110TH CONGRESS 1ST SESSION

H. R. 608

To further inform consumers about the transition to digital television.

IN THE HOUSE OF REPRESENTATIVES

January 22, 2007

Mr. Barton of Texas (for himself, Mr. Upton, and Mr. Hastert) introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To further inform consumers about the transition to digital television.

- 1 Be it enacted by the Senate and House of Representa-
- 2 tives of the United States of America in Congress assembled,
- 3 SECTION 1. SHORT TITLE.
- 4 This Act may be cited as the "Digital Television Con-
- 5 sumer Education Act of 2007".
- 6 SEC. 2. CONSUMER EDUCATION.
- 7 (a) Consumer Education Requirements.—Sec-
- 8 tion 330 of the Communications Act of 1934 (47 U.S.C.
- 9 330) is amended—

1	(1) by redesignating subsection (d) as sub-
2	section (e); and
3	(2) by inserting after subsection (c) the fol-
4	lowing new subsection:
5	"(d) Consumer Education Requirements Re-
6	GARDING ANALOG RECEIVERS.—
7	"(1) REQUIREMENTS FOR RETAILERS.—Not
8	later than 45 days after the date of enactment of
9	the Digital Television Consumer Education Act of
10	2007—
11	"(A) any retail distributor that displays for
12	sale or rent any analog-only television sets shall
13	place conspicuously in the vicinity of such tele-
14	vision sets a sign containing, in clear and con-
15	spicuous print, the consumer alert described in
16	paragraph (2); and
17	"(B) any retail distributor that offers for
18	sale or rent such television sets via direct mail,
19	catalog, or electronic means shall prominently
20	display in the vicinity of all advertisements or
21	descriptions of such television sets, in clear and
22	conspicuous print, the consumer alert described
23	in paragraph (2)

1 "(2) Digital Television transition infor-2 MATION.—The consumer alert required by this para-3 graph shall read as follows: "CONSUMER ALERT 4 5 "This TV has only an analog broadcast 6 tuner and will require a converter box after 7 February 17, 2009, to receive over-the-air broadcasts with an antenna because of the Na-8 9 tion's transition to digital broadcasting. The TV 10 should continue to work as before with cable 11 and satellite TV services, gaming consoles, 12 VCRs, DVD players, and similar products. For 13 more information, call the Federal Communica-14 tions Commission at 1-888-225-5322 (TTY: 15 1-888-835-5322) or visit the Commission's 16 digital television website at: www.dtv.gov.'. 17 "(3) MVPD OUTREACH.—During the period be-18 ginning May 1, 2007, and ending February 17, 19 2009, each multichannel video programming dis-20 tributor (as such term is defined in section 602 of 21 this Act) shall include a notice in any monthly or 22 other periodic bill that informs consumers of— "(A) the digital television transition; and 23 "(B) the options consumers have after the 24 25 transition to continue to receive broadcast programming, including over the air or through a multichannel video programming distribution service.

> "(4) Broadcaster outreach.—During the period beginning on May 1, 2007, and ending November 3, 2008, each full-power commercial television broadcast licensee or permittee shall file, at least once every 90 days, either individually or jointly (such as through an association), a report with the Commission indicating the steps each such licensee or permittee has taken during the preceding 90 days, and any steps such licensee or permittee plans to take in the 90 days following the report, to inform consumers of the information described in subparagraphs (A) and (B) of paragraph (3). Each such report shall indicate for each such licensee or permittee the time, frequency, and content of any public service announcements relating to the digital television transition that it has aired, or that it has not aired any.

> "(5) Penalty.—In addition to any other civil or criminal penalty provided by law, the Commission may issue civil forfeitures for violations of the requirements of this subsection in an amount equal to

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1	not more than 3 times the amount of the forfeiture
2	penalty established by section 503(b)(2)(A).
3	"(6) Sunset.—The requirements of this sub-
4	section shall cease to apply on December 1, 2009.
5	"(7) Definition.—For the purposes of this
6	subsection, the term 'analog-only television set'
7	means any apparatus that—
8	"(A) is designed to receive broadcast tele-
9	vision signals;
10	"(B) has an integrated display screen or is
11	sold in a bundle with a display screen; and
12	"(C) is not capable of receiving broadcast
13	signals in the digital television service.".
14	(b) Commission Outreach.—
15	(1) In general.—Not later than 30 days after
16	the date of enactment of this Act, the Federal Com-
17	munications Commission shall establish and main-
18	tain a digital television transition public outreach
19	program. The Commission may seek the assistance
20	of private entities, such as broadcasters, manufac-
21	turers, retailers, multichannel video programming
22	distributors, and consumer groups in administering
23	the program. The digital television transition public
24	outreach program shall educate consumers about—
25	(A) the digital television transition;

