

Captioning of Internet Video Programming

Background

Closed captioning is the visual display of the audio portion of video programming. Captioning provides access to individuals who are deaf or have hearing loss and is often used in places where it is difficult to hear a TV program, such as restaurants and exercise facilities. On January 12, 2012, the FCC adopted rules requiring captioned programs shown on TV to be captioned when re-shown on the Internet. These rules implement provisions of the Twenty-First Century Communications and Video Accessibility Act of 2010 (CVAA).

Video Programming

- The new rules cover full-length video programming. Video clips and outtakes are not required to be captioned when shown on the Internet. However, when a captioned TV program is re-shown on the Internet in segments, it must be captioned if substantial portions of the entire program are shown in those segments.
- Consumer-generated media (e.g., homemade videos) shown on the Internet are not required to be captioned, unless it has been shown on TV with captions.
- Movies shown on the Internet are not required to be captioned unless they have been shown on TV with captions.

Implementation Schedule for Captioning Internet Video Programming

The following deadlines apply to video programming that a distributor shows for the first time on the Internet (newly added to the distributor's inventory of Internet video programming):

- **September 30, 2012:** Pre-recorded video programming that is not "edited for the Internet" must be captioned on the Internet if it is shown on TV with captions on or after September 30, 2012. "Edited for the Internet" means the TV version has been substantially edited. Examples of editing for this purpose are: deleting scenes or altering musical scores. Changing the number or duration of commercials is not considered "editing" for this purpose.
- **March 30, 2013:** Live and near-live video programming must be captioned on the Internet if it is shown on TV with captions on or after March 30, 2013. Near-live video programming is defined as programming that is performed and recorded less than 24 hours before being shown on TV for the first time.
- **September 30, 2013:** Pre-recorded video programming that is substantially edited for the Internet must be captioned if it is shown on TV with captions on or after September 30, 2013.

Archival Internet Video Programming

The following deadlines apply to video programming that a distributor already shows on the Internet. Distributors have extra time to add captions to video programming that they already show on the Internet and that is later shown on TV with captions, as follows:

- Within 45 days after the date it is shown on TV with captions **on or after March 30, 2014 and before March 30, 2015**;
- Within 30 days after the date it is shown on TV with captions **on or after March 30, 2015 and before March 30, 2016**; and
- Within 15 days after the date it is shown on TV with captions **on or after March 30, 2016**.

Filing a Complaint

If you experience a captioning problem after the implementation dates, you may file a written complaint with either the FCC or the video programming distributor or provider. If you choose to file your written complaint with the video programming distributor or provider, you may be able to find the contact information on the distributor's or provider's website.

If you file your complaint with the FCC, the FCC will forward the complaint to the video programming distributor or provider.

Your written complaint must be filed within 60 days of the captioning problem. After receiving a complaint, either directly from you or from the FCC, the video programming distributor or provider will have 30 days to respond to the complaint. If you chose to first file your complaint with the video programming distributor or provider and it does not respond within 30 days, or if a dispute remains, you can still send your complaint to the FCC.

After these new rules become effective, the Consumer and Governmental Affairs Bureau will release a consumer advisory with instructions on how to file complaints via the FCC's website. You can also file your complaint with the FCC's Consumer Center by faxing to 1-866-418-0232 or writing to:

Federal Communications Commission
Consumer and Governmental Affairs Bureau
Consumer Inquiries and Complaints Division
445 12th Street, S.W.
Washington, DC 20554

What to Include in Your Complaint

Your complaint should include the following information:

- Your name, street, city, county, state and zip code and other contact information such as a videophone or TTY number or email address;
- The name and postal address, website, or email address of the video programming distributor, provider and/or owner;
- Information sufficient to identify the video program or show with the captioning problem, including the name of the program or show;
- Information sufficient to identify the device and/or software used to view the program or show;
- The date and time when you experienced the captioning problem;
- A detailed description of the captioning problem, including specifics about the frequency and type of problem (e.g., captions cut off, captions missing);
- Any additional information that may assist in processing your complaint; and



- Your preferred format or method of receiving a response to your complaint, such as letter, facsimile transmission, telephone (voice/TRS/TTY), email, or some other method that would best accommodate you.

Resolution of Your Complaint May Be Delayed if the Information Above Is Incomplete

You can also provide the FCC with any additional information you think appropriate (e.g., screen shots of the web page, written-out examples of garbled captions, video recordings you made of the captioning problem, etc.).

For More Information

For more information about FCC programs to promote access to telecommunications services for people with disabilities, visit the FCC's Disability Rights Office website at www.fcc.gov/cgb/dro. For information about other communications issues, visit the FCC's Consumer and Governmental Affairs Bureau website at www.fcc.gov/consumer-governmental-affairs-bureau, or contact the FCC's Consumer Center by calling 1-888-CALL-FCC (1-888-225-5322) voice or 1-888-TELL-FCC (1-888-835-5322) TTY; faxing 1-866-418-0232; or writing to the address above:

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For this or any other consumer publication in an accessible format (electronic ASCII text, Braille, large print or audio), please write or call us at the address or phone number below, or send an email to FCC504@fcc.gov.

To receive information on this and other FCC consumer topics through the Commission's electronic subscriber service, visit www.fcc.gov/cgb/contacts/.

This document is for consumer education purposes only and is not intended to affect any proceedings or cases involving this subject matter or related issues.

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