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Closed Captioning Programming

As of January 1, 2000, television licensees and others must provide significant amounts of closed captioned "new" programming, that is, programming first exhibited by any distribution method on or after January 1, 1998. The rules apply to all FCC-licensed television stations and to other distributors of video programming for residential reception, including satellite television services and local cable television operators. The following charts outline the implementation schedule of the captioning requirements for both "new" and "pre-rule" programming that is not exempt from captioning:

"New" Programming: nonexempt programming first exhibited on or after 1/1/98

Air Dates

Required Amount of Closed Captioned Programming 1/1/2000 - 12/31/2001 The lesser of 450 hours per calendar quarter (5 hours per day on average) or all new nonexempt programming 1/1/2002 - 12/31/2003 The lesser of 900 hours per calendar quarter (10 hours per day on average) or all new nonexempt programming 1/1/2004 - 12/31/2005 The lesser of 1350 hours per calendar quarter (15 hours per day on average) or all new nonexempt programming 1/1/2006 and thereafter All new nonexempt programming

"Pre-rule" Programming: nonexempt programming first exhibited before 1/1/98 **Air Dates Required Amount of Closed Captioned Programming** 1/1/2003 - 12/31/2007 30% of pre-rule programming aired per calendar quarter 1/1/2008 and thereafter 75% of pre-rule programming aired per calendar quarter

Exemptions. Certain program providers and types of programming are not subject to the closed captioning requirements. Video program providers with per-channel revenues of less than \$3,000,000 annually are exempt from the closed captioning requirements, and nonexempt program providers are permitted to limit their spending on captioning to 2% of annual gross revenues. **Specific types of programs that do not have to be closed captioned include:**

Programs in a language other than English or Spanish⁽¹⁾

Programs or portions of programs for which the content is already displayed visually

Programs consisting mainly of non-vocal music

Programs on new networks for the first four years of operation

Commercials of five minutes or less

Programs broadcast between 2 a.m. and 6 a.m.

Locally-produced, solely locally-distributed non-news programming with no repeat value

Promos, non-federally funded PSAs, and other interstitials of ten minutes or less

Public TV stations' locally-produced instructional programming for use in schools

However, programming distributors and broadcasters must transmit already-captioned programs to other distributors or the public with captioning intact, regardless of whether their own closed captioning requirements for the time period have already been met.

In addition, the four major broadcast networks and their affiliated stations in the top 25 markets are not permitted to count "electronic newsroom" captioned news programming toward their closed captioning requirement totals. National nonbroadcast networks (networks transmitting programs via cable or satellite) serving at least 50% of the total households subscribing to video programming services (such as cable and satellite services) are also subject to this limitation. The FCC wishes to discourage the use of electronic newsroom captioning, which transmits captions based on prepared news scripts, because real-time captioning can better accommodate live field reports, breaking news, and sports and weather updates.

Lastly, viewer complaints regarding closed captioning must be answered in writing within specified time periods.

1. Spanish-language closed captioning requirements are subject to a different timetable for implementation. In addition, non-English, non-Spanish scripted programming that can be captioned using the "electronic newsroom" method is not exempt.