

PUBLIC LAW 101-431—OCT. 15, 1990

**TELEVISION DECODER CIRCUITRY
ACT OF 1990**

Public Law 101-431
101st Congress

An Act

Oct. 15, 1990

[S. 1974]

Television
Decoder
Circuitry Act of
1990.

Handicapped.
Communications
equipment.

47 USC 609 note.

To require new televisions to have built in decoder circuitry.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE

SECTION. 1. This Act may be cited as the "Television Decoder Circuitry Act of 1990".

FINDINGS

47 USC 303 note.

SEC. 2. The Congress finds that—

(1) to the fullest extent made possible by technology, deaf and hearing-impaired people should have equal access to the television medium;

(2) closed-captioned television transmissions have made it possible for thousands of deaf and hearing-impaired people to gain access to the television medium, thus significantly improving the quality of their lives;

(3) closed-captioned television will provide access to information, entertainment, and a greater understanding of our Nation and the world to over 24,000,000 people in the United States who are deaf or hearing-impaired;

(4) closed-captioned television will provide benefits for the nearly 38 percent of older Americans who have some loss of hearing;

(5) closed-captioned television can assist both hearing and hearing-impaired children with reading and other learning skills, and improve literacy skills among adults;

(6) closed-captioned television can assist those among our Nation's large immigrant population who are learning English as a second language with language comprehension;

(7) currently, a consumer must buy a TeleCaption decoder and connect the decoder to a television set in order to display the closed-captioned television transmissions;

(8) technology is now available to enable that closed-caption decoding capability to be built into new television sets during manufacture at a nominal cost by 1991; and

(9) the availability of decoder-equipped television sets will significantly increase the audience that can be served by closed-captioned television, and such increased market will be an incentive to the television medium to provide more captioned programming.

REQUIREMENT FOR CLOSED-CAPTIONING EQUIPMENT

SEC. 3. Section 303 of the Communications Act of 1934 (47 U.S.C. 303) is amended by adding at the end thereof the following:

“(u) Require that apparatus designed to receive television pictures broadcast simultaneously with sound be equipped with built-in decoder circuitry designed to display closed-captioned television transmissions when such apparatus is manufactured in the United States or imported for use in the United States, and its television picture screen is 13 inches or greater in size.”

Manufacturers.
Imports.

PERFORMANCE AND DISPLAY STANDARDS

SEC. 4. (a) Section 330 of the Communications Act of 1934 (47 U.S.C. 330) is amended by redesignating subsection (b) as subsection (c), and by inserting immediately after subsection (a) the following new subsection:

“(b) No person shall ship in interstate commerce, manufacture, assemble, or import from any foreign country into the United States, any apparatus described in section 303(u) of this Act except in accordance with rules prescribed by the Commission pursuant to the authority granted by that section. Such rules shall provide performance and display standards for such built-in decoder circuitry. Such rules shall further require that all such apparatus be able to receive and display closed captioning which have been transmitted by way of line 21 of the vertical blanking interval and which conform to the signal and display specifications set forth in the Public Broadcasting System engineering report numbered E-7709-C dated May 1980, as amended by the Telecaption II Decoder Module Performance Specification published by the National Captioning Institute, November 1985. As new video technology is developed, the Commission shall take such action as the Commission determines appropriate to ensure that closed-captioning service continues to be available to consumers. This subsection shall not apply to carriers transporting such apparatus without trading it.”

(b) Section 330(c) of such Act, as redesignated by subsection (a) of this section, is amended by deleting “and section 303(s)” and inserting in lieu thereof “, section 303(s), and section 303(u)”.

EFFECTIVE DATE

SEC. 5. Sections 3 and 4 of this Act shall take effect on July 1, 1993. 47 USC 303 note.

RULES

47 USC 303 note.

SEC. 6. The Federal Communications Commission shall promulgate rules to implement this Act within 180 days after the date of its enactment.

Approved October 15, 1990.

LEGISLATIVE HISTORY—S. 1974 (H.R. 4267):

HOUSE REPORTS: No. 101-767 accompanying H.R. 4267 (Comm. on Energy and Commerce).

SENATE REPORTS: No. 101-398 (Comm. on Commerce, Science, and Transportation).

CONGRESSIONAL RECORD, Vol. 136 (1990):

Aug. 2, considered and passed Senate.

Oct. 1, H.R. 4267 considered and passed House; S. 1974 passed in lieu.