

**STATEMENT OF
COMMISSIONER MIGNON L. CLYBURN**

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

Three weeks ago, our nation reached an historic high mark when the first legally deaf offensive player in the NFL took the field in Super Bowl 48. Derrick Coleman's debut as fullback for the Seattle Seahawks was yet another breakthrough for full and equal inclusion of those who are deaf and hard of hearing. Coleman's battle for parity with hearing players on the football field represents a hard earned victory, of which we are all proud. Not only is he a champion on the field, Coleman is a champion and role model off the field for many who face similar challenges in their lives.

Today, the quest for parity remains in other arenas. One comes in an area most of us take for granted — and that is watching television. Our communications laws require that communications providers make greater efforts to provide the 54 million Americans who live with disabilities access to video services and programs, especially as video programming plays an increasingly important role in our homes, schools and businesses.

It is hard to believe, but it was only sixteen years ago when the Commission adopted its first set of closed captioning rules. For the hearing impaired, our work back then was long overdue.

But much has changed since then, and today, it is only right and just that we refresh those rules to reflect the technological and societal changes which have transpired. The deaf and hard of hearing community has waited a long time for the Commission to play catch up and address some basic concerns, which seemed to have gone unheard since the captioning rules were enacted.

By statute, we are tasked with adopting standards and technical compliance rules to make sure that video programming is fully accessible through closed captioning. While few would argue about the importance of this mandate, the true challenge lies in how we craft and implement the rules. Today's Report and Order establishes a benchmark for four non-technical quality standards, which make sure that closed captions fully and effectively convey the content of programming for the deaf and hard of hearing in the same way audio conveys that content to the hearing community. The quality standards of: (1) accuracy; (2) synchronicity; (3) program completeness, and (4) placement will help video program distributors to achieve these goals.

Most experts agree that effective close captioning in live programming presents its own set of challenges. But, our Order will require live programming to live up to quality standards, as well.

I want to acknowledge the level of cooperation and collaboration, which has existed among the industry players and the deaf and hard of hearing community, led by FCC staff. The Best Practices presented in the order represent an exemplary step forward by industry. "The hardest thing about being in the deaf community, is getting over wall one," Coleman said last month.

And, while there are elements of the Order and the Further Notice of Proposed Rulemaking that we need to watch carefully, this item reflects well on our commitment to the public interest and I am glad to add my full support to this item.

I would like to commend Kris Monteith and her team in the Consumer and Governmental Affairs Bureau, and Bill Lake and his team in the Media Bureau, for their outstanding work on this item. Thank you.