

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of :)
)
Implementation of the Child Safe Viewing Act:) MB Docket No. 09-26
Examination of Parental Control Technologies)
For Video or Audio Programming)

To: The Commission

Comments of the Coalition for Independent Ratings

The Coalition for Independent Ratings (“The Coalition”) is a non-profit organization whose mission to promote the development and use of media content ratings systems that are independent of the media content producers¹. The Coalition works with advocacy organizations, educational institutions, government, and for-profit organizations in the pursuit of these goals. The Coalition commends Congress and the FCC for undertaking this Notice of Inquiry to “to examine “the existence and availability of advanced blocking technologies that are compatible with various communications devices or platforms.” This initiative is well-timed because of the new realities that parents and all media consumers all face.

Current Environment

Children, families and all consumers face a media landscape unlike anything that has come before. New media products appear monthly, new platforms are launched every year, and these platforms are quickly integrating. This offers consumers a rich market of media products from which to choose, but parents and others concerned about children's exposure to objectionable content face an extremely difficult challenge. It is too simplistic to say that each household will choose the content it deems appropriate because most

¹ For more information see the Coalition's website, www.independentratings.org

families do not have the time to review all the content that enters their homes and then make an informed decision. Therefore, consumers need to have tools and technologies they can utilize to screen out unwanted content. But even this task has become much more complex than before.

For example, the use of the V-Chip and TV Parental Guidelines rating system offer parents a way to block unwanted content from the TVs in their homes. However, there are already technologies that offer broadcast TV through a laptop computer or a cellphone, neither of which offer V-Chip and TV Parental Guidelines. The result is that while a parent can block unwanted content from the TV in the living room, their child can simply walk out the door and access the same unwanted content on a laptop or wireless device.

This highly integrated landscape requires solutions that are also integrated and sophisticated. The challenge for policymakers is to coordinate the many available resources to meet these challenges. While there are many commendable efforts currently underway, there has been little collaboration across government, industry and the advocacy communities. The Commission can demonstrate much-needed leadership by serving to coordinate these sectors.

New Solutions

Consumers are not waiting for government or industry to create solutions – they are generating their own. Appendix 2 of this document contains a list of over 100 sites that already offer rating, blocking and/or filtering services. A summary of these sites and the media they address is provided in Table 1. The number of these sites is a clear statement about consumer demand for such services. Unfortunately, the result is that many consumers feel both overwhelmed and confused because there is a lack of coordination among these systems.

Table 1 – Number of sites for rating, blocking and filtering media content

Media	Number of Sites
Television	12
Movies	12
Video games	11
Music	2
Internet	94

Achieving such coordination will require considerable time and effort and will likely be achieved through a series of phases over a period of time. However, the Coalition believes there is a simple first step that can be taken that could garner broad support – add ratings descriptors for use of alcohol, tobacco, and illegal drugs and to signal the presence of E/I programming². These descriptors would provide much-needed information about the presence of substances (alcohol, tobacco and illegal drugs) that are all public health concerns. The presence of a E/I content descriptor would help parents find appropriate programming for their children and help broadcasters fulfill their E/I obligations.

These ratings descriptors would provide the first update to the TV Parental Guidelines rating system in a decade and would raise awareness about the capacity of digital television to provide such ratings upgrades. Many consumers, advocacy organizations and even broadcasters are simply not aware of this feature of DTV, and will only recognize its value when some form of new rating is offered.

Necessary Data

The Commission's NOI asked for data on a wide range of topics. Such data is crucial for wise policy decisions, especially in a fast-evolving field such as this one. While collecting this information in the Spring of 2009 will be very useful, much of the data will have changed or become obsolete 6-12 months

² A sample of such a system is provided in Appendix 1

later. The Coalition recommends the creation of a group that can coordinate regular data collection and oversee its dissemination. Some of the data needed are:

- Comprehensive list of rating, blocking and filtering services across all platforms – TV, movies, video games, music and Internet that is continually updated as new services appear. A list of organizations already in existence is provided in Appendix 2 of this document and on the Coalition's website (www.independentratings.org)
- Analysis of the accuracy of existing rating, blocking and filtering services. How well do they perform the services they offer?
- Usage rates for rating, blocking and filtering services. Which services are consumers using? In this way, policy makers can know what services consumers are choosing.

