

95-176

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MAR 26 1996

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DOCKET FILE COPY ORIGINAL

2/28/96

Dear Commissioner,

Hi my name is Kristy Borsotti. I am from American School for Deaf in West Hartford Connecticut. I am deaf. And I am 10 year old. On tv and news, some programs have no captioning and I don't understand what people are saying. All deaf student want all program captioned to make all deaf understand. We need captioning! It is important to deaf people and me too. We will enjoy all programs that have captioning. Please. All programs should be captioned. We need. Deaf don't understand if some programs have no caption. All hearing people can hear. Deaf can not. It is not fair!

Thank you for your attention.

Sincerely,  
*Kristy Borsotti*  
 Kristy Borsotti.

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95-176

THE OFFICER OF THE SECRETARY  
FEDERAL COMMUNICATIONS COMMISSION  
1919 M STREET, N.W.  
WASHINGTON D.C., 20554

2\27\96

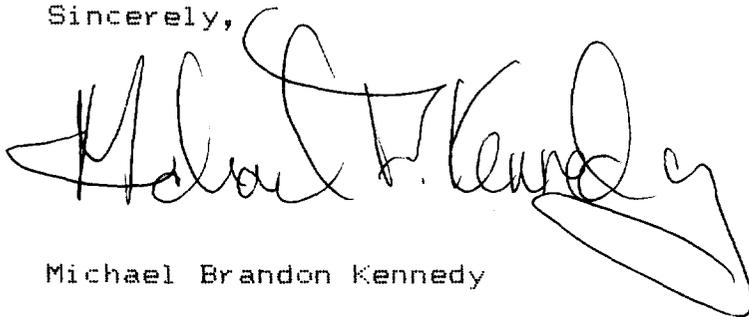
DOCKET FILE COPY ORIGINAL

Dear Commissioner,

I am Michael B. Kennedy. I am a student of the American School for the Deaf (A.S.D.), West Hartford Conn. I feel captioning should be sponsored by the government. I am deaf so I can't hear. The captions should be on all programs. I want to understand what is on the T.V.

Thank you.

Sincerely,



Michael Brandon Kennedy

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DOCKET FILE COPY INTERNAL

Dear Commissioner,

HI! My name is Jennifer Reyes at the American School for Deaf  
in West Hartford. I am a nice deaf student . I can't hear the  
T.V. When the T.V. talks to me, I need to understand. I need to  
learn from T.V. All programs should be captioned.

Thank you for your time.

Sincerely, *Jennifer Reyes*  
Jennifer Reyes

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2-28-96

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Dear Commissioner,

Hello. My name is Kevin Gdovin.

I'm deaf student at the American School for the Deaf  
in West Hartford, Connecticut. It is not fair for Open  
and Closed Captions not to be on all programs on the  
Television! Its only fair. That makes deaf people  
complain about it! Hearing people will be selfish!! I  
want to know what's happening in the world!!!

Thanks for your attention,

Sincerely,

Kevin Gdovin

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DOCKET FILE COPY ORIGINAL

2/28/96

Dear Commissioner,

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Hi my name is Alycia Ruszyk. I am ten years old. I am deaf and also I have a deaf family. I am a student here at the American School for the Deaf (A.S.D) in West Hartford, Conn. I want these programs captioned: Networks (ABC,NBC,CBS,FOX), also MTV, Nickelodeon, Sports and, most importantly weather. If there is no captioning, we won 't be able to know what's happening and on the program. I prefer to have a wide variety of programs with captions. I hope you will understand what we want.

Thank you for your attention

Sincerely,

*Alycia Ruszyk*

Alycia Ruszyk

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1721 Clifford Dr.  
Linc, Pa. 16505  
Feb. 26, 1996

The Office of the Secretary  
Federal Communication Commission  
1919 M St., N.W.  
Washington, D.C.

DOCKET FILE COPY ORIGINAL

Dear Mr. Secretary,

Speaking for myself as a person who is deaf. Closed captioning has enriched my life by allowing me to visually access information. When captioning is not provided, I am excluded (by reason of my disability) from that information.

I commend Congress in their support of the Telecommunication Act (FCC 95-484). Closed Captioning and Video Description of Video Programming is a benefit to everyone. I am asking that you consider having all programming captioned. It is frustrating when I am excluded from a program in which I have an interest. I do not feel someone else should determined what "class" of program I would be allowed to have access.

Thank you for considering my request and looking forward to having access to all the information that everyone else has.

Sincerely,

*Maryann Falk*

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95-176

F  
MAR 6 1996  
FCC MAIL ROOM

2878 Willowood Dr.  
Erie, Pa. 16506  
Feb. 26, 1996

The Office of the Secretary  
Federal Communication Commission  
1919 M St., N.W.  
Washington, D.C.

DOCKET FILE COPY ORIGINAL

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Sincerely,

*George Demare, Sr.*

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The Office of the Secretary  
Federal Communication Commission  
1919 M St., N.W.  
Washington, D.C.

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Thank you for considering my request and looking forward to having access to all the information that everyone else has.

Sincerely,

Mrs. Kathryn Weaver  
+

son Jack E. Weaver, Jr.

