Technology and Disability Policy Highlights

December 2013

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# Overview

In December, the Federal Communications Commission (FCC) revisited rules regarding the closed captioning of IP-delivered video programming by issuing a Public Notice seeking comment on the issue. The notice coincides with a letter written by Senators Mark Pryor (D-Ark) and Edward J. Markey (D-Mass) expressing their support in reconsideration of the matter. In the previously issued *IP Closed Captioning Order,* which was pursuant to the Twenty-First Century Communications and Video Accessibility Act of 2010 (CVAA), the FCC ruled that closed captioning rules “should initially apply to full-length programming and not to video clips,” and gave the intention of revisiting the ruling’s application to video clips in the future. The FCC noted February 18, 2014 as the final deadline for comments on the *Further Notice of Proposed Rulemaking* regarding rules previously adopted to implement Sections 204 and 205 of the CVAA, enabling people with visual or auditory disabilities to easily access accessibility features for video programming. This month also marked an official partnership between the FCC and the National Institute on Aging (NIA), which would allow the two agencies to “partner on research into the use of modern IP technology to improve and make more accessible phone service to Americans who are deaf, deaf-blind or hard of hearing.”

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# Regulatory Activities

## FCC Open Commission Meeting

December 5, 2013 — The FCC convened their monthly Open Meeting on December 12, 2013. The agenda included considerations for a Report and Order to improve 911 reliability and a Notice of Proposed Rulemaking to revise rules regarding use of wireless phones aboard airlines. Additionally, the meeting included status updates from the Technology Transitions Policy Task Force regarding recommendations for the FCC’s “expectations and role in the IP transition.” The meeting will begin at 2:30 p.m. in Room TW-C305 at FCC headquarters. For those unable to attend, past meetings can be viewed at <http://www.fcc.gov/open-meetings>

#### Additional Information

[FCC Press Release](http://transition.fcc.gov/Daily_Releases/Daily_Business/2013/db1205/DOC-324552A1.pdf)

[<http://transition.fcc.gov/Daily_Releases/Daily_Business/2013/db1205/DOC-324552A1.pdf>]

## Senators Advocate for Closed Captioning in Online Video Clips

December 6, 2013 — In response to a decision by the FCC to reconsider the exemption of IP delivered video clips from captioning rules, Senators Mark Pryor (D-Ark) and Edward J. Markey (D-Mass) wrote a letter to the FCC Chairman Tom Wheeler to express their support in reconsideration of the matter. As authors of the Twenty-First Century Communications and Video Accessibility Act of 2010 (CVAA), the Senators expressed that their original intent in drafting the legislation was to ensure that all video clips, regardless of length, include captioning when delivered via IP. In their letter, the Senators also highlight that the majority of current video clips do not include captions, “including 77% of news video clips.” The letter concludes by urging the FCC to reconsider the captioning rules noting, “We hope that the FCC takes this opportunity to resolve this issue and ensure millions of people who are deaf and hard of hearing are not shut out from important online programming.”

#### Additional Information

[Press Release from Senator Markey](http://www.markey.senate.gov/record.cfm?id=349156)

[<http://www.markey.senate.gov/record.cfm?id=349156>]

## FCC Partners to Address Accessible Communications

December 12, 2013 — The FCC and the National Institute on Aging (NIA) signed an interagency Memorandum of Understanding (MOU) which would allow them to “partner on research into the use of modern IP technology to improve and make more accessible phone service to Americans who are deaf, deaf-blind or hard of hearing.” Research conducted under the MOU will focus on the effectiveness of current and potential uses of IP technology, with the intention of helping guide future activities of the FCC Interstate Telecommunications Relay Services Program, a service which enables people with hearing or speech disabilities to place phone calls. Of the partnership, Dr. Marie A. Bernard, Deputy Director of NIA, noted, “The effort addresses a critical need to leverage expertise and resources in a world of rapidly changing technologies where we have a unique opportunity to find and use the best technologies to improve the lives of older people and those with special needs.”

