V-Chip and TV Ratings: Helping Parents Supervise Their Children's Television Viewing

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Summary

To assist parents in supervising the television viewing habits of their children, Congress included a provision in the Telecommunications Act of 1996 (P.L. 104-104) that television sets with screens 13 inches or larger sold in the United States be equipped with a "V-chip" to screen out objectionable programming. A V-chip is a computer chip that can detect program ratings information that is transmitted with the television signal (broadcast or cable) and block the display of programs designated as unacceptable by parents. Use of the V-chip by parents is optional. In March 1998, the Federal Communications Commission approved technical standards for the V-chip and directed that manufacturers include V-chip technology in at least half of their product models by July 1, 1999 and the other half by January 1, 2000. At the same time, the Commission approved a program ratings system developed and now used by most of the television industry. An age-based ratings system was announced in December 1996. In July 1997 it was revised to add specific designators indicating why a program received a certain rating: S (sex), V (violence), L (language), D (dialogue), or FV (fantasy violence). One major broadcast network (NBC) continues to use the original system, refusing to adopt the revised system because it feels it is a step on the path to government censorship. One major cable network, BET, does not use any ratings system. Congress continues to monitor implementation of the V-chip closely. This report will be updated if needed.

Requirement for a V-chip

Section 551 of the Telecommunications Act of 1996 (P.L. 104-104, February 8, 1996) requires that all new television sets with a picture screen 13 inches or greater (measured diagonally) sold in the United States be equipped with a device that can block certain television programming. Dubbed the "V-chip" for "violence chip," the intent is to give parents more control over what their children see on television. On March 12, 1998, the Federal Communications Commission (FCC) announced that manufacturers must include V-chip technology in at least half of their product models with a 13-inch or larger screen by July 1, 1999, and the other half by January 1, 2000. The FCC adopted technical standards for the V-chip at that time and also approved the ratings system that enables the

V-chip to work. Some companies plan to offer devices that can work with existing TV sets.

The V-chip is a computer chip that reads an electronic code transmitted with the television signal (cable or broadcast) indicating how a program is rated. Using a remote control, parents can enter a password and then program into the television set which ratings are acceptable and which are unacceptable. The chip automatically blocks the display of any programs deemed unacceptable. Estimates of how much a V-chip would add to the cost of a television set range from pennies to $40.[1] Use of the V-chip by parents is entirely optional.

The V-chip can be adapted from chips used for closed-captioning. The ratings data will be sent on line 21 of the Vertical Blanking Interval found in the National Television System Committee (NTSC) signals used for U.S. television broadcasting. (Devices already are available for blocking access to specific television channels, or during certain time periods.[2] Also, households with digital satellite television can block out movies, since the movie ratings are digitally transmitted with the movie.)

Establishing a Ratings System

The first step in implementing the law was creating a ratings system for television programs, not unlike how movies have been rated since 1968 by the Motion Picture Association of America (MPAA). The law urged the television industry to develop a voluntary ratings system acceptable to the FCC, and the rules for transmitting the rating, within one year of enactment. Although the "V" is for violence, the ratings system actually is intended to reflect "sexual, violent or other indecent material about which parents should be informed before it is displayed to children, provided that nothing in this paragraph should be construed to authorize any rating of video programming on the basis of its political or religious content" [section 551(b)(1)].

After initial opposition, media and entertainment industry executives met with President Clinton on February 29, 1996, and agreed to develop the ratings system because of political pressure to do so. Many in the television industry are opposed to the V-chip, fearing that it will reduce viewership and hurt advertising. They also question whether it violates the First Amendment. Industry executives said they would not challenge the law immediately, but left the option open for the future (the law provides for expedited judicial review).

Beginning in March 1996, a group of television industry executivesunder the leadership of Jack Valenti, President of the MPAA (who created the movie ratings), met to develop a ratings system similar to that used with movies.[3] Details were released on

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[1]Dow Jones News Service (via AP), March 5, 1996, 03:53 PET quotes estimates of "from pennies to $10 a set." Broadcasting and Cable, February 12, 1996, p. 24 quotes "$5 [to] $40." Communications Daily, July 21, 1997, p. 4, cites "pennies per set."

[2]See Broadcasting and Cable, February 12, 1996, p. 24 for a list of some of those devices.

[3]The group included the national broadcast networks; independent, affiliated and public (continued...)

December 19, 1996 showing six age-based ratings (TV-Y, TV-Y7, TV-G, TV-PG, TV-14 and TV-M) with text explanations of what each rating represented in terms of program content. In January 1997, the ratings began appearing in the upper left-hand corner of the screen for 15 seconds at the beginning of programs. They also are published in some television guides. Thus, the ratings system is in use even though V-chips are not yet installed. News shows and sports are not rated (the Valenti group does not consider talk shows or programs about show business and reports on public figures and other issues of general interest to be news). All other programs are rated by the broadcast and cable networks and producers of programs. Local broadcast affiliates can override the rating given a particular show.

