



CITY OF INDIANAPOLIS
STEPHEN GOLDSMITH
MAYOR



February 27, 1996

Secretary
Federal Communications Agency
1919 M Street, N.W.
Washington, D.C. 20554

RECEIVED
FEB 28 1996
FCC MAIL ROOM

DOCKET FILE COPY ORIGINAL

Re: MM Docket # 95-176
Notice of Inquiry
Closed Captioning and Video Description of Video Programming

I have reviewed the material concerning Closed Captioning and Video Description of Video Programming, including the comments by Joe Laposa of St. Louis.

I agree with Mr. Laposa's contention that adding a requirement for closed captioning on our programming will involve a heavy financial burden. Even if we limited captioning to City-County Council Meetings, this service would prove to be costly. There are two options:

Captioning via External Vendor

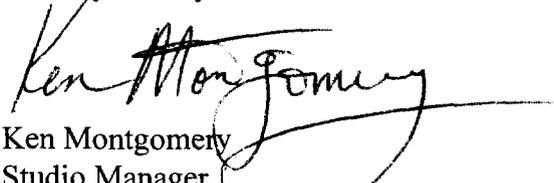
Having facilitated captioning on a number of video programs during my tenure in the private sector, I can attest that the process is expensive and time consuming when using an outside vendor. The National Captioning Institute charges \$200 per finished hour of programming, plus the cost of mastering a tape (usually another \$100). There turnaround time is usually two weeks, which makes this option unfeasible for our purposes.

Captioning via Internal Staff/Equipment

This would require the purchase of costly captioning and encoding equipment. More importantly, this option would also require copious staff time to transcribe the proceedings. I estimate that it would require about 4 hours of work for each hour of final captioned program. If we assume the average Council runs 3 hours, that's 12 hours per meeting spent captioning (and my estimates are probably conservative-- I suspect more time would be required).

WCTY/Channel 16 produces over fifty hours of new programming each month. If the FCC is inclined to require captioning on *all* government access programming (meetings, special events and series), I believe it is necessary to oppose this measure. The financial burden of a mandatory Must Caption ruling would profoundly impact our operating budget, and present a logistical nightmare as well.

Thank you for your consideration.


Ken Montgomery
Studio Manager
Government Access Channel 16

No. of Copies rec'd 0
List ABCDE _____

95-176



CONFERENCE OF EDUCATIONAL ADMINISTRATORS SERVING THE DEAF, Inc.

AN ASSOCIATION OF SCHOOLS, EDUCATIONAL PROGRAMS AND SERVICES FOR THE DEAF

Office of the President: Oscar P. Cohen, Ed.D.

(718) 899-8800
(718) 899-3039 TDD
(718) 899-1621 FAX

February 26, 1996

DOCKET FILE COPY ORIGINAL

RECEIVED

FEB 28 1996

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

The Office of the Secretary
Federal Communications Commission
1919 M Street, NW
Washington, DC 20554

Dear Mr. Secretary:

I am writing on behalf of the Conference of Educational Administrators Serving the Deaf, who in turn represent thousands of deaf and hard of hearing children throughout the United States in the "Matter of Closed Captioning and Video Description of Video Programming (FCC 95-484)."

Closed caption television has been a major breakthrough for deaf children. It has provided access to an invaluable form of media previously denied to them. More importantly, it has provided a means of exposing deaf children to printed English that has fostered growth in the development of reading and writing skills. Due to the lack of hearing, literacy skill development in deaf children is the major obstacle facing their growth and development.

Technical advances in closed captioning television have provided enormous opportunities to promote this development. With the TELECOM Bill before us, it is essential that the FCC support the mandatory closed captioning of all television programs as a way to include all citizens in maximizing their access to the culture of our country and to promote the development of those literacy skills so badly needed to insure that all our citizens contribute to the economy and other obligations and responsibilities of our society.

Sincerely yours,

Oscar P. Cohen

No. of Copies rec'd /
List ABCDE

RM 222



CONFERENCE OF EDUCATIONAL ADMINISTRATORS

SERVING THE DEAF, Inc.

AN ASSOCIATION OF SCHOOLS, EDUCATIONAL PROGRAMS AND SERVICES FOR THE DEAF

Office of the President: Oscar P. Cohen, Ed.D.

(718) 899-8800
(718) 899-3030 TDD
(718) 899-1621 FAX

FAX TRANSMITTAL

TO: The Office of the Secretary
Federal Communications Commission
1919 M Street NW
Washington, DC 20554
Room # 222

DATE: 2/27/96
TIME: 4 PM

TELECOPIER #: (202) 418-2813

FROM: Oscar Cohen

FAX #: (718) 899-1621

NUMBER OF PAGES 2 INCLUDING THIS COVER SHEET.

