

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

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

**COMMENTS OF
MOTION PICTURE ASSOCIATION OF AMERICA, INC.**

Motion Picture Association of America, Inc. (“MPAA”)¹ submits these comments in response to the Commission’s Notice of Inquiry (“NOI”) in the above-captioned proceeding.² The Commission has initiated this NOI “to examine the existence and availability of advanced blocking technologies that are compatible with various communications devices or platforms.”³ Among the devices and platforms identified in the NOI are so-called “non-networked” devices, including DVD players and VCRs.⁴ As noted in the NOI, these types of devices rely on prerecorded media which “gives parents

¹ MPAA is a trade association representing the six major U.S. producers and distributors of motion pictures, television programs and other audiovisual material presented in theaters, on pre-recorded media and via broadcast television, cable, satellite and the Internet. MPAA members are Paramount Pictures Corporation, Sony Pictures Entertainment Inc., Twentieth Century Fox Film Corporation, Universal City Studios LLLP, Walt Disney Studios Motion Pictures, and Warner Bros. Entertainment, Inc.

² These comments supplement the joint comments filed separately in this proceeding by National Association of Broadcasters, National Cable & Telecommunications Association, and MPAA (“Joint Commenters”).

³ NOI at page 1.

⁴ NOI at page 14. Such devices fall outside the scope of the Commission’s jurisdiction, however, since they were specifically identified in the Child Safe Viewing Act, the NOI sought comment on blocking technologies for these devices. Child Safe Viewing Act at Section 2(b)(2).

greater control...than they have over other distribution platforms” and utilize the MPAA ratings system.⁵

For over forty years, the MPAA has administered the well-known, voluntary movie rating system. The purpose and goal of the rating system is to empower parents so they can make informed decisions on whether to allow their children to view a particular motion picture. It continues to meet that goal and consistently receives the high recognition and approval of America’s parents. These comments are intended to provide the Commission with information about the movie ratings system, which is frequently used by parental control technologies and parents to guide appropriate viewing decisions for their children.⁶

The Motion Picture Voluntary Rating System

The Classification and Rating Administration (“CARA”) and the voluntary movie rating system it administers were established over forty years ago by the MPAA and the National Association of Theatre Owners, Inc. (“NATO”) in response to public concern over the content of motion pictures, balanced with the desire of filmmakers to put their visions on film, uncensored. Rather than placing restrictions on the content of movies, the voluntary rating system provides information about that content to allow parents to determine the suitability of individual motion pictures for viewing by their children.

⁵ NOI at page 15. Although the NOI seeks information about ratings systems used in conjunction with blocking technologies, this proceeding is not aimed at assessing the value of a particular ratings system, or to propose any government regulation of such systems. Indeed, there is nothing in the Child Safe Viewing Act of 2007 or any other statute that would provide the Commission with jurisdictional authority over any ratings system.

⁶ See comments of Joint Commenters at page 8.

CARA issues ratings for motion pictures exhibited and distributed in the United States. It is operated as an independent division of the MPAA and is self-supported, based on fees it receives from producers and distributors of motion pictures submitted for rating. The Rating Board is comprised of parents with children between the ages of five and fifteen when they join the Board. By issuing a rating, it seeks to inform parents of the level of certain content in a motion picture (violence, sex, drugs, language, thematic material, adult activities, etc.) that parents may deem inappropriate for viewing by their children. The members of the MPAA and NATO are not involved in the Rating Board's determination in assigning ratings to individual motion pictures.

The system has succeeded in withstanding the test of time, due to its simplicity, flexibility and ability to respond to the concerns raised by parents from across the country. As the ratings system has evolved, it remains conscious of cultural and social changes in the world in which it operates. These changes include the addition of the PG-13 rating, the addition of rating descriptors (applied to all motion pictures rated PG, PG-13, R or NC-17). Most significantly, the system still provides an avenue for filmmakers to put their vision on screen while alerting parents to the content of movies.

In endeavoring to meet the goal of providing information to parents, the movie rating system succeeds each year to match the expectations of those whom it is designed to serve – the parents of America. In recent years, almost 80% of parents said they found the ratings “very useful” to “fairly useful” in helping them decide their children's movie going habits.⁷

The Motion Picture Rating Process

⁷ ORC International, *An Appraisal of the Motion Picture Industry's Voluntary Rating System*, 2008.

Movies are voluntarily submitted for rating by CARA's Rating Board. The Rating Board issues a rating they believe the majority of American parents would apply to the motion picture. The ratings are assigned on the basis of the objective criteria set forth in the Rating Rules. Specifically, each movie is classified based on the entire content of the movie, viewed in context, into one of the rating categories defined in the Rating Rules. Each rating category (G, PG, PG-13, R and NC-17) identifies the type of content that may be found in the motion picture placed in that category.

The rating for the motion picture provides an initial indicator to parents about the level of content in a film. Additionally, for each motion picture rated PG, PG-13, R or NC-17, the Rating Board assigns rating descriptors, which indicate the *level* and *type* of content *within that rating category* for the motion picture. For example, the movie *Shrek* was rated PG for mild language and some crude humor and *Saving Private Ryan* was rated R for intense, prolonged, realistically graphic sequences of war, violence, and for language.

Parents are always encouraged to find out for themselves about motion pictures they are considering allowing their children to see, by reviewing parenting websites or publications and other available sources, but rating descriptors are at least one avenue in which CARA helps to give advance information to parents and provide context about the content of movies. Only parents, taking into consideration the sensitivities of their individual children, are intimately suited to determine whether a motion picture is appropriate for their children.

MPAA continues to explore avenues to educate parents about the rating system and the information it provides parents to empower them to make choices about what

movies they will allow their children to see. To that end, in 2006, the MPAA launched “Red Carpet Ratings,” a service for parents to receive weekly updates via e-mail or to their movie devices listing the ratings and rating descriptors for upcoming movie releases and for movies still in theaters. The MPAA operates the www.filmratings.com website which provides information about the rating and rating descriptors for those movies. Finally, the MPAA disseminates information concerning the rating system through brochures developed for display at theaters and in-store displays at retail outlets, so that parents have access to rating information at the point of purchase of motion picture product. The MPAA continues to seek opportunities to further empower parents to make informed decisions about what movies they will allow their children to see and further inform parents about the rating system and rating information for motion pictures.

Conclusion

The motion picture ratings system is a pioneer in providing parents an additional tool to guide their children’s viewing activity. The MPAA believes its voluntary ratings system is a success because it is simple to understand, flexible in its application and responsive to the concerns raised by parents from across the country.

Respectfully submitted,

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