen and **publicized in periodicals** that carry TV scheduling is useless.

The FCC, by law, is required to determine whether the industry's rating system has met statutory requirements of the Telecommunications Act of 1996. I do not believe this system does so and ask that the FCC not approve the industry rating system. Instead, I request the following:

- That under no circumstances should the FCC approve the industry's rating system. Further, the FCC should accept no rating system that does not include content information about programs such as V (for violence), S (for sexual depiction and nudity) and L (for language);
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- That the FCC require a V-chip band broad enough that would allow parents to receive more than one rating system;
- That the rating board be independent of the industry and the FCC and that it include parents; and
- That any rating system approved by the FCC be evaluated by independent research to determine if it meets the needs of parents.

The main objective of the rating system was to meet the needs of parents who want to exercise reasonable control over their children's viewing. The rating system must satisfy that objective.

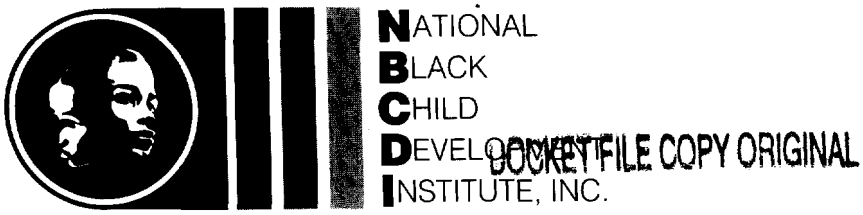
Thank you for this opportunity to comment on an issue important to children and families.

Sincerely,

Claire Camp Grether

Claire Camp Grether
340 Mira Sol Drive
San Luis Obispo, CA 93405

CS97-55



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APR 3 1997

Federal Communications Commission
Office of Secretary

April 3, 1997

Mr. William F. Caton, Acting Secretary
Federal Communications Commission, Room 222
1919 M Street, N.W.
Washington, D.C. 20554

Evelyn K. Moore
President and CEO

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Dear Mr. Caton:

The National Black Child Development Institute (NBCDI) is pleased to present its comments on the TV Parental Guidelines proposal submitted to the Federal Communications Commission by the National Association of Broadcasters, the National Cable Television Association, and the Motion Picture Association of America. We are aware that the proposed voluntary rating system for video programming went into effect in January, 1997.

As a national child advocacy organization serving African American children and their families, NBCDI is deeply and actively concerned about the pervasive unseemliness of television programming. For nearly three decades, we have advocated that parents supervise their children's television viewing. An appropriate rating system and blocking device will equip parents with the information and apparatus to fulfill that important responsibility.

Thus, NBCDI entirely supports the provisions of the "Telecommunications Act of 1996" requiring the establishment of a television rating system that empowers parents to make timely and informed decisions about what their children watch. We, however, are not satisfied that the industry proposal protects the parental choice and empowerment guarantees contained in the act. We, therefore, oppose the new guidelines and recommend revisions.

Our viewpoint is expressed in detail in the attached document entitled, *Give Parents True Choice: Recommended Revisions for the TV Parental Guidelines.*

Sincerely,

Evelyn K. Moore

Enclosure
c: Chairman Reed Hundt

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1023 15th Street, N.W., Suite 600, Washington, D.C. 20005 (202) 387-1281
Fax (202) 234-1738 • Web Site: www.nbcdi.org

27th Annual Conference • October 1-4, 1997 • Atlanta Hilton & Towers • Atlanta, GA

NATIONAL
BLACK
CHILD
DEVELOPMENT
INSTITUTE, INC.

Give Parents True Choice:

Recommended Revisions for the TV Parental Guidelines

Submitted by
Evelyn K. Moore, President
National Black Child Development nstitute
1023 15th Street, N.W., Suite 600
Washington, D.C. 20005
(202) 387-1281 Phone, (202) 234-1738 Fax
E-mail: moreinfo@nbcdi.org

to

William F. Caton, Acting Secretary
Federal Communications Commission
1919 M Street, N.W.
Washington, D.C. 20554

Thursday, April 3, 1997

Give Parents True Choice: Recommended Revisions for the TV Parental Guidelines

Prologue

The proliferation of violent, sexually explicit, and profane television programming created an urgent need for a television rating system and technological device parents can use to safeguard their children from exposure to harmful television fare. The Telecommunications Act of 1996 provided the television industry with the first opportunity to respond to this critical need. The result is the TV Parental Guidelines, a primarily age-based rating system developed by the National Association of Broadcasters (NAB), the National Cable Association (NCA), and the Motion Picture Association of America (MPAA).