Infrastructure for Television Ratings

V-Chip

a) *Usefulness of the V-Chip*: The V-Chip can have much greater impact than it has had to date. The primary problem has been raising parental awareness about how to use the V-Chip. The Commission's NOI refers to a 2007 Kaiser Foundation study that showed that only 16 percent of parents used the V-Chip³. However, the same study also found 71 percent of parents who used the V-Chip say they were “very” satisfied with it and that while 82 percent of parents had purchased a new TV between 2000 and 2007, 57 percent were unaware the TV had a V-Chip⁴. Thus, it appears the issue is less about the inadequacies of the V-Chip technology and more about educating parents and consumers about the presence of the V-Chip and how to use it.

³ *Parents, Children and the Media: A Kaiser Family Foundation Survey* (June 2007).

⁴ *Id* at 10.

b) *Promoting the V-Chip*: Broadcast networks and the Advertising Council are to be commended for their public service campaigns promoting the V-Chip. Yet the 2007 Kaiser study cited above suggests that more than half of parents who purchase a TV still are unaware of the presence of the V-Chip. There are several simple initiatives that industry could take to increase consumer awareness and use of the V-Chip. The first is to offer a V-Chip button on TV remote controls that would take consumers directly to the V-Chip menu. Since most TV remote controls have over 20 buttons currently, it should not be problematic for set manufacturers to add one more button that serves the public benefit. A second initiative would be to provide an insert in the packaging of televisions that clearly explains how to program the V-Chip. Such an insert should be easy to find, not simply part of the owner's manual. Third, TV set manufacturers could sell “family friendly” sets that are already pre-programmed at a given V-Chip setting (for which there would likely be a sizable market, given that the 2007 Kaiser Foundation study that identified that 25% of children age two and under have a TV in their bedroom⁵).

TV receivers

The Coalition is concerned about both the lack of available space for new ratings systems (or upgrades to the existing ratings systems) to power blocking technologies. As was noted in a previous filing to the Commission⁶, the amount of space available in RRT5 is extremely limited. Unless this issue is addressed, this space limitation will severely limit the creativity and scope of the type of solutions that will be available to consumers.

Appendix 1 provides a sample of how quickly the space in RRT 5 could be used up. Simply adding TV

⁵ *Parents, Children and the Media: A Kaiser Family Foundation Survey* (June 2007)

⁶ See Letter from The Benton Foundation, Common Sense Media, and the Coalition for Independent Ratings to Chairman Kevin J. Martin and Commissioners Deborah T. Tate, Michael J. Copps, Robert M. McDowell, and Jonathan S. Adelstein, dated November 7, 2008. A copy of the letter can be found in MB Docket No. 03-15

Parental Guidelines descriptors in English and Spanish for E/I programming and tobacco, drug and alcohol use requires two-thirds of the available space in RRT5. It would then be extremely difficult to add a new ratings system in both English and Spanish. In fact, simply translating the existing TV Parental Guidelines ratings system to Spanish would use up almost all of the additional space that has been allocated for ratings, leaving almost no space any new ratings content.

The Coalition believes these examples demonstrate the lack of space for new ratings systems. Unless this issue is addressed, many of the valuable ideas generated in this NOI process will be unachievable because there is not adequate space in the ratings tables to implement them.

Broadcasters

The Coalition is also concerned about the current ability of television stations to broadcast programs that contain additional ratings in RRT5. Anecdotal evidence suggests that most broadcasters do not have the required software to be able to send out RRT5. This is a cause for concern since the Commission⁷ has required broadcasters to fully implement PSIP noting specifically that broadcasters would have to transmit a new RRT should a new rating be adopted.

