

**STATEMENT OF
COMMISSIONER JONATHAN S. ADELSTEIN**

Re. *Closed Captioning of Video Programming; Closed Captioning Requirements for Digital Television Receivers, CG Docket No. 05-231 and ET Docket No. 99-254.*

I am pleased to support today's decision to clarify the closed captioning obligations of video programmers and to streamline the complaint process. With this item, we have taken a critical step towards ensuring that we do not neglect those in the deaf and hard-of-hearing community when we transition to digital television in early 2009.

In light of the upcoming DTV transition, our decision stresses the importance of minimizing disruptions to consumers' access to programming. This rationale holds true for hearing-impaired viewers who have come to rely on receiving closed captioned programs. Under the Declaratory Ruling we adopt today, we remind video program distributors that the closed captioning rules will continue to apply regardless of technological changes in the media landscape.

For more than a decade, these rules have helped individuals who are deaf or hard-of-hearing stay connected to news, information, and entertainment. However, since its inception, our process for ensuring that video programmers meet these obligations has been unnecessarily complicated. Consumers affected by a distributor's failure to provide closed captioning were forced to take their complaints directly to the distributor, and faced a long waiting period before the distributor was required to act. I applaud today's decision to streamline the process by providing a means for consumers to contact the Commission directly as well as requiring programmers to dedicate a phone line, email address and fax number for handling complaints in a timely manner.

As we monitor the advances we make with our improved complaint process, we should continue to consider whether it may be necessary to require all video programmers to file periodic compliance reports. Although today's decision will make it easier for consumers to identify video programmers that are not meeting their closed captioning obligations, there may be situations in which failures to comply slip through the cracks. I encourage the Commission to persist with reassessing our rules as we transition to digital to ensure that we are meeting the needs of hearing-impaired viewers to the greatest extent feasible.