The National Black Child Development Institute (NBCDI) believes the industry proposal falls short of the legislative requirement to provide parents with timely and adequate information about the nature of upcoming programming. Therefore, we are recommending reform measures to engender compliance with both the spirit of the law and section 551(a)(9) of the Telecommunications Act,[1] which specifies the timeliness criterion.

Situation Analysis

The child-unfriendly state of television is one of the tragic exigencies of our time. Congress documents that our nation's young children are exposed to some 8,000 murders and 100,000 acts of violence on television by the time they complete elementary school. The research literature contains copious evidence that such programming can adversely affect young viewers. Children who watch violent programming risk experiencing one or more adverse side effects, including exhibiting aggressive behavior, becoming desensitized to violence, acquiring a distorted fear of reality, and developing an insatiable appetite for on-screen violence.

African American children are most susceptible to the adverse effects of violent programming. Why? They watch more television than any other youth group, and they are disproportionately poor. Studies show that viewing habits and socioeconomic status are major factors influencing a child's response to violent programming. For example, poor children tend to be avid television viewers who are likely to live in high-crime areas. As a result, they face exposure to excessive TV violence as well as real-life violence. That combination blurs the lines between reality and fiction and creates the potential for behavioral and emotional problems.

Age also influences the impact television programming has on children. Children under seven generally are not able to distinguish make-believe from reality. Through their developing prisms, art is not just an imitation of life, it is life. Older children, on the other hand, have increased cognitive abilities which enable them to discern fact from fiction.

---

[1]Sec. 551 of the Telecommunications Act of 1996 finds that there is compelling government interest in providing "parents with timely information about the nature of upcoming video programming and with the technological tools that allow them easily to block violent, sexual, or other programming that they believe harmful to their children..."

As a confluence of elements, including program content, life experience and age, shape the impact television has on children, a workable rating system must not be one-dimensional, focusing almost exclusively on age.

Indeed, children are more than the sum total of their ages. What might be harmless for a 14-year-old child insulated from real-life violence might not be innocuous to another budding teenager who routinely encounters actual violence. The only logical way for parents to decide what is off-limits is to know in advance not only the age advisory but the degree of prohibitive content, as well. Absent a comprehensive system, the issue of genuine parental choice is at stake.

Recommendations and Rationale

As NBCDI believes that the TV Parental Guidelines do not comply fully with the rating system provisions of the Telecommunications Act of 1996, we recommend the following six reform measures:

1. Increase Emphasis on Program Content

The extent to which programs purvey sex, violence, or coarse language matters in determining the appropriateness for children. Therefore, the rating system should include substantive content advisories.

In 1985, the cable network Home Box Office (HBO) created its own content rating system. HBO's early effort to advise subscribers about the nature of programming has evolved into a system used by many cable networks, including Showtime, Cinemax, and The Movie Channel. This model system features 10 abbreviations designating the type and degree of content themes. They are: AL (Adult Language); GL (Graphic Language); MV (Mild Violence); V (Violence); GV (Graphic Violence); N (Nudity); BN (Brief Nudity); AC (Adult Content); SC (Strong Sexual Content); and RP (Rape).

By contrast, the TV Parental Guidelines only provide a cursory review of a program's content. Age is the dominant rating criterion while the equally substantive issue of content is treated superficially. The minimization of content is not surprising when considering the system was patterned after the Motion Picture Ratings System, which is principally age-based. However, according to industry's own polling data, nearly fifty percent (50%) of parents believe the movie rating system is only "somewhat helpful" and more than one-third of parents understand the movie rating system only "fairly well." Those are not high marks.

Parents are entitled to a system that quantifies and qualifies the significant factors characterizing the nature of a program. A system genuinely based on age and content is in order.