#### Additional Information

[FCC Press Release](http://transition.fcc.gov/Daily_Releases/Daily_Business/2013/db1212/DOC-324668A1.pdf)

[<http://transition.fcc.gov/Daily_Releases/Daily_Business/2013/db1212/DOC-324668A1.pdf>]

## FCC Seeks Comment Concerning Closed Captioning in Online Video Clips

December 13, 2013 —The FCC’s Media Bureau issued a Public Notice [DA 13-2392] seeking comment on rules regarding the closed captioning of IP-delivered video programming. In the previously issued *IP Closed Captioning Order,* which was pursuant to the Twenty-First Century Communications and Video Accessibility Act of 2010 (CVAA), the FCC ruled that closed captioning rules “should initially apply to full-length programming and not to video clips,” and gave the intention of revisiting the ruling’s application to video clips in the future. The notice seeks comment on the current amount and quality of captioned IP-delivered video clips and news clips and whether availability of such clips has been increasing. Additionally, the FCC seeks comment regarding whether captioning of IP-delivered video clips should be required, and if so, what “steps should be taken in order to caption IP-delivered video clips.” Comments are due January 27, 2014 and reply comments are due February 26, 2014.

#### Additional Information

[FCC Public Notice](http://transition.fcc.gov/Daily_Releases/Daily_Business/2013/db1213/DA-13-2392A1.pdf)

[<http://transition.fcc.gov/Daily_Releases/Daily_Business/2013/db1213/DA-13-2392A1.pdf>]

## Public Input Deadlines Announced - Accessibility of User Interfaces

December 20, 2013 —The FCC issued a *Further Notice of Proposed Rulemaking* (FNPRM) *in the Matter of Accessibility of User Interfaces, and Video Programming Guides and Menus; Accessible Emergency Information, and Apparatus Requirements for Emergency Information and Video Description: Implementation of the Twenty-First Century Communications and Video Accessibility Act of 2010* [MB Docket No. 12-108, 12-107]. The FNPRM addresses rules previously adopted to implement Sections 204 and 205 of the CVAA, enabling people with visual or auditory disabilities to easily access accessibility features for video programming. In the FNPRM, the FCC seeks comment on whether the term “usable” should be defined in relation to implementing Section 204 and whether the phrase “accessibility features” is meant to include closed captioning user display settings and “require covered entities to ensure that consumers are able to locate and control such settings.” Additional comments are sought regarding whether rules should be adopted to require secondary audio streams, which may carry accessible public safety information, to be activated by a “mechanism reasonably comparable to a button, key or icon” and whether additional rules are needed to require manufacturers to provide information, documentation and training for consumers regarding accessibility features. Comments are due on or before February 18, 2014; reply comments are due on or before March 20, 2014.

#### Additional Information

[Further Notice of Proposed Rulemaking [MB Docket No 12-108; 12-107]](http://www.gpo.gov/fdsys/pkg/FR-2013-12-20/pdf/2013-28088.pdf)

[<http://www.gpo.gov/fdsys/pkg/FR-2013-12-20/pdf/2013-28088.pdf>]

