

S 616

Indecent and Gratuitous and Excessively Violent Programming Control Act of 2005

Congress: 109 (2005–2007, Ended)

Chamber: Senate

Policy Area: Science, Technology, Communications

Introduced: Mar 14, 2005

Current Status: Read twice and referred to the Committee on Commerce, Science, and Transportation. (text of measure
Latest Action: Read twice and referred to the Committee on Commerce, Science, and Transportation. (text of measure as introduced: CR S2650-2652) (Mar 14, 2005)

Official Text: https://www.congress.gov/bill/109th-congress/senate-bill/616

Sponsor

Name: Sen. Rockefeller, John D., IV [D-WV]
Party: Democratic • State: WV • Chamber: Senate

Cosponsors (1 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Hutchison, Kay Bailey [R-TX]	R · TX		Mar 14, 2005

Committee Activity

Committee	Chamber	Activity	Date
Commerce, Science, and Transportation Committee	Senate	Referred To	Mar 14, 2005

Subjects & Policy Tags

Policy Area:

Science, Technology, Communications

Related Bills

No related bills are listed.

Indecent and Gratuitous and Excessively Violent Programming Control Act of 2005 - Directs the Federal Communications Commission (FCC) to assess the: (1) technological and practical effectiveness of measures that require television broadcast station licensees (licensees) and multichannel video programming distributors (MVPDs) to rate and encode programming that could be blocked by parents; (2) prevalence of violent programming on television; and (3) effectiveness of the current system for rating and encoding violent programming. Requires the FCC, if it determines that current rating and encoding measures are not effective in protecting children from violent or indecent video programming, to initiate and conclude a rulemaking proceeding to: (1) prohibit licensees from broadcasting such programming during children's viewing hours; or (2) adopt measures that adequately protect children from such programming. Provides exemptions, including premium and pay-for-view services.

Amends the Communications Act of 1934 to provide forfeiture penalties for licensees or license applicants determined to have broadcast obscene, indecent, or profane language or images. Outlines factors to be considered in determining penalty amounts, including: (1) whether the material was live or recorded, scripted or unscripted; (2) whether a time delay blocking mechanism was implemented; (3) the size of the audience and market; and (4) whether the violation occurred during children's viewing hours. Requires public hearings with respect to violations of indecency prohibitions.

Requires licensees or permittees that receive programming from an unaffiliated network to be given reasonable opportunity to review all recorded or scripted programming in advance, and to preempt any violating programming.

Requires each licensee, MVPD, and other programming service to provide a warning of the specific content of each recorded or scripted program it broadcasts.

Directs the FCC to: (1) assess the effectiveness of voluntary programming rating standards; and (2) require each licensee to broadcast daily at least six hours of educational and informational programming.

Expresses the sense of Congress that each licensee, MVPD, and other programming service should reinstitute or adopt provisions set forth in the "Television Code of the National Association of Broadcasters," as adopted on December 6, 1951.

Actions Timeline

- **Mar 14, 2005:** Introduced in Senate
- **Mar 14, 2005:** Sponsor introductory remarks on measure. (CR S2649-2650)
- **Mar 14, 2005:** Read twice and referred to the Committee on Commerce, Science, and Transportation. (text of measure as introduced: CR S2650-2652)