

registered participants of any changes to the briefings.

**DATES:**

1. Tuesday, February 23, 2010, San Diego, California.  
Time: 8:30 a.m.–3 p.m.
2. Thursday, February 25, 2010, Dallas, Texas.  
Time: 8:30 a.m.–3 p.m.
3. Tuesday, March 2, 2010, Raleigh, North Carolina.  
Time: 8:30 a.m.–3 p.m.

**ADDRESSES:** The meeting locations are:

1. San Diego—San Diego Marriott Hotel and Marina, 333 West Harbor Drive, San Diego CA 92101, *Tel:* 1-619-234-1500, *fax:* 1-619-234-8678.
2. Dallas—Anatole Hilton, 2201 Stemmons Freeway, Dallas, TX 75207, *Tel:* 1-214-748-1200, *fax:* 1-214-761-7520.
3. Raleigh—Hilton North Raleigh, 3415 Wake Forest Road, Raleigh, NC 27609, *Tel:* 1-919-872-2323, *fax:* 1-919-876-0890.

*To Register:* To register for a briefing session please complete the registration process on-line, by visiting [www.acclaroresearch.com/oflcbriefings](http://www.acclaroresearch.com/oflcbriefings). Due to space considerations, attendance will be limited to those who register online. In the event of cancellation or change, participants will be notified.

**FOR FURTHER INFORMATION CONTACT:** For further information regarding the Employment and Training Administration's portion of the briefings, contact William L. Carlson, PhD, Administrator, Office of Foreign Labor Certification, Employment and Training Administration, 200 Constitution Avenue, NW., Room C-4312, Washington, DC 20210; *Telephone:* (202) 693-3010 (this is not a toll-free number).

For further information regarding the Wage and Hour Division's portion of the briefings, contact James Kessler, Farm Labor Branch Chief, Wage and Hour Division, U.S. Department of Labor, 200 Constitution Avenue, NW., Room S-3510, Washington, DC 20210; *Telephone:* (202) 693-0070 (this is not a toll-free number). Please do not call these offices to register as they cannot accept registrations.

**SUPPLEMENTARY INFORMATION:** The registration information should be used by any member of the public planning to attend a briefing session.

Signed in Washington, DC, this 16th day of February 2010.

**Jane Oates,**

*Assistant Secretary, Employment and Training Administration.*

**Nancy Leppink,**

*Deputy Administrator, Wage and Hour Division.*

[FR Doc. 2010-3282 Filed 2-16-10; 4:15 pm]

**BILLING CODE 4510-FP-P**

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## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 79

[CG Docket No. 05-231; FCC 09-109]

### Closed Captioning of Video Programming

**AGENCY:** Federal Communications Commission.

**ACTION:** Final rule.

**SUMMARY:** In this document, the Commission amends the closed captioning rules to add another method by which video programming distributors may provide contact information to the Commission for the handling of immediate closed captioning concerns and written closed captioning complaints.

**DATES:** 47 CFR 79.1(i)(3), published at 74 FR 1594, January 13, 2009, and the revisions in this document are effective February 19, 2010.

**FOR FURTHER INFORMATION CONTACT:**

Amelia Brown, Consumer and Governmental Affairs Bureau, Disability Rights Office at (202) 418-2799 (voice), (202) 418-7804 (TTY), or e-mail at [Amelia.Brown@fcc.gov](mailto:Amelia.Brown@fcc.gov).

**SUPPLEMENTARY INFORMATION:** This is a summary of the Commission's document FCC 09-109, *Closed Captioning of Video Programming*, CG Docket No. 05-231, Order, adopted December 4, 2009, and released December 11, 2009. The full text of document FCC 09-109 and copies of any subsequently filed documents in this matter will be available for public inspection and copying during regular business hours at the FCC Reference Information Center, Portals II, 445 12th Street, SW., Room CY-A257, Washington, DC 20554. Document FCC 09-109 and copies of subsequently filed documents in this matter also may be purchased from the Commission's duplicating contractor at Portals II, 445 12th Street, SW., Room CY-B402, Washington, DC 20554. Customers may contact the Commission's duplicating contractor at its Web site <http://>

[www.bcpiweb.com](http://www.bcpiweb.com) or by calling 1-800-378-3160.

To request materials in accessible formats for people with disabilities (Braille, large print, electronic files, audio format), send an e-mail to [fcc504@fcc.gov](mailto:fcc504@fcc.gov) or call the Consumer and Governmental Affairs Bureau at (202) 418-0530 (voice) or (202) 418-0432 (TTY). Document FCC 09-109 also can be downloaded in Word or Portable Document Format (PDF) at: <http://www.fcc.gov/cgb/dro/caption.html>.

### Synopsis

1. On November 7, 2008, the Commission released *Closed Captioning of Video Programming, Closed Captioning Requirements for Digital Television Receivers*, CG Docket No. 05-231, ET Docket No. 99-254, Declaratory Ruling, Order, and Notice of Proposed Rulemaking, FCC 08-255 (*2008 Closed Captioning Order*), published at 74 FR 1594, January 13, 2009, which, among other things, requires video programming distributors to provide the Commission with contact information for the handling of immediate closed captioning concerns and written closed captioning complaints. Specifically, in a new § 79.1(i)(3) of its rules, the Commission required video programming distributors to file the required contact information with the Chief of the Disability Rights Office, Consumer and Governmental Affairs Bureau, or by sending the information to [CLOSEDCAPTIONING\\_POC@fcc.gov](mailto:CLOSEDCAPTIONING_POC@fcc.gov).

2. In anticipation of a large number of submissions and volume of information the Commission expects to receive, it has established an electronic webform as an additional method by which video programming distributors may submit their contact information to the Commission. To submit their contact information in this manner, video programming distributors will enter contact information in specific fields and, once submitted, this information will be available almost immediately for online searching by the public. This approach will promote compliance with the rule by facilitating the submission and availability of complete and accurate contact information. While video programming distributors may use any of the three methods described in § 79.1(i)(3), the Commission encourages video programming distributors to submit their contact information through this online, self-service webform. Because this additional method of providing contact information was not provided for in the *2008 Closed Captioning Order* or in § 79.1(i)(3) of the Commission's rules, the Commission is amending § 79.1(i)(3)

of its rules to allow for the filing of contact information through a webform.

### Congressional Review Act

The Commission has sent a copy of the document FCC 09–109 in a report to be sent to Congress and the Government Accountability Office pursuant to the Congressional Review Act.

### Ordering Clause

Pursuant to 47 U.S.C. 154(i), 303(r) and 613, document FCC 09–109 is adopted.

### List of Subjects in 47 CFR Part 79

Cable television operators, Multichannel video programming distributors (MVPDs), Satellite television service providers, Television broadcasters.

Federal Communications Commission.

**Marlene H. Dortch,**  
Secretary.

### Rule Changes

■ For the reasons discussed in the preamble, the Federal Communications Commission amends 47 CFR part 79 to read as follows:

#### PART 79—CLOSED CAPTIONING OF VIDEO PROGRAMMING

■ 1. The authority citation for part 79 continues to read as follows:

**Authority:** 47 U.S.C. 151, 152(a), 154(i), 303, 307, 309, 310, 613.

■ 2. Section 79.1 is amending by revising paragraph (i)(3) to read as follows:

#### § 79.1 Closed captioning of video programming.

\* \* \* \* \*

(i) \* \* \*

(3) *Providing contact information to the Commission.* Video programming distributors shall file the contact information described in this section with the Commission in one of the following ways: through a webform located on the FCC website; with the Chief of the Disability Rights Office, Consumer and Governmental Affairs Bureau; or by sending an e-mail to [CLOSED CAPTIONING\\_POC@fcc.gov](mailto:CLOSED_CAPTIONING_POC@fcc.gov). Contact information shall be available to consumers on the FCC Web site or by telephone inquiry to the Commission's Consumer Center. Distributors shall notify the Commission each time there is a change in any of this required information within 10 business days.

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[FR Doc. 2010–3264 Filed 2–18–10; 8:45 am]

BILLING CODE 6712–01–P

## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 79

[CG Docket No. 05–321; FCC 09–71]

#### Closed Captioning of Video Programming

**AGENCY:** Federal Communications Commission.

**ACTION:** Final rule; stay of effectiveness.

**SUMMARY:** In this document, the Commission temporarily stays the effectiveness of the closed captioning rule that requires video programming distributors in certain circumstances to forward closed captioning complaints to third parties. Because the “forwarding” requirement contained in the rule may conflict with statutory provisions under the Communications Act (the Act), a stay is appropriate pending review by the Commission of the “forwarding” provision of the rule.

**DATES:** 47 CFR 79.1(g)(3), published at 74 FR 1594, January 13, 2009, is stayed beginning February 19, 2010.

**FOR FURTHER INFORMATION CONTACT:** Amelia Brown, Consumer and Governmental Affairs Bureau, Disability Rights Office at (202) 418–2799 (voice), (202) 418–7804 (TTY), or e-mail at [Amelia.Brown@fcc.gov](mailto:Amelia.Brown@fcc.gov).

**SUPPLEMENTARY INFORMATION:** This is a summary of the Commission's Order, FCC 09–71, *Closed Captioning of Video Programming*, CG Docket No. 05–231, Order Suspending Effective Date, adopted September 8, 2009, and released December 11, 2009. The full text of FCC 09–71 and copies of any subsequently filed documents in this matter will be available for public inspection and copying during regular business hours at the FCC Reference Information Center, Portals II, 445 12th Street, SW., Room CY–A257, Washington, DC 20554. FCC 09–71 and copies of subsequently filed documents in this matter also may be purchased from the Commission's duplicating contractor at Portals II, 445 12th Street, SW., Room CY–B402, Washington, DC 20554. Customers may contact the Commission's duplicating contractor at its Web site <http://www.bcpiweb.com> or by calling 1–800–378–3160.

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Document Format (PDF) at: <http://www.fcc.gov/cgb/dro/caption.html>.

### Synopsis

1. On November 7, 2008, the Commission released *Closed Captioning of Video Programming, Closed Captioning Requirements for Digital Television Receivers*, CG Docket No. 05–231, ET Docket No. 99–254, Declaratory Ruling, Order, and Notice of Proposed Rulemaking, FCC 08–255, (*2008 Closed Captioning Order*), published at 74 FR 1594, January 13, 2009, which, among other things, requires video programming distributors in certain circumstances to forward closed captioning complaints to third parties. Such a requirement, however, appears to conflict with certain provisions of the Act that prohibit disclosure of personally identifiable information to third parties. To avoid placing video programming distributors in the untenable position of having to choose whether to comply with the closed captioning rule or with a conflicting statutory provision, the Commission temporarily suspends the effective date of the rule while the Commission considers how to revise it.

2. Specifically, amended 47 CFR 79.1(g)(3), adopted in the *2008 Closed Captioning Order*, appears to conflict with the prohibitions contained in Sections 631(c) and 338(i) of the Act. In particular, cable or satellite operators would violate these provisions if they complied with 47 CFR 79.1(g)(3) by forwarding complaints containing a subscriber's personal information without first obtaining the subscriber's consent to disclose personally identifiable information. Given this apparent conflict, the Commission finds good cause to suspend the effective date of 47 CFR 79.1(g)(3) temporarily without prior notice and comment. Because allowing this rule to take effect would subject companies to conflicting legal obligations, the Commission finds that seeking comment on whether to suspend the rule would be impractical, unnecessary, and contrary to the public interest. The Commission intends to issue a notice of proposed rulemaking to seek comment on a revised rule for handling closed captioning complaints, to replace 47 CFR 79.1(g)(3) as adopted in the *2008 Closed Captioning Order*.

### Congressional Review Act

The Commission will send a copy of the *Order Suspending Effective Date* in a report to be sent to Congress and the Government Accountability Office pursuant to the Congressional Review Act.