## FCC Accessibility Rules Effective and Enforceable January 2014

December 20, 2013 — The FCC released Final Rules *in the Matter of Accessibility of User Interface, and Video Programming Guides and Menus* [MB Docket No. 12-108] and *Accessible Emergency Information and Apparatus Requirements for Emergency Information and Video Description: Implementation of the Twenty-First Century Communications and Video Accessibility Act of 2010* [MB Docket No. 12-107]. The adopted rules implement Sections 204 and 205 of the CVAA, enabling people with visual or auditory disabilities to easily access accessibility features for video programming. Specifically, the rules specify that Section 205 applies to “navigation devices,” or those devices used to access multichannel video programming, and while Section 204 applies to all other “digital apparatus designed to receive or play back video programming transmitted in digital format simultaneously with sound.” In ensuring accessibility of navigation devices and digital apparatus, Section 204 requires audio output for all essential functions, as defined by the VPAAC, needed for video reception and playback while also requiring a button, key, or icon for consumers to easily access closed captioning and video description. Similarly, Section 205 requires that the 11 VPAAC essential functions be accessible; however only nine of the 11 require audio output, and at this time, devices covered under Section 205 are required to have a button, key or icon to provide access for closed captioning only. The rules also require covered entities to inform consumers of the availability of accessible devices while also setting a three-year compliance deadline for covered entities. All rules, except those requiring collection of information, are effective January 21, 2014.

#### Additional Information

[Final Rules [MB Docket No. 12-108 and 12-107]](http://www.gpo.gov/fdsys/pkg/FR-2013-12-20/pdf/2013-28098.pdf)

[<http://www.gpo.gov/fdsys/pkg/FR-2013-12-20/pdf/2013-28098.pdf>]

# Other Items of Interest

## New Site to Help People with Disabilities Select Insurance Plans

December 19, 2013 — The American Association on Health and Disability (AAHD) announced the launch of the National Disability Navigator Resource Collaborative (NDNRC) website. The new site, which is co-sponsored by seven national disability organizations, will serve as a resource for Navigators as they aid people with disabilities who enroll in health insurance through the Affordable Care Act Marketplaces. Currently, an estimated 3.5 million people with pre-existing conditions or disabilities do not have health insurance. As new insurance options arise, the NDNRC site works to ensure that people with disabilities have accurate information to select the plan that is best for each individual. The site currently provides general information for Navigators, yet in the coming months the site will also provide fact sheets concerning “specific disability related issues and State specific information as well.” For more information please visit <http://www.nationaldisabilitynavigator.org/>.

#### Additional Information

[AAHD Press Release](http://www.aahd.us/initiatives/initiativesrwj_ndnrc/)

[<http://www.aahd.us/initiatives/initiativesrwj_ndnrc/>]

[National Disability Navigator Resource Collaborative](http://www.nationaldisabilitynavigator.org/)

[<http://www.nationaldisabilitynavigator.org/>]

## NARRTC Call for Papers

December 30, 2013 — NARRTC (formerly known as the National Association of Rehabilitation Research and Training Centers) has issued a call for papers for their upcoming 2014 Annual Conference in Alexandria, Virginia. The theme of this year’s conference is “The Way Forward: Informing Policy with Evidence.” Those interested may submit a proposal for a 60 minute symposium session or a 15 minute research paper presentation. Proposals are due February 1, 2014, and Hannah Rudstam may be contacted with any additional questions by emailing <mailto:hhr5@cornell.edu>.

#### Additional Information

[NARRTC Call for Papers](http://narrtc.org/conferences/proposalinstructions.php)

[<http://narrtc.org/conferences/proposalinstructions.php>]

# Publications and Reports

## 2013 Compendium on Disability Statistics Released

December 11, 2013 — The American Association of People with Disabilities (AAPD) announced the release of the 2013 Compendium of Disability Statistics, a web-based tool that pools disability statistics published by various federal agencies. The Compendium is meant to serve as a tool for researchers and policy makers by providing accessible data to help support “decisions related to policy improvements, program administration, service delivery, protection of civil rights and major life activities.” Findings from the 2013 Compendium highlight that the employment gap between people with and without disabilities remains, with 32.7 percent of people with disabilities employed in 2012 as compared to 73.6 percent of people without disabilities. Also noted is the employment gap by education, wherein, “28.4 percent of people with disabilities with a Bachelor’s degree or higher are employed compared to 76.1 percent of people without disabilities.” President and CEO of AAPD, Mark Perriello, noted that “the findings contained in the 2013 Compendium on Disability Statistics shine a light onto the unfinished work that must be done to