935 W. Locust St.

York, Pa. 17404

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

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MAR 6 1996

FCC MAIL ROOM

In the Matter of

Closed Captioning and Video  
Description of Video  
Programming

CC Docket No. 95-176

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COMMENTS OF Utica Civics Association of the Deaf

### I. Introduction

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

Before the closed captioning was available to the public, many of us depended on relatives and hearing friends for their help to make information available to us. It was time consuming and troublesome. Many of us often either gave up and turned to slower means like newspapers and magazines or went on with our daily lives in ignorance. It is not surprising to encounter many other deaf people in remote parts of the state functioning in bliss of ignorance today. Now with this technology, we benefit tremendously in endless ways unimaginable to us only a few years earlier. Our lives, goals and dreams have changed so much and fast. We have grown to appreciate our newfound independence in our daily lives and employment. Also, we have become almost more aware of the happenings in our own blocks, thanks to local news despite of the fact that they are not always fully captioned.

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

*RA*

lobbies, and restaurants, or in quiet ones, such as government and private offices.

### **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 central region of State of New York, towns and cities like Utica, Rome and Syracuse do not have town/city hall meetings closed captioned. Educational TV programs are not closed captioned, too. WCNY-TV in Syracuse which is affiliated with Public Broadcasting Service(PBS) offers several selected closed captioned programs instead of full closed captioning. It is very rare to find closed captioned special bulletin/report announcements shown on all TV networks and nothing on Cable TV. High monthly charges for using cable TV such as Time Warner Cable TV for Rome and Syracuse regions and Harron Cable for Utica region which broadcast very few closed captioned programs do not make any sense. They do not even attempt to have their rates prorated to reflect the number of captioned programs shown. They make full accessibility most difficult for us to benefit.

Two other inaccessible but important areas are films shown in planes and public movie theaters. It does not make any sense to watch non-captioned latest movies during long flights when major airlines like USAir and American showed short captioned safety movies earlier after the takeoff. We paid for our fares like everyone else and yet we do not get what are entitled fully to us. Many of us are tired of renting out captioned videotapes for home use for a long time. We would love to exercise an option of going to a public movie theater and enjoy ourselves like everyone else for a change.

### **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. Several of countless examples are given below:

- 1) scrambled signals.
- 2) bad spelling.
- 3) captions being too slow or too fast, hard to tell who is speaking.
- 4) no captions appear in first 5 - 15 minutes and last 5 - 10 minutes of a

program.

- 5) lack of reliability in TV guides when there is a printed logo or double "C" letters indicating closed captions in a TV guide, the TV captions won't appear after all and vice versa.

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

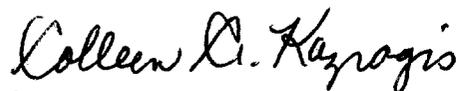
The Commission has requested comment on appropriate timetables for providing captioning of video programming. The target for any set of timetables implemented by the Commission should be 100 percent captioning of all television programs, subject to the undue burden exemptions. No category of programming 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,



Colleen A. Kazragis

President of Utica Civics Association of the Deaf

511 West Bloomfield Street, Rome, New York 13440-4054

TTY 315-336-3006 Email: CAKat511@aol.com

95476

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7111 Kempton Rd.  
Lanham, MD 20706  
February 28, 1996

Office of the Secretary  
FCC  
1919 M St. N.W.  
Washington, D.C. 20554

MAR - 6 1996

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FCC MAIL ROOM

This communication deals with the matter of closed captioning and video description of video programming, FCC 95-484.

I have been encouraged and I am sharing my experiences and feelings which, likewise, are shared by my deaf and hard of hearing acquaintances and various organization members in this metropolitan area.

To someone like myself who is deaf too many of the wonderful TV programs -- both information and entertainment are useless. This explains why so many of us are not yet cable subscribers. We can not benefit even from information shared with county or state citizens. Only a very tiny percentage of the programs are captioned yet we are to pay the same fees. Still the trend, obviously, is toward more cable TV. Public TV is somewhat more accessible but too many programs and films remain puzzling pictures.

In short, if you turn off the audio portion on your TV or on videos - you will immediately understand how useless and inaccessible non-captioned videos and programs are to so many.

Frankly, I'd love to learn from the many educational programs available -- cooking, exercise, in-depth analyses of current issues. Instead I have felt so excluded I do not even bother to try watching them. While the enclosed material may not be directly relevant to the issues under study - the items do indicate the frustration level experienced. Please take a few moments to check and see how many of the offerings are captioned.

Because of time conflicts I do miss seeing "must see" films or mini-series (I'm a movie fan as well) and then, when they get repeated a second or third time I'm excited at the opportunity. Instead the repeat program is shown without any captions! Why IF the captions were already paid for in the first place?

The only solution is that ALL videos and TV programs be close captioned just like all programs have excellent audio sound provided. Whether a person sees or hears or does not - everyone is entitled to accessibility to services whether free or he/she has to pay. No one should be shortchanged simply because a majority is in no need of what is a requirement (not luxury) for a smaller percentage of the population. We pay the same yet....

Thank you for taking these views into consideration. I appreciate this opportunity and am hopeful that the outcome will be fully accessible video and TV programs as well as anything else that can be close captioned.

Sincerely,



Ausma Smits

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