NOTES AND COMMENTS:

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of)
)
Closed Captioning and Video) CC Docket No. 95-176
Description of Video)
Programming)

**RECEIVED
FEB 28 1996
FCC MAIL ROOM**

**COMMENTS OF THE
SOUTH CAROLINA ASSOCIATION OF THE DEAF**

I. Introduction

The South Carolina Association of the Deaf submits these comments to the Federal Communications Commission's (FCC's) Notice on Inquiry (NOI) on closed captioning and video description. We also wish to express our support for the comments submitted in response to this NOI by the National Association of the Deaf and the Consumer Action Network. We applaud the FCC on its commitment to telecommunications access for all Americans and thank the FCC for the opportunity to submit these comments.

II. Benefits of Closed Captioning

Television provides a lifeline to the world, in the form of news, information, education, and entertainment. Just as a hearing person can derive little or no benefit from watching television with the volume off, a deaf or hard of hearing person can derive little or no benefit from watching a program with no captions. Because it is so integral to one's understanding and enjoyment of video programming, captioning needs to become an integral part of the production of all video programming. A producer or video provider would not think of exhibiting a

No. of Copies rec'd _____
List ABCDE _____

0

television show without its soundtrack; neither, in the future, should a producer or video provider consider displaying a show without its captions.

Increasingly, the American public depends on television to gain information about our world. Without captioning, the deaf and hard of hearing communities are unable to access this resource. Here in South Carolina, some of our local TV stations provide captioned news, without which most of our constituency would have no way of gaining information about the community. This information can range from the mundane to the essential. Particularly important are the warnings that were so critical during Hurricane Hugo and other natural disasters. Unfortunately, several stations still do not provide this access, and deaf and hard of hearing citizens are left with trying to guess at what the announcer is saying.

Before the advent of captioning, the Federal dollars spent on public broadcasting were inaccessible to the Deaf community. Now, in most prime time broadcasts, we are able to enjoy both the educational and social opportunities that television can provide. Particularly enjoyable from a social viewpoint are the captioned videotapes, produced by many of the larger video companies. Unfortunately, the recent boom in educational videotapes, and computer multi-media software is leaving deaf and hard of hearing children in the dark as many of these products have an audio track without captioning.

Other audiences can benefit from captioning as well. Research and anecdotal evidence shows that captioning has improved reading and English skills for children, illiterate adults, persons learning English as a second language, and remedial readers. In addition, captioning can help viewers understand the audio portion of television programs in noisy locations such as airports, hotel lobbies, and restaurants, or in quiet ones, such as government and private offices.

In Upstate South Carolina there is a large Hispanic deaf community. In the absence of formal programs teaching English as a Second Language, captioned TV is often the only means they have of gaining fluency in English.

III. Availability of Closed Captioning

Although 100% of prime time and children's programming on network broadcasts are captioned, most of the top 25 basic cable stations caption little or none of their programs. With the exception of CNN and USA, on average, fewer than 8% of basic cable programs are captioned. Similarly, few commercial advertisements are captioned, and hardly any coming attractions, program recaps, program previews, or station breaks are captioned, on either broadcast networks or cable stations.

In addition, most locally produced programs, including those covering news and community affairs, are not captioned. In our state only about half of local TV news is captioned and live coverage captioning is almost nonexistent. Productions by the local Educational network, including the educational programming offered during the day, is only captioned when produced by studios of major urban areas in the Northeast and the West Coast. The telecourses offered by the state and local colleges are not captioned which prevents deaf and hard of hearing people from taking advantage of this opportunity to further themselves.

IV. Funding of Closed Captioning

The Commission is correct when it states that the federal government has played an important historical role in the funding of captioning. For example, the Department of Education has contributed significant funds directly to network broadcasters for the captioning of syndicated programming. Because the Telecommunications Act of 1996 now mandates captioning, video providers and owners will be soon be responsible for funding their own captioning. We support redirecting federal funds that are still available to funding research for improved captioning technology, providing subsidies for programmers that can show undue burden, and providing seed money for the captioning of programs by low-budget programmers and video program owners

V. Quality

The quality of closed captions varies considerably, and affects the ability to enjoy and understand a television show. Indeed there is a column in one of the national deaf newspapers dedicated to the many bizarre spellings and statements which come across the captioned broadcast. Particularly infuriating is when the captions disappear completely (often just as the killer's identity is revealed or, more seriously, the location of the upcoming tornado). No means is available to correct this absence or to gain the missing information.