Need for Live Field Test

The Commission has stated that manufacturers: "...would have to transmit a new RRT in order to transmit the new or additional ratings information⁸" and specified that digital receivers "...must be able to process newer RRT version numbers or use new rating region codes as suggested by ATSC."⁹ To date there has

⁷ Second Periodic Review of the Commission's Rules and Policies Affecting the Conversion to Digital Television (FCC 04-192), page 67, section 152

⁸ Second Periodic Review of the Commission's Rules and Policies Affecting the Conversion to Digital Television (FCC 04-192), page 67, footnote 364

⁹ (FCC 04-192), page 70, paragraph 156

been no live field test of this capacity; there has only been lab testing. Yet it is a common consensus in the engineering community that new technologies always should be subjected to live field tests. In its preparations for the DTV transition the Commission wisely set up a live field test in Wilmington, NC, which provided extremely valuable information. Without a live field test the Commission runs the risk of creating a substantial legacy problem which may not be discovered for several years, at which time it would be too late.

Need for Ratings, Blocking and Filtering Oversight Group

As has been noted above and in the Commission's NOI, there is rapid deployment of new technologies across multiple platforms that are quickly integrating. Keeping up with the pace of technological development will require an ongoing effort by a body specifically tasked to monitor these changes and respond as new issues are raised. Congress has directed the NTIA to establish the Online Safety and Technology Working Group (“OSTWG”) “to review and evaluate the status of industry efforts ... to promote a safe online environment for children.”¹⁰ A similar group is needed to oversee rating, blocking and filtering efforts.

The responsibilities of such a group will have to be clearly defined. One need is collecting and disseminating relevant data on rating, filtering and blocking systems, as detailed above. A second and more complex need is for a group to create and maintain common standards for rating, filtering, and blocking content across multiple platforms. Many industries (hardware and software) have standards bodies that create and maintain agreed-upon standards. These standards provide a common baseline that fosters and enables collaboration. Such a common baseline is missing for rating, filtering, and blocking media content, with many negative effects. Each type of media has its own rating, filtering, and blocking services that often have little in common. Consumers find it difficult to learn the many different systems and also have

¹⁰ *Broadband Data Improvement Act*, Pub. L. 110-385, Sec. 214(b) (2008).

no way to compare them. A common standard would provide a baseline that would allow consumers move more easily from one system to the next and to make comparisons. The Commission could play an important leadership role by 1) stating the need for such a standard and 2) convening a group to work on its development.

Conclusions

The very fact of this NOI process is a recognition of the need to provide consumers with adequate tools with which to navigate the fast-growing world of media content. The Coalition's goal is never to censor content-producers or promote heavy-handed government intervention. Rather, it is to promote collaborative solutions developed by government, industry and the advocacy community as partners. The Coalition believes the Commission has a key role to play as the convener of these much-needed conversations and stands ready to participate in these conversations in any way that would be helpful.

Appendix 1

Each RRT table contains only 1024 bytes. The table below (and byte count to the right) shows that simply installing ratings for tobacco use and illegal drug and alcohol abuse in English Spanish would use approximately two-thirds of all the available space:

Sample RRT-5					<u>Overhead</u>	<u>Text</u>	<u>Total</u>
(English) US Augmented Advisories					24		24
Level	abbrev= value =	E/I Ratings	Substance Abuse	Tobacco Use	8	23	31
0		null null	null null	null null	40	37	77
1		E/I E/I	AA Alcohol Abuse	TU Tobacco Use	27	4	31
2		non-E/I non-E/I	DA Drug Abuse		27	7	34
					27	27	54
					18	9	27
					18	17	35
(Spanish) Aumentado Clasificacion US					7	26	33
Level	abbrev= value =	Clasificacion E/I	Abuso de Drogas	Uso de Tabaco	21	45	66
0		null null	null null	null null	21	4	25
1		E/I E/I	AA Abuso de Alcohol	TU Uso de Tabaco	21	8	29
2		non-E/I non-E/I	DA Abuso de Drogas		21	33	54
					14	9	23
					14	22	36
Totals					356	279	635

Appendix 2

The following is a list of organizations that provide some of form of rating, blocking or filtering of content for TV, movies, video games, music or Internet. The information is organized as follows:

Site Name	Site URL	Types of media the Site addresses: TV, movies, video games, music and Internet
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There are several points worth observing:

- All of the information presented in this appendix is what is reported by the organizations listed. The Coalition does not have the resources to confirm the accuracy of the information provided below.
- The breakdown by media type are as follows:
 - TV sites: 12
 - Movie sites: 12
 - Video games sites: 11
 - Music: 2
 - Internet sites: 89
- The vast majority of the sites listed below focus on the Internet.