Critics of the December 1996 proposal, including some Members of Congress and groups such as the National Parent-Teacher Association, argued that the ratings provided no information on why a particular program received a certain rating. Some advocated an "S-V-L" system (sex, violence, language) to indicate with letters why a program got a particular rating, possibly with a numeric indicator or jointly with an age-based rating. Another alternative was the Home Box Office/Showtime system of ten ratings such as MV (mild violence), V (violence), and GV (graphic violence). Critics also argued that having industry rate its own programming lacked credibility. Mr. Valenti countered there is no practical alternative to rating approximately 2,000 hours of programming per day.

The Current "S-V-L-D" Ratings System

In response to the criticism, most of the television industry agreed to a revised ratings system (see box) on July 10, 1997 that went into effect Oct. 1, 1997. The revised ratings system adds designators that indicate whether a program received a particular rating because of sex (S), violence (V), language (L), or suggestive dialogue (D). A designator for fantasy violence (FV) was added for children's programming in the TV-Y7 category. The ratings are larger and appear for a longer period of time. Mr. Valenti chairs a 23-member Oversight Monitoring Board to ensure "accuracy, uniformity and consistency" in the applications of ratings. Five non-industry members were added to the original 19 members as part of the July 10 agreement. The Board had not met as of the end of 1997, however, because no complaints had been registered.[4]

MPAA, the National Association of Broadcasters, and the National Cable Television Association submitted the original industry proposal to the FCC on January 17, 1997. The revised proposal was submitted on August 1, 1997. A public comment period was open from September 9 to October 6 on the revised proposal. On March 12, 1998, the FCC approved the revised ratings system (along with the V-chip technical standards and effective date for installing them discussed earlier).

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[3](...continued)
television stations; cable programmers; producers and distributors of cable programming; entertainment and movie studios; and members of the creative guilds representing writers, directors, producers and actors.

[4] Communications Daily, December 22, 1997: 6.

U.S. TELEVISION INDUSTRY'S REVISED TV RATINGS SYSTEM

The following categories apply to programs designed solely for children:

TV-Y: All Children. *This program is designed to be appropriate for all children.* Whether animated or live-action, the themes and elements in this program are specifically designed for a very young audience, including children from ages 2-6. This program is not expected to frighten younger children.

TV-Y7: Directed to Older Children. *This program is designed for children age 7 and above.* It may be more appropriate for children who have acquired the developmental skills needed to distinguish between make-believe and reality. Themes and elements in this program may include mild fantasy violence or comedic violence, or may frighten children under the age of 7. Therefore, parents may wish to consider the suitability of this program for their very young children. Note: For those programs where fantasy violence may be more intense or more combative than in other programs in this category, such programs will be designated TV-Y7-FV.

The following categories apply to programs designed for the entire audience:

TV-G: General Audience. *Most parents would find this program suitable for all ages.* Although this rating does not signify a program designed specifically for children, most parents may let younger children watch this program unattended. It contains little or no violence, no strong language and little or no sexual dialogue or situations.

TV-PG: Parental Guidance Suggested. *This program contains material that parents may find unsuitable for younger children.* Many parents may want to watch it with their younger children. The theme itself may call for parental guidance and/or the program contains one or more of the following: moderate violence (V), some sexual situations (S), infrequent coarse language (L), or some suggestive dialogue (D).

TV-14: Parents Strongly Cautioned. *This program contains some material that many parents would find unsuitable for children under 14 years of age.* Parents are strongly urged to exercise greater care in monitoring this program and are cautioned against letting children under the age of 14 watch unattended. This program contains one or more of the following: intense violence (V), intense sexual situations (S), strong coarse language (L), or intensely suggestive dialogue (D).

TV-MA: Mature Audience Only. *This program is specifically designed to be viewed by adults and therefore may be unsuitable for children under 17.* This program contains one or more of the following: graphic violence (V), explicit sexual activity (S), or crude indecent language (L).

Source: Letter to the Federal Communications Commission submitting proposed rating system revision, August 1, 1997. (Signed by the presidents of the Motion Picture Association of America, National Cable Television Association, and National Association of Broadcasters).

105th Congress

The 105th Congress has been deeply involved in the TV ratings debate both formally and informally. The Senate Commerce, Science and Transportation Committee held a hearing on February 27, 1997. On May 19, Representative Tauzin, chairman of the telecommunications subcommittee of the House Commerce Committee, chaired a public forum on the subject in Peoria, IL. Three bills regarding TV ratings and the V-chip have been introduced. S. 363 (Hollings et al.) and H.R. 910 (Markey et al.), often called the

"safe harbor" bills, would not permit violent programming to be shown (with some exceptions) during hours when children comprise a large portion of the audience unless it could be screened out by a V-chip specifically on the basis of its violence. The Hollings bill was reported from the Senate Commerce Committee September 25, 1997 (S.Rept. 105-89). S. 409 (Coats) would require broadcast television stations to use a content-based ratings system as a condition of obtaining or renewing their licenses. Concerned that Congress would attempt to pass further legislation even if they agreed to change the ratings system, industry representatives sought and were given assurances by many of the principal House and Senate critics not to move forward with legislation on ratings, content, or scheduling for several years in exchange for the revised ratings system. Some key Senators did not agree to a legislative moratorium, however, including Senator Hollings who has stated that he hopes to bring S. 363 to the Senate floor for a vote.