The FCC should establish minimum standards to ensure the high quality of captioning services. We propose the following guidelines to assist in the development of such standards:

1. Individuals who depend on captioning must receive information about the audio portion of the program which is functionally equivalent to the information available through the program's soundtrack. In order to meet this standard, caption data and information contained in

the program's soundtrack must be delivered intact, throughout the entire program.

Captions are intended to replace the audio portion of a program; where the Commission imposes requirements to caption particular programs, those programs should be captioned in their entirety, as should the commercials and station news segments aired during their breaks.

2. Requirements for proper spelling, grammar, timing, accuracy and placement of captions should be designed to achieve full access to video programming.

3. Captions should include not only verbal information, but other elements of the soundtrack necessary for accessibility. These must include identification of the individual who is speaking where this is unclear to the viewer, sound effects, and audience reaction.

4. Captions should be provided with the style and standards which are appropriate for the particular type of programming that is being captioned. For example, often local newscasts are captioned with computer-generated captioning - also known as electronic newsroom captioning. This method simply does not provide functionally equivalent video service because it misses the captioning of live interviews, sports and weather updates, school closings, and other late breaking stories which are not pre-scripted. Additionally, this method produces captions which are typically out of sync with what is being reported, lagging far behind or jumping way ahead of the anchor person's statements. For all of these reasons, the Commission should require real time captioning for local news broadcasts and all other live programming. Real time captioning uses a caption stenographer to simultaneously caption live audio programming, ensuring that viewers receive complete and up-to-the-minute captions of all that is on the soundtrack.

5. Captions must be reformatted as necessary if the programs on which they have been included have been compressed or otherwise edited. Videos are frequently edited as they move from movie theaters to premium cable stations to basic cable stations to syndication. This editing process typically entails removing frames of the video to compress it into a smaller time period. Video providers must be required to reformat captions on programs that have been edited to ensure that such captions are presented intact and in place.

6. Care must be taken to ensure that captioning remains intact as it moves through the distribution chain from its point of origination to the local video provider. Often captions on programs that are initially intact either arrive scrambled or are even stripped by the time such programs reach their final cable or local network destinations. This problem can easily be remedied by requiring individuals positioned at signal monitoring stations to monitor captions as they pass from a program's site of origination to local affiliates, cable providers, or other final destinations.

7. Open character generated announcements, such as emergency warnings, weather advisories, election results, and school closings should not obstruct or be obstructed by closed captions. Standards need to be developed to ensure the proper placement of these open scrawls.

In developing the above minimum standards, the Commission should work closely with deaf and hard of hearing individuals and captioning services who have had first hand experience with captioning. We propose the creation of a regulatory negotiated rulemaking committee for this purpose.

VI. Transition

The Commission has requested comment on appropriate timetables for providing captioning of video programming. The target for any set of timetables implemented by the Commission should be 100 percent captioning of all television programs, subject to the undue burden exemptions. No category of programming should be completely exempt from the captioning requirements. We recognize, however, that a goal of 100% captioning will not be met overnight. Accordingly, we propose initially requiring premium cable stations to caption 100 percent of their programs within 90 days of the effective date of the FCC's rules.

We also propose that the FCC develop a set of timetables that will begin to require captioning for new programs (i.e. programs that are first published or exhibited after the effective date of the FCC's captioning regulations) within six months after the effective date of the FCC's rules. Timetables for captioning can thereafter depend on the size of the video programmer/owner (with larger programmers and owners being subject to the Commission's rules more quickly), the type of program (with news and current affairs taking first priority), and the airing time for the program (with requiring the captioning of prime time shows before other time slots). Again, although some programmers and owners may have additional time to comply with the captioning rules, the Commission should set as its ultimate objective 100 percent captioning for all those not exempted because of an undue burden.

VII. Conclusion

On February 8, 1996, President Clinton signed the Telecommunications Act of 1996 into law. For the first time in our nation's history, that law mandates the provision of closed captioning for nearly all television programming. The Conference Report accompanying this Act states that it is "the goal of the House to ensure that all Americans ultimately have access to video services and programs, particularly as video programming becomes an increasingly important part of the home, school, and workplace." Conf. Rep. No. 104-458, 104th Cong., 2d Sess. (1996) at 183-4. In keeping with this goal, the FCC initiated this NOI so that it could gather the information needed to promulgate comprehensive regulations on video captioning. We thank the FCC for doing so, and urge the Commission to complete this proceeding and issue captioning rules in an expedited fashion.

Respectfully submitted,

A handwritten signature in cursive script that reads "Sherry L. Williams". The signature is written in dark ink and is positioned above the typed name of the signatory.

Sherry L. Williams, President

South Carolina Association of the Deaf
1735 Augusta Road
West Columbia, SC 29169
(803) 794-3175 (Voice)
(803) 794-7059 (TTY)
(803) 796-1133 (Fax)