

109TH CONGRESS
2^D SESSION

H. R. 6113

To direct the Federal Trade Commission to prescribe rules to prohibit deceptive conduct in the rating of video and computer games.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 20, 2006

Mr. STEARNS (for himself, Mr. MATHESON, and Mr. MCINTYRE) introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To direct the Federal Trade Commission to prescribe rules to prohibit deceptive conduct in the rating of video and computer games.

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 “Truth in Video Game
5 Rating Act”.

6 **SEC. 2. DECEPTIVE RATINGS OF VIDEO GAMES.**

7 Not later than 1 year after the date of enactment
8 of this Act, the Federal Trade Commission shall prescribe
9 rules under section 553 of title 5, United States Code,

1 to prohibit the following as an unfair and deceptive act
2 or practice prescribed pursuant to section 18(a)(1)(B) of
3 the Federal Trade Commission Act (15 U.S.C.
4 57a(a)(1)(B)):

5 (1) RATING GAME ONLY ON PARTIAL CON-
6 TENT.—Such rules shall prohibit any rating organi-
7 zation from assigning a content rating to any video
8 or computer game that is to bear a label containing
9 such content rating when sold or distributed in
10 interstate commerce unless such rating organization
11 has reviewed the playable content of the video or
12 computer game.

13 (2) WITHHOLDING CONTENT FOR RATING.—

14 (A) IN GENERAL.—Such rules shall pro-
15 hibit any person who produces, sells, or other-
16 wise distributes video or computer games in
17 interstate commerce from withholding or hiding
18 any playable content of a video or computer
19 game from, or in any other manner failing to
20 disclose any playable content of a video or com-
21 puter game to, a rating organization, with the
22 intent of obtaining a less-restrictive content rat-
23 ing than the video or computer game would
24 likely receive if such rating organization were to
25 review the withheld or hidden content.

1 (B) HIDDEN CONTENT.—Such rules shall
2 provide that where, in the course of obtaining
3 a content rating, a person submits to a rating
4 organization a video or computer game that
5 contains hidden content, that such person also
6 provide the rating organization with the nec-
7 essary codes or methods of accessing such hid-
8 den content, or with reproductions of the
9 scenes, images, sounds and words comprising
10 such hidden content.

11 **SEC. 3. G.A.O. STUDY.**

12 (a) STUDY.—The Comptroller General shall conduct
13 a study to determine—

14 (1) the efficacy of the Entertainment Software
15 Ratings Board ratings system in assigning appro-
16 priate content ratings to video and computer games,
17 including ratings for on-line or Internet-based
18 games;

19 (2) whether content ratings systems, like that
20 used by the Entertainment Software Ratings Board,
21 should be peered-reviewed;

22 (3) whether an independent rating system, de-
23 veloped and administered by persons or entities with
24 no financial interest in the video and computer game
25 industry, would result in more accurate and effective

1 content ratings for video and computer games than
2 the rating system used by the Entertainment Soft-
3 ware Ratings Board; and

4 (4) the efficacy of a universal ratings system
5 for visual content, including films, broadcast and
6 cable television, and video and computer games.

7 (b) REPORT.—The Comptroller General shall trans-
8 mit a report on the findings of the study conducted pursu-
9 ant to subsection (a) to Congress not later than 180 days
10 after the date of enactment of this Act. The report shall
11 contain recommendations regarding effective approaches
12 to video and computer game content ratings that address
13 the unique ratings challenges of online and Internet-based
14 video games.

15 **SEC. 4. DEFINITIONS.**

16 As used in this Act—

17 (1) the term “content rating” means the age-
18 based rating assigned by a rating organization to a
19 video or computer game in order to notify consumers
20 about the suitability of the game for particular age
21 groups, or any other description that a rating orga-
22 nization assigns to a video or computer game in
23 order to notify consumers of any content that may
24 be offensive to consumers or may not be suitable to

1 persons of varying ages, such as violence, graphic
2 sexual content, nudity, or strong language;

3 (2) the term “hidden content” means any play-
4 able content that may be disabled or blocked from
5 a user of the video or computer game so that it can
6 be accessed only by inputting a code or command or
7 by altering the game’s software with a modification,
8 patch, or similar tool, utility, or method;

9 (3) the term “playable content”, with respect to
10 video or computer games, means all of the scenes,
11 visual images, sounds, and words that a user can ac-
12 cess after installing the game on a computer, con-
13 sole, telecommunication device, or similar tech-
14 nology, and includes any hidden content;

15 (4) the term “rating organization” means the
16 Entertainment Software Ratings Board or any other
17 independent organization that assigns content rat-
18 ings for video or computer games; and

19 (5) the term “video or computer game” means
20 any product, whether distributed electronically or
21 through a tangible device, consisting of data, pro-
22 grams, routines, instructions, applications, symbolic
23 languages, or similar electronic information that en-

- 1 ables a user to interact with a computer-controlled
- 2 virtual environment for entertainment purposes.

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