

**STATEMENT OF  
CHAIRMAN JULIUS GENACHOWSKI**

Re: *Implementation of the Commercial Advertisement Loudness Mitigation (CALM) Act*;  
MB Docket No. 11-93

For a very long time, viewers have experienced commercials that blare out louder than the programming they accompany. Most of us have either experienced this ourselves, or had friends and family who have experienced it. You're watching your favorite television program, or the news, and all of a sudden, a commercial comes on and it sounds like someone turned up the volume – but no one did.

Today I am pleased that the Commission implements the Commercial Advertisement Loudness Mitigation Act, or CALM Act, requiring broadcasters, cable, telecommunications companies, satellite, and other TV providers to prevent spikes in volume. Under our new rules, TV providers must ensure that the average loudness of commercials will be no higher than the average volume of the programming they accompany.

The bottom line? Today, the FCC is quieting a persistent problem of the television age – loud commercials.

I want to thank Congresswoman Anna Eshoo for her leadership on this issue. I also want to thank Chairman Rockefeller and Senator Sheldon Whitehouse for their work and leadership on this issue.

The Commission has received almost 6,000 complaints or inquiries about loud commercials since 2008. In fact, as Consumers Union notes, “[I]n the twenty five quarterly reports on consumer complaints that have been released since 2002, twenty one have listed complaints about the ‘abrupt changes in volume during transition from regular programming to commercials,’ as among the top consumer grievances regarding radio and television broadcasting.”

As the Pittsburgh Post-Gazette observed earlier this year, one would think TV providers “wouldn't want to annoy people [they] are trying to attract as customers by making their TV watching miserable,” but loud commercials continue to vex viewers.

So I'm pleased that we have crafted a process that will protect consumers from inappropriately loud commercials, while remaining sensitive to resource constraints of small broadcasters and subscription TV providers. As the CALM Act requires, these rules will go into effect no later than one year from today. This will provide stations and MVPDs ample opportunity to prepare for full compliance.

I urge the content creators who provide much of the programming that is transmitted by broadcasters and MVPDs to step up over the next year and certify that their programming complies with the industry practice.

With today's vote, I'm pleased that we are able to help eliminate this pervasive problem for millions of American television viewers.