



Background Briefing Memo FCC Second Report and Order on Closed Captioning (FCC 16-17) March 2016

In February 2016, the FCC released a Report and Order (FCC 16-17) addressing quality and responsibility for closed captioning on video channels. It is part of a series of rulemakings and orders that have sought to ensure full access to information for people with disabilities.

The order assigns reporting responsibility to both distributors (channels) and program producers, primarily in commercial environments, and sets up a system of yearly reporting for all video channels in the United States. This will improve complaint reporting and resolution for captioning across all video channels.

The reporting requirement applies to all channels – including PEG Access channels. Almost all PEG Access channels will fall under at least one statutory exemption from FCC captioning requirements. However, **all** entities operating channels will need to self-certify they are exempt on a yearly basis.

The self-certification will be implemented by a web-form that will be required of all channels by July 1, 2017.

The Alliance for Community Media will work with all PEG channels to help them properly complete this certification process. The reporting requirements will help PEG channels receive complaints from local viewers who want captioning services, and will help the FCC resolve questions from the up to 35 million Americans who want caption assistance.

A further complication of the order as drafted is that it contemplates registering **all** video producers who distribute on all channels. *This would mean hundreds of thousands of public access producers would have to comply with what ACM sees as needless paperwork.* The FCC Disability Rights Office agrees with our understanding of the order and wants to resolve this issue so there is no needless burden placed on public access producers. We believe this aspect of the order will be resolved favorably by Fall 2016.

The Alliance for Community Media wants to keep you and others in your organization updated on significant issues affecting PEG. For further information, please contact Mike Wassenaar, President & CEO at mwassenaar@allcommunitymedia.org.