

Are the number of persons with hearing and vision disabilities expected to grow in the coming years, particularly due to the aging of the population? What proportion of the persons with such disabilities require closed captioning or video description to enjoy television programming, and what proportion currently utilize these technologies? In addition, the Commission requests comment on the number of children with hearing and vision disabilities that can benefit from either closed captioning or video description, and the nature of these benefits. The Notice also seeks comments on other public interest benefits of closed captioning and video description, such as teaching literacy skills to children and illiterate adults.

III. Availability of Closed Captioning and Video Description

5. The Notice asks commenters to provide data regarding the current availability of closed captioning of television video programming. Has the amount of closed captioning been increasing in recent years, or has it reached a plateau? The Commission is particularly interested in data on availability and any discernible trends regarding the following categories: (1) *Program Source*. What is the current availability of closed captioning according to the source of the programming—broadcast network, basic cable and premium cable networks, syndicated programming, locally-produced programming, local and nationally produced public television programming? (2) *Other Delivery Systems*. To what extent is programming carried on wireless cable, satellite master antenna systems, direct-to-home satellite services (including direct broadcast satellite), and local exchange carriers/video dialtone services closed captioned? (3) *Program Type*. To what extent are each of the following types of programs closed captioned (on the media within the scope of FCC jurisdiction): entertainment programs, local and national news, documentaries, public affairs programming, children's educational programming, other types of children's programming, sports, movies, cable public access programming, and live vs. pre-recorded programming? (4) *Previously Published Programming*. The Commission solicits comment on the extent of closed captioning of previously published or exhibited programs, such as reruns and movies, that will be shown to television audiences again. (5) *Market Size and Other Factors*. The Commission also requests comment on the degree to which closed captioning varies by the size of the video programming provider

or producer, by market size, and by whether an entity is affiliated with a broadcast network or multiple cable system operator.

6. The Commission also seeks comment on the current availability of video description, including its availability within each of the categories described in its discussion of the availability of closed captioning. It also requests comment on the estimated number of U.S. households that have stereo television receivers, a VCR, or television adaptor capable of receiving video descriptions via the Second Audio Program channel.

7. The Commission asks parties to comment on the impact that implementation of Advanced Television ("ATV"), and the use of digital technology, may have on the provision of closed captioning and video description on video programming carried by broadcasters and other program providers.

IV. The Cost of Closed Captioning and Video Description

8. The Notice requests information on the current costs of providing closed captioning and video description of new as well as previously published or exhibited television programming. What is the cost of the computer hardware and software, as well encoding and other equipment, necessary for these services? What are the current rates for closed captioning and video description services for both prerecorded and live, "real-time" programming? Are these rates uniform throughout the country? Do the rates vary by program type, the type of delivery system, or other factors? What is the overall cost of providing closed captioning or video description of different types of programs?

9. The Commission also requests comment on the adequacy of the supply of closed captioning and video description services. In addition, it seeks comment on the governmental and nongovernmental funding sources for these services.

V. Market Incentives for Closed Captioning and Video Description

10. The Notice solicits comment on the role free-market forces have played and can play in promoting the provision of closed captioning of video programming. For example, are advertisers actively seeking to market to individuals with hearing impairments, which could in turn encourage closed captioning of television programming? How does the audience size of a particular program influence the likelihood that the program will be closed captioned? Are there presently a

sufficient number of decoder-equipped television receivers in the market to provide the hoped-for incentive for the television industry to provide closed captioning? The Commission also requests comment on the role market-based incentives can play in fostering video description.

VI. Inquiry Regarding Mandatory Captioning and Video Description Requirements

11. As noted, there is legislation pending in Congress that generally would require closed captioning of video programming and which would require the Commission to examine the means of promoting video description. Before these mandatory requirements become law, the legislation must pass both Houses of Congress and be signed by the President. Alternatively, the Commission could assess the possibility of adopting regulatory requirements in this area under its existing statutory authority. The Commission is not presently proposing such action, but it requests comment on the general form any mandatory closed captioning or video description requirements should take if they are deemed necessary. It particularly seeks comment on the following matters: (1) The application of mandatory requirements (i.e., which entities (e.g., program producers, video programming distributors) should be subject to any mandatory requirements); (2) Exemptions to any mandatory requirements due to financial burden or other factors; (3) Technical and quality standards; (4) The appropriate timetables for implementing any closed captioning or video description requirements that may be imposed; (5) Strategies to improve competition and innovation in the provision of these services.

12. The pending Senate and House bills, if enacted, would provide express statutory authority for imposing mandatory closed captioning requirements. The House bill would also permit the Commission to adopt regulations to promote the accessibility of video programming to persons with visual disabilities after conducting an inquiry into video description. However, the Commission seeks comment on the scope of its authority under current law to adopt regulations imposing either closed captioning or video description requirements on broadcast television licensees, cable operators, wireless cable systems, SMATV operators, direct-to-home satellite services, and local exchange carrier/video dialtone systems, as well as on producers/owners and other distributors of such programming.