

**Date:** Monday, July 14, 2014

**Subject:** The FCC Adopts New Rules and Invites Comment on Closed Captioning of Internet-Delivered Video Clips

On July, 11, 2014, the FCC adopted new rules that will require closed captioning of video clips that are posted online. The new rules will cover video clips on the Internet if the associated programming (from where the clips were taken) was first shown on television in the United States with captions. The new rules require video programming providers and distributors that show programming on TV to post captioned clips of their programming on their own websites or via their own mobile apps. The new rules do not apply to third party websites or apps, such as Hulu or news websites.

The due dates for meeting the new rules are:

- **January 1, 2016:** “Straight lift” clips must be captioned. A “straight lift” clip is a single excerpt of a captioned television program with the same video and audio that was shown on television;
- **January 1, 2017:** “Montages” must be captioned. A “montage” is a single file containing multiple straight lift clips;
- **July 1, 2017:** Video clips of live and near-live television programming (such as news or sporting events) must be captioned. Live programming is video programming that is shown on television substantially simultaneously with its performance. Near-live programming is video programming that is performed and recorded less than 24 hours prior to the time it was first aired on television.

For live clips, up to a 12 hours delay in posting a captioned clip after the programming has been shown on television is permitted. For near-live clips, an 8-hour delay in posting a captioned clip after the programming has been shown on television is permitted.

Video clips that are already on the Internet before the new deadlines are not required to be captioned.

The Commission also issued a Second Further Notice of Proposed Rulemaking that asks for comment on four issues, including:

- Whether third party distributors should be responsible for posting clips with captions on their websites and apps,
- Whether the delays for captioning live and near-live clips should be decreased or eliminated,
- Whether “mash-ups” clips should be covered (“mash-up” clips are clips that combine captioned TV programming with some uncaptioned Internet programming), and
- Whether the new rules should cover “advance” video clips. “Advance” video clips are those that are put online after the applicable compliance deadline but before the video programming is shown on television with captions, and which then remain online after the captioned programming was shown on television.

Deadlines for comments and reply comments will be announced when available.

Links to the Second Order on Reconsideration and Second Further Notice of Proposed Rulemaking:

Word: [https://apps.fcc.gov/edocs\\_public/attachmatch/FCC-14-97A1.docx](https://apps.fcc.gov/edocs_public/attachmatch/FCC-14-97A1.docx)

PDF: [https://apps.fcc.gov/edocs\\_public/attachmatch/FCC-14-97A1.pdf](https://apps.fcc.gov/edocs_public/attachmatch/FCC-14-97A1.pdf)

Text: [https://apps.fcc.gov/edocs\\_public/attachmatch/FCC-14-97A1.txt](https://apps.fcc.gov/edocs_public/attachmatch/FCC-14-97A1.txt)

Links to the News Release:

Word: [https://apps.fcc.gov/edocs\\_public/attachmatch/DOC-328173A1.docx](https://apps.fcc.gov/edocs_public/attachmatch/DOC-328173A1.docx)

PDF: [https://apps.fcc.gov/edocs\\_public/attachmatch/DOC-328173A1.pdf](https://apps.fcc.gov/edocs_public/attachmatch/DOC-328173A1.pdf)

Text: [https://apps.fcc.gov/edocs\\_public/attachmatch/DOC-328173A1.txt](https://apps.fcc.gov/edocs_public/attachmatch/DOC-328173A1.txt)

For more information, contact Diana Sokolow (202-418-2120; [diana.sokolow@fcc.gov](mailto:diana.sokolow@fcc.gov)) or ASL Consumer Support Line via videophone at 844-4-FCC-ASL (844-432-2275) or 202-810-0444.