

## **HOUSE RESOLUTION No. 6012**

By Representative Long

1-28

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9 A RESOLUTION supporting federal legislation to regulate the loud vol-  
10 ume of television commercials.

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12 WHEREAS, Sudden spikes in volume as a television program goes to  
13 a commercial break are startling and annoying to viewers. Many viewers  
14 find the disparity between the volume of the commercial and the volume  
15 of the programming disruptive and intrusive; and

16 WHEREAS, One of the top consumer grievances filed with the Fed-  
17 eral Communications Commission regarding radio and television broad-  
18 casting is abrupt changes in volume during transition from regular pro-  
19 gramming to commercials; and

20 WHEREAS, The Federal Communications Commission currently  
21 does not regulate the volume of commercial advertisements; and

22 WHEREAS, Other countries including Australia, Brazil, France, Israel,  
23 Russia, and the United Kingdom have passed legislation or instituted  
24 regulations concerning the volume of commercials; and

25 WHEREAS, Broadcasters are required to have equipment that limits  
26 the peak power they can use to send out audio and video signals, which  
27 means the loudest commercial will not be louder than the loudest part of  
28 a television program. However, many commercials are engineered to pro-  
29 vide a sustained level of loud audio, in contrast to programs which have  
30 a mix of audio level; and

31 WHEREAS, Broadcasters in the United States are aware of the prob-  
32 lem, and an industry standards-setting body, the Advanced Television  
33 Systems Committee (ATSC), has developed technical standards necessary  
34 to control variations in commercial loudness; and

35 WHEREAS, The U.S. House of Representatives passed the Commer-  
36 cial Advertisement Loudness Mitigation (CALM) Act in December 2009,  
37 which requires the Federal Communications Commission to prescribe a  
38 regulation that incorporates by reference the ATSC-recommended tech-  
39 niques on establishing and maintaining audio loudness for digital televi-  
40 sion; and

41 WHEREAS, the CALM Act would allow no more than two years to  
42 implement the standard and would allow the Federal Communications  
43 Commission to grant compliance waivers upon a showing of financial

1 hardship; and

2 WHEREAS, The CALM Act is currently assigned to the U.S. Senate  
3 Committee on Commerce, Science, and Transportation: Now, therefore,

4 *Be it resolved by the House of Representatives of the State of Kansas:*  
5 That we express our support for efforts to control the nuisance of unnec-  
6 essarily loud commercials and strongly support the passage of such reg-  
7 ulatory legislation.

8 *Be it further resolved:* That the Chief Clerk of the House of Repre-  
9 sentatives be directed to provide an enrolled copy of this resolution to  
10 Representative Margaret Long, U.S. Representative from California  
11 Anne G. Eshoo, and each member of the Kansas delegation in the United  
12 States Senate and House of Representatives.