

**STATEMENT OF
COMMISSIONER JESSICA ROSENWORCEL**

Re: *Closed Captioning of Video Programming*, CG Docket No. 05-231; *Telecommunications for the Deaf and Hard of Hearing, Inc. Petition for Rulemaking*, PRM11CG.

Over the next several years, television will change more than over the last several decades. The way we watch will change—when we watch, where we watch, and how we watch. Families huddling together in one room basking in the glow of a single screen will give way to gatherings with many screens and multiple programs. I know. It is already happening with my family, in my home.

But as opportunities to view video expand, old problems can linger. Today we address one of those problems. We address closed captioning.

It has been more than a decade and a half since the Commission adopted its first rules governing the provision of television closed captioning. These rules, put in place in the aftermath of the Telecommunications Act of 1996, sought to make widespread access to technology that facilitates television viewing by the deaf and hard of hearing. Over time, however, captioning quality was uneven and our enforcement was limited. So a decade ago a group of advocates representing individuals who are deaf or hard of hearing filed a petition for rulemaking and asked us to fix these problems.

That is what we do, at long last, today. Our new rules put in place captioning standards for accuracy, synchronicity, program completeness, and placement. We establish best practices for video programmers and captioners. We update policies involving live programming and Electronic Newsroom Technique. And we seek comment on a range of issues to further enhance accessibility and improve our procedural rules.

It has taken time, but we are finally making good on the promise that television programming should be understandable to the non-hearing person as it is to the person who can hear. Our actions will improve television accessibility for the estimated 36 million Americans who are deaf or have hearing loss—and the 40 million Americans over the age of 65 who experience varying degrees of hearing loss at some point in their lives.

Going forward, I believe we also have other promises to keep. Today we address the closed captioning problems that plagued us in the past. But we also must address the way we will watch going forward. Television viewing is changing fast, our policies must keep pace.

Three years ago, Congress passed the 21st Century Communications and Video Accessibility Act. Among other things, this law directed the Commission to require closed captioning of IP-delivered video programming that is also available on television. That means programming that is aired on television and later available online also comes with closed captioning. We made good on this promise for full-length programming, but we fell short for television video clips. I think this is something we need to fix. Because our accessibility policies must be about more than just how we watch now—they must be about the future. And the future of viewing, for all of us, including the deaf and hard of hearing, will involve more than gathering around the traditional television screen for programs of uniform 30- or 60-minute length. It will involve many screens, with more television programming sliced and diced into smaller increments, for later viewing online.

Still, today is an important milestone in our accessibility policies. We would not be crossing the finish line but for the steadfast advocacy of so many Americans with disabilities. They had to wait too

long. But kudos to the Chairman for picking up that slack with speed and bringing us to where we need to be. Thank you also to Karen Peltz Strauss and the efforts of the Disability Rights Office of the Consumer and Governmental Affairs Bureau as well as the Media Bureau.

Finally, thank you to Claude Stout and Tai Jenson for joining us today. Claude is one the heroes who walks among us, a tireless champion for access for all. And Tai, you are following in his footsteps— at an early age. So thank you, too, for your presentation today.