- 1 (B) the options consumers have after the 2 transition to continue to receive broadcast pro-3 gramming, including over the air or through a 4 multichannel video programming distribution 5 service; and
 - (C) the converter-box program under section 3005 of the Digital Television Transition and Public Safety Act of 2005 (47 U.S.C. 309 note).
 - (2) Website.—The Commission shall maintain and publicize a website, or an easily accessible page on its website, containing the digital television transition public outreach information required under paragraph (1), as well as any links to other websites the Commission determines to be appropriate.
 - (3) DTV WORKING GROUP ON CONSUMER OUT-REACH AND ASSISTANCE.—

(A) In General.—Not later than 30 days after the date of enactment of this Act, the Federal Communications Commission shall establish an advisory committee, to be known as the DTV Working Group, to consult with State and local governments, providers of low-income assistance programs, educational institutions, community groups, and the National Tele-

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communications and Information Administration to promote consumer outreach and assistance regarding the digital television transition and the converter-box program under section 3005 of the Digital Television Transition and Public Safety Act of 2005 (47 U.S.C. 309 note).

(B) Membership.—The Federal Communications Commission shall invite to participate in the DTV Working Group representatives of groups involved with the transition to digital television, including the Commission, the National Telecommunications and Information Administration, other relevant Federal agencies, commercial and noncommercial television broadcasters, multichannel video programming distributors, consumer electronics manufacturers and manufacturers of peripheral devices, broadcast antenna and tuner manufacturers, retail providers of consumer electronics equipment, consumer groups, and public interest groups (including the American Association of Retired Persons and the Seniors Coalition). Members of the DTV Working Group shall serve without compensation and shall not be considered Fed-

1	eral employees by reason of their service on the
2	advisory committee.
3	(C) Purposes.—The purposes of the DTV
4	Working Group are—
5	(i) to provide ongoing advice to the
6	Federal Communications Commission in
7	creating and implementing the public out-
8	reach program under this subsection;
9	(ii) to advise the Commission about
10	the procedures of the public outreach pro-
11	gram including, at a minimum, rec-
12	ommended procedures for public services
13	announcements by broadcasters, toll-free
14	information hotlines, and retail displays or
15	notices; and
16	(iii) to provide to the Commission reg-
17	ular DTV Progress Reports that reflect
18	ongoing and planned efforts by the private
19	sector, both nationally and in individual
20	television broadcast markets, to inform
21	consumers about the digital television tran-
22	sition.
23	(c) Converter-Box Energy Standards.—Section
24	3005 of the Digital Television Transition and Public Safe-

- 1 ty Act of 2005 (47 U.S.C. 309 note) is amended by adding
- 2 at the end the following new subsection:
- 3 "(e) Converter-Box Energy Standards.—
- 4 "(1) Energy standards.—Not later than 90
- 5 days after the date of enactment of the Digital Tele-
- 6 vision Consumer Education Act of 2007, the Assist-
- 7 ant Secretary of Commerce for Communications and
- 8 Information shall establish energy consumption
- 9 standards applicable to digital-to-analog converter
- boxes (as defined in subsection (d)) in order for such
- boxes to qualify for purchase with coupons made
- available under this section.
- 13 "(2) INAPPLICABILITY.—Notwithstanding any
- other provision of law, the standards described in
- paragraph (1) shall be the exclusive energy con-
- 16 sumption standards for converter boxes manufac-
- tured or imported for use in the United States on
- and after the effective date established by the Assist-
- ant Secretary and until January 1, 2010.".

20 SEC. 3. PROGRESS REPORTS.

- 21 (a) During the period beginning on June 1, 2007,
- 22 and ending on December 1, 2008, the Federal Commu-
- 23 nications Commission shall submit a report, not less than
- 24 once every 180 days, to the Committee on Energy and
- 25 Commerce of the House of Representatives and the Com-

- 1 mittee on Commerce, Science, and Transportation of the
- 2 Senate. Such reports shall include information regard-
- 3 ing—
- 4 (1) the status of the Commission's international
- 5 coordination efforts with Canada and Mexico of the
- 6 digital television service table of allotments; and
- 7 (2) the Commission's consumer education ef-
- 8 forts, as well as the consumer education efforts of
- 9 broadcasters, multichannel video programming dis-
- tributors, consumer electronics manufacturers, re-
- 11 tailers, and consumer groups.
- 12 (b) During the period beginning on April 1, 2008,
- 13 and ending on October 1, 2009, the Assistant Secretary
- 14 of the National Telecommunications and Information Ad-
- 15 ministration shall submit a report, not less than once
- 16 every 90 days, to the Committee on Energy and Commerce
- 17 of the House of Representatives and the Committee on
- 18 Commerce, Science, and Transportation of the Senate
- 19 summarizing the progress of coupon distribution and re-
- 20 demption under Section 3005 of the Digital Television
- 21 Transition and Public Safety Act of 2005 (47 U.S.C. 309
- 22 note), including—
- (1) the number of coupons distributed and re-
- 24 deemed;

1	(2) the amount of time it takes for coupons to
2	be distributed and redeemed; and
3	(3) the cost of the coupons and administrative
4	costs, to date.

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