

(July 26, 2006) Bill Would Impose Program Mandates

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By Ted Hearn 7/26/2006 7:30:00 PM

A House bill set for introduction Thursday would force cable operators to provide subscribers with more options in selecting programming lineups free of indecent content.

Under the bill, a cable company would be required to comply with one of three options: obey federal broadcast-indecency rules on basic and expanded-basic tiers; allow consumers to strip indecent channels from tiers, called an "opt-out" approach; or create a family programming tier as defined in the bill.

All pay TV providers, including DirecTV and EchoStar Communications, would have to comply.

The bill's two sponsors, Reps. Dan Lipinski (D-Ill.) and Tom Osborne (R-Neb.), are planning to unveil the Family Choice Act at a press conference Thursday afternoon. Joining them will be L. Brent Bozell, president of the Parents Television Council; Jeannine Kenney, senior policy analyst at Consumers Union; and Lanier Swann, director of government relations at Concerned Women for America.

Federal Communications Commission regulations ban indecent content on broadcast TV and radio from 6 a.m.-10 p.m., but cable and satellite TV are exempt. Application of the indecency rules to pay TV providers would probably spark a major court battle.

A Lipinski aide would not say whether the opt-out option would mandate consumer rebates. The aide also declined to confirm whether the definition of the family tier would mandate inclusion of sports programming, such as ESPN. Family tiers rolled out by Comcast and Time Warner Cable have been criticized by some as ineffective because they exclude ESPN.

