



NEWS

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This is an unofficial announcement of Commission action. Release of the full text of a Commission order constitutes official action.
See *MCI v. FCC*, 515 F.2d 385 (D.C. Cir. 1974).

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FCC MOVES TO ENSURE ONLINE VIDEO CLIPS ARE ACCESSIBLE TO AMERICANS WHO ARE DEAF OR HARD OF HEARING

New Rules Will Require Captioning of Certain Online Video Clips Beginning in 2016

Washington, D.C. – The Federal Communications Commission today approved new rules that will require closed captioning of video clips that are posted online. The new rules further the purpose of the Twenty-First Century Communications and Video Accessibility Act of 2010 (CVAA) by helping to ensure equal access to all forms of programming by individuals who are deaf or hard of hearing when they watch video content online.

Specifically, the rules extend the Commission’s IP closed captioning rules adopted in 2012, which cover full-length videos online, to video clips if the original programming was shown on television in the United States with captions. The new rules apply to video programming distributors that air programming – including broadcasters and cable and satellite distributors— on television and then post clips of that programming on their own website or via their own mobile app. The new rules do not extend to third party websites or apps.

Compliance deadlines vary based on the type of video clip. Specifically, a deadline of:

- January 1, 2016, will apply to “straight lift” clips, which contain a single excerpt of a captioned television program with the same video and audio that was presented on television;
- January 1, 2017, will apply to “montages,” which occur when a single file contains multiple straight lift clips; and
- July 1, 2017, will apply to video clips of live and near-live television programming, such as news or sporting events. Distributors will have a grace period of 12 hours after the associated live video programming was shown on television and eight hours after the associated near-live video programming was shown on television before the clip must be captioned online in order to give distributors flexibility to post time-sensitive clips online without delay.

Finally, the requirements do not apply to video clips that are in the distributor’s online library before the applicable compliance deadline because compliance for this category of video clips is considered to be economically burdensome.

The Commission also issued a Second Further Notice of Proposed Rulemaking that asks for comment on four related issues, including:

- Application of the IP closed captioning rules to the provision of video clips by third party distributors not subject to today's Order;
- Whether to decrease or eliminate over time the grace periods that apply to video clips of live and near-live programming, as technological advancements facilitate the prompt online posting of such clips with captions;
- Application of the IP closed captioning requirements to "mash-ups," which are files that contain a combination of one or more video clips from captioned programming that has been shown on television along with other content (such as online-only content) that has not been shown on television with captions; and
- Application of the IP closed captioning rules to "advance" video clips, which are those that are added to the distributor's online library after the applicable compliance deadline but before the video programming is shown on television with captions, and which then remain online.

Action by the Commission July 11, 2014, by Report and Order and Second Further Notice of Proposed Rulemaking (FCC 14-97). Chairman Wheeler, Commissioners Clyburn and Rosenworcel issuing separate statements. Commissioner Pai concurring and issuing statement. Commissioner O'Rielly approving in part and concurring in part and issuing statement.

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