Categories ratings/blocking/filtering systems: Television, Movies, Video Games, Music, Internet

Site Name	Site URL	Media
Common Sense Media	www.common sense media.org	Movies, Music Video Games, Internet, TV
Family Safe Media	www.family safemed ia.com/	Internet, TV
HP Media Center PCs	h10025.www1.hp.com/ewfrf/wc/document?lc=en&dlc=en&cc=us&docname=bph08006	Movies, TV
iWatchDog™ Program	www.iwatchdog.info	Internet, TV, Video Games, Movies
Pause Parent Play	www.pauseparentplay.org	Movies, TV
Parental Media Guide	www.parentalguide.org/ www.Tvboss.org	Movies, TV, Video Games, Music
Tufts University Child & Family Web Guide	www.cfw.tufts.edu/topic/2/30.htm	TV, Video Games
		TV
Blonder Tongue Labs	www.blondertongue.com/TV-Channel-Blocker	TV
Cable Puts You In Control	www.controlyourtv.org	TV
Media Awareness Network	www.media-awareness.ca/english/parents/television/ratings_codes_tv.cfm	TV
Parents Television Council	www.parentstv.org/	TV
TiVo Kidszone	www.tivo.com	TV
		Movies
Clearplay	http://www.clearplay.com/	Movies
Coalition for Children's Quality Media	www.kidsfirst.org	Movies
Family Style Film Guide	www.familystyle.com	Movies
filmratings.com	www.filmratings.com/guide.htm	Movies
Kids in Mind	www.kids-in-mind.com/	Movies
MOVIEGUIDE	http://www.movieguide.org	Movies
New York Times – Family Movie Guide	www.newyorktimes.com/learning/parents/movieguide/index.html	Movies
Parent Previews	www.parentpreviews.com/movieratings/index.shtml	Movies
Plugged In Online	www.pluggedinonline.com	Movies

ScreenIt	www.screenit.com/	Movies
		Video Games
ESRB	www.esrb.org www.respecttheratings.com/	Video Games
National Institute on Media and the Family	www.mediafamily.org	Video Games
Plain Games	www.plaingames.com	Video Games
ELSPA	www.elspa.com	Video Games
Gamer Dad	www.gamingwithchildren.com	Video Games
Play THQ	www.playthq.com	Video Games
Kid Confidence	www.kidconfidence.com	Video Games
		Internet
AOL Parental Controls	http://parentalcontrols.aol.com	Internet
Bsafe Home	www.bsafehome.com	Internet
Internet Content Rating Association.	www.icra.org/	Internet
Clean Internet	www.cleaninternet.com	Internet
CleanSurf	www.cleansurf.com/	Internet
Crispthinking	http://www.crispthinking.com/products.htm	Internet
CyberPatrol	www.cyberpatrol.com/	Internet
Cyber Sentinel	www.cybersentinel.co.uk	Internet
CyberSitter	www.cybersitter.com/	Internet
Family Cyber Alert	www.itcompany.com	Internet
Net Nanny	www.netnanny.com/	Internet
Surfwatch	www.surfwatch.com/	Internet
Crayon Crawler	www.crayoncrawler.com	Internet
CrossingGuard	www.crosswalk.com/crossingguard	Internet
Security Software Systems	www.securitysoft.com/	Internet
I-Gear	www.symantec.com	Internet
InterGate	internetproducts.com	Internet
Momma Bear	www.mommabear.com/	Internet
NetProtector	www.modemlock.com/us/national/netprotector	Internet
Pure Sight	www.puresight.net/	Internet
armadillo.com.hk	www.armadillo.com.hk/	Internet
WebKeys	www.webkeys.com/	Internet
8e6.com	www.8e6.com/	Internet
Get Net Wise	www.getnetwise.org/	Internet
AUP Action Tools	www.itech-mke.com	Internet
Cyber Snoop 3.0	www.pearlsw.com/school/index.html	Internet

Disk Tracy	www.watchsoft.com	Internet
Hexabit Junior 2.0	www.vr2.com/hexabit/index2.htm	Internet
Internet Filter Suite 1.0	www.turnercom.com	Internet
KidDesk Internet Safe	www.edmark.com/prod/kdis	Internet
OmniQuad Desktop Surveillance	www.omniquad.com/	Internet
SafeNet	www.safenetplus.com	Internet
Searchlight	www.spycatcher.com	Internet
Sentry Cam	www.sentrycam.com/fam	Internet
Sentry Parental Controls	www.sentryparentalcontrols.com	Internet
SOS Internet Filter	www.enovasoftware.com:81/products.asp	Internet
SurfWatch 3.0	www1.surfwatch.com	Internet
Web Chaperone	www.webchaperone.com	Internet
WinWhatWhere	www.winwhatwhere.com	Internet
X-Stop v.3.01	www.8e6technologies.com	Internet
CensorNet	www.censornet.com	Internet
Integrity Online	www.integrity.com	Internet
My Internet Doorman	www.myinternetdoorman.com	Internet
PTY Services	www.ptyservices.com	Internet
Blue Coat® K9 Web Protection	www1.k9webprotection.com	Internet
X-Stop	www.scinternet.net	Internet
Netmop Filtering	www.netmop.com	Internet
pkFamily	www.pkfamily.com	Internet
Surf Guardian	www.surfguardian.net/	Internet
Crossway Christian Filtered ISP Services	www.crosswayisp.net	Internet
Christian-Net	www.cnonline.net	Internet
Intrex	www.intrex.net/	Internet
True Vine Online	truevine.net	Internet
Pure Sight	www.puresight.net	Internet
Christian Purity Filtered Solution	www.cpurity.com	Internet
Total Net Guard	www.afo.net/	Internet
Safe Access	www.saferaccess.com	Internet
Internet Site Rating	www.surfnetkids.com	Internet
Internet-Filters	www.internet-filters.net/	Internet
Smart Fella	www.smartfella.com	Internet
EA Internet Filter	www.simtel.net	Internet
Web Watcher Kids	www.webwatcherkids.com/	Internet
SpyTech	www.spytech-web.com/	Internet
NetDog Internet Filter	http://www.shareup.net	Internet
Family Connect	www.parentscentre.gov.uk	Internet
Responsible Surfing	www.responsiblesurfing.com	Internet
Soft for you	www.softforyou.com	Internet
Spychecher	www.spychecker.com	Internet
Shareware Connection	www.sharewareconnection.com	Internet

Raceriver	www.raceriver.com	Internet
Software Security Solutions	www.softwaresecuritysolutions.com	Internet
Hide tools	www.hidetools.com	Internet
Content Keeper	www.contentkeeper.com	Internet
Effective & Efficient Filtering	www.filter-internet.org	Internet
Parental Tools	www.parentaltools.net/	Internet
Open Net PC	www.optenetpc.com	Internet
WiredSafety	wiredsafety.org/	Internet
Browser Defender 1.0 Beta	www.browserdefender.com/	Internet
The Internet Filter	www.internetfilter.com/w/home	Internet
Cyclope Internet Filtering Proxy 2.9	www.amplusnet.com	Internet
NetDogSoft Internet Porn Filter V3.96	www.netdogsoft.com/	Internet
Filter Reviews	www.filterreview.com/products.htm	Internet
PureSight	www.puresight.com/	Internet
SafeSurf	www.safesurf.com	Internet
SurfWatch	www.surfwatch.com/	Internet
Net Guardian	www.netguardian.co.nz/	Internet
iProtectYou	www.softforyou.com/	Internet
Safe Eyes	www.safeeyes.com/flash.htm	Internet
K9 Web Protection 3.2	www1.k9webprotection.com/	Internet
SurfKeeper 2.3	www.vttechs.com/sk/	Internet
CyberSieve 2.1	www.softforyou.com/cs-index.html	Internet
PGsurfer	paretologic.com/products/pgsurfer/index.aspx	Internet
SurfPass	www.cogilab.com/en/products/	Internet