



Written by [Michael Tennant](#) on November 3, 2011

Ruling May Force Christian TV Shows Off the Air

A Federal Communications Commission ruling on closed captioning of television programs could jeopardize the continued broadcast of shows produced by “some 300 small- to medium-sized churches,” according to *Politico*.

At issue is whether or not these programs should be exempt from FCC requirements for closed captioning. “The Telecommunications Act of 1996 required the FCC to establish a suitable timetable by which television broadcasters and equipment manufacturers would be required to provide closed captioning,” explains the [Christian Post](#). “The FCC required broadcasters to fulfill the closed captioning requirement by January 2006,” the report adds. However, the agency exempted certain religious broadcasters from the requirement under the so-called “Anglers Order,” named for the ministry, Anglers for Christ, that had requested the exemption.



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The FCC’s Consumer and Government Affairs Bureau proceeded to grant at least 298 more exemptions under that order, essentially waiving the requirement for any nonprofit broadcaster. This displeased advocacy groups for the deaf and hearing impaired, who filed a complaint with the FCC. “The complaint argues that this exemption is too broad because it does not require broadcasters to show that compliance would create a financial hardship,” *Politico* writes.

The full commission agreed with the complaint and is now sending letters to the previously exempt broadcasters, giving them 90 days to reapply for the exemption. “If broadcasters reapply for an exemption,” says the *Christian Post*, “they must show that providing closed captioning would create a financial hardship to obtain the exemption.”

“This was a process that went awry,” Craig Parshall, senior vice president of the National Religious Broadcasters, told *Politico*. “Now, we are going back to Square One.”

The complainants, naturally, are pleased with the outcome.

“Now, we look forward to viewing more TV shows that were not captioned before,” Jim House, spokesman for Telecommunications for the Deaf and Hard of Hearing, Inc., told *Politico*. “It is our hope that those producers affected by the decision would see the positive benefits of making their shows accessible to more and more viewers and find that it is the right thing to do.”

Of course, the problem is not that the producers don’t consider closed captioning beneficial. As Parshall



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put it, “We believe our message needs to get out to the deaf and disabled communities.” The problem is that providing the captioning costs money; and for a small ministry, the cost could be prohibitive. According to *Politico*, Parshall stated that “requiring churches across the country to close caption their TV programs could force the programming off the air,” largely negating the gains made by the advocacy groups in obtaining the ruling.

This is to be expected when one takes the route of coercion rather than that of cooperation. The complainants could have worked with the churches, perhaps assisting with the cost of captioning or helping the various ministries pool their resources to make captioning affordable. Instead, they chose to commandeer the churches’ property via the government, forcing them to pay for captioning regardless of the consequences for the individual churches. It is the entitlement mentality at work: It’s not enough that the churches are providing free programming to viewers; they must also supply viewers’ desired amenities at their own expense. Those on the receiving end of the largess seldom consider either the costs to those on the other end or the possible unintended consequences of state intervention.

It is tempting to view this ruling as an assault on Christian broadcasting, which the largely secular humanist movers and shakers surely would like to squelch. But as unfortunate as their approach might have been, the complainants do seem to want to make it possible for the hearing impaired to enjoy religious programming. Furthermore, reports *Politico*:

While the commission’s decision has an immediate impact on churches across the country, it isn’t directed at religious organizations in particular, Parshall said. Small- and medium-sized churches just happened to apply for exemptions under the closed captioning law’s exception for TV shows where paying for captioning is an undue economic burden, Parshall explained.

Just the same, giving bureaucrats the power to force programs off the air for failing to live up to their standards should concern all constitutionalists. The FCC clearly has the ability to make rules (within broad guidelines established by Congress) that can effectively stifle free speech.

Nor is the agency content to serve as commissar of just radio and TV. It “is also currently considering applying the closed captioning rules to Internet video,” according to the *Christian Post*. Imagine how many videos — including many critical of the government — could be forced off the web should the FCC proceed with imposing captioning rules on it.

Parshall said that his organization merely wants “a sensible regulatory structure that recognizes the plight of the small Christian broadcaster.” But maybe the regulatory structure itself, and not the specific rules, is the [real problem](#). Both hearing and non-hearing viewers of Christian programs may now pay the price for Americans’ having turned a deaf ear to the call of liberty and constitutionalism for so many years.



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