Congressional attention is focused today on convincing NBC and Black Entertainment Television (BET) to use the revised ratings. They are the only two major broadcast or cable networks who reject the revised ratings (BET also rejected the original ratings). NBC says it believes the ultimate aim of the ratings is to dictate programming content, infringing on its First Amendment rights. The network says it will only use the revised ratings if the public demands it, and continues to use the original ratings augmented by parental advisories. Other groups also oppose or are skeptical of the revised system for varying reasons, including the Directors Guild of America, the Writers Guild of America, the Screen Actors Guild, some syndicators, and Morality in Media, Inc.

Other Countries

Violence on television is not unique to the United States, and other countries also are debating the V-chip concept. The V-chip is often said to have been invented in Canada.[5]

The Action Group on Violence on Television (AGVOT) was charged by the Canadian Radio-television and Telecommunications Commission (CRTC) with developing a nationwide ratings system. AGVOT tested one during 1996 in which each program had a four-digit rating indicating a level of 0-5 for age, and for violent, language and sexual content. For example, a program rated 3234 would indicate age level 3 (adult 16+), violence level 2 (mild), language level 3 (coarse), and sexuality level 4 (full nudity). AGVOT withdrew this experimental system in December 1996 because of technical problems and difficulty in deciding how to rate certain programs. Others in Canada complained that it was too complicated, or that the Canadian system should be compatible with the one used in the United States since so much U.S. TV programming is seen in Canada. In April 1997, AGVOT proposed a new system that is quite similar to the Valenti group's original proposal except that it adds a category for exempt programming. CRTC adopted the ratings on June 18, 1997. The Canadian TV Ratings (CTR) are: CTR-E (exempt, including news, sports, documentaries, talk shows, other informational programming, music videos, variety); CTR-C (for children 8 and younger); CTR-8+ (for children over 8); CTR-FAM (family viewing); CTS-PA (parental guidance); CTR-14+ (for those over 14); and CTR-18+ (for adults). Each is accompanied by text explaining what the rating indicates, especially in terms of violence.

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[5]A history of Canada's interest in reducing violence on television and the V-chip can be found at the following World Wide Web site: http://www.crtc.gc.ca/eng/info_sht/tv1e.htm.

Canada's implementation of the V-chip proceeded more slowly than anticipated. In March 1996, CRTC had directed the broadcast industry to encode programs with ratings beginning on September 6, 1996. By January 1997, television distributors and cable companies were to ensure that foreign signals they broadcast also were encoded (70% of Canada's television programming originates in the United States). CRTC postponed these dates in October 1996, however, with rating and encoding to be in effect for the fall 1997 season and the foreign signal requirement extended until September 1997. The ratings system went into effect for English-language and specialty programming on September 29, 1997. French-language and premium programming will continue to use their own established ratings systems.

Other countries also have been looking at the issue. In 1996, Britain's then-National Heritage Secretary, Virginia Bottomley, asked British broadcasters to monitor the U.S. ratings system and report back to her, and also was assessing the technical feasibility of the V-chip. The position of the new British government on this issue is unclear. European Union culture ministers debated the issue following a call from the European Parliament to institute a V-chip requirement, but the EC Council decided instead to study the matter further. Australia announced new censorship controls following the Port Arthur massacre in April 1996 where 35 people were killed. The massacre sparked a debate about violence on television and in the entertainment industry. Among the new controls is a V-chip requirement in new television sets.

Conclusion

The effect of television violence on society, especially children, has been long debated.[6] What effect the V-chip ultimately may have on television viewing is controversial. Supporters claim that since television producers will want their shows to be viewed in as many households as possible, they will reduce the level of violence in the programs. Critics complain that television will become lackluster. Other opponents assert that if one violent scene will earn a program a bad rating, then producers will feel free to have more violence in any program since it will be blocked anyway, hence increasing the overall violence level. Others argue that many older children will be able to defeat the password-protected system and change what their parents have programmed. Or they could watch a smaller than 13-inch TV set.

Skeptics have noted that the ratings system does not appear to have had a significant impact on viewing habits so far.[7] However, the ratings are not yet coupled with the V-chip. To date, the ratings are only symbols that briefly appear on the TV screen and may be printed in some TV listings. The effect of the system may increase once parents are able to program the TV set not to display programs with certain ratings.

Virtually everyone agrees that the V-chip is no panacea. Ultimately, parents must take responsibility for their children's viewing habits. TV ratings and the V-chip are merely tools to assist them.

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[6]See: Television Violence and its Effect on Society: An Updated Overview, by Edith F. Cooper and Marcia S. Smith. CRS Report 95-144 SPR, May 13, 1996. 34 p.

[7]Paul Fahrl, Viewers' Mute Response, Washington Post, February 25, 1998: D1, 3.