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Reed Hundt, Commissioner
Federal Communications Commission
1919 M Street, N.W.
Washington, D.C. 20554

To: Office of the Secretary

Re: Comments regarding the revised industry proposal for rating video programming (CS Docket No. 97-55; FCC 97-321)

Dear Commissioner Hundt:

The American Academy of Child and Adolescent Psychiatry (AACAP) and the American Psychiatric Association (APA) appreciate this opportunity to submit comments on the revised voluntary system for rating video programming. The AACAP is a national, professional association of more than 6,300 child and adolescent psychiatrists who have completed training in general and child and adolescent psychiatry. Similarly, the APA is a national medical specialty society representing more than 40,000 psychiatric physicians. As the two major medical psychiatric organizations with expertise in understanding development and behavior, our joint concerns about the revised rating system are for the benefit, protection, and well-being of America's children and adolescents. We continue to think that clear, content-based television guidelines are possible and urgently needed, specifically in concert with the v-chip technology.

While the APA was an active participant in the industry and the advocacy community's 1997 negotiations, the APA's Board of Trustees decided not to become a signatory to the cited "Attachment #2," the so-called modification of the T.V. Parental Guideline System. This decision was made because our significant concerns as detailed below. We urge the FCC to address this matter and provide support for the concerns of our professional organizations.

As requested by the FCC, the AACAP and the APA submit the following comments on the five specific areas of the revised rating system listed under item number six of the FCC Public Notice, September 9, 1997:

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R. Hundt letter
Oct. 6, 1997
page 2

Regarding item (1) whether video programming distributors have established voluntary 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, we appreciate that the "revised industry proposal" has added content symbols to its age-related symbols, but we are concerned that rating icons and blocking codes are chosen by raters without explicit criteria and objective methods, and we urge the development and use of explicit criteria and methods to reduce inconsistency and bias.

Regarding item (2) whether such voluntary rules are "acceptable," we encourage the Commission to find the "revised industry system" as "provisionally acceptable" with the guarantee that the technical opportunity is preserved for parents to have equal access to other rating systems which may be developed and introduced as alternatives to the industry proposal.

Regarding item (3) whether video programming distributors have agreed voluntarily to broadcast signals that contain such ratings, it appears that complete voluntary support is elusive, and we urge the Commission to press for all distributors to understand the importance of incorporating the revised rating system for use with the v-chip technology.

Regarding item (4) whether the revised industry proposal satisfies Congress' concerns in enacting the statute, the proposed guidelines for the oversight monitoring board do not reflect Congressional intent that advocacy groups have a fair and effective means to monitor the program ratings. The guidelines proposed by the industry continue the unbalanced composition of the board with 19 industry members (including its chairman) and five non-industry members. Further, the chairman selects the five non-industry members from among recommendations made by industry, other members of the board, and advocacy groups, and the chairman determines the agenda, meeting dates and times and whether any votes are required. The monitoring board, in order to respond to Congressional concerns, must be viewed as credible, trustworthy and reliable; the composition and structure of this board cannot meet these requirements.

There is additional concern that a) without explicit objective criteria with which to assess television programs for risk to children, the industry raters will not be able to be consistent in carrying out the child protection goals referred to in the Telecommunication Act, and that b) the industry's oversight monitoring board as it will be constituted will not be inclined to correct the inconsistencies.

Regarding item (5) whether the Commission should determine the acceptability of any alternative ratings systems used by video programming distributors, we believe the industry-sponsored agreement should have included specific language requiring the v-chip and



R. Hundt letter
Oct. 6, 1997
page 3

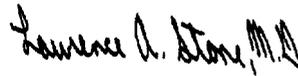
associated technology be designed to allow for the inclusion of rating systems additional to the one system to be mandated. Such a requirement for "open architecture" in the system would be supportive of traditional American values and principles of free speech.

We urge the Commission to address and resolve these important concerns about the Revised Industry Proposal for Rating Video Programming, Docket No 97-55, FCC 97-321.

Sincerely,



Herbert S. Sacks, M.D.
President, APA



Lawrence A. Stone, M.D.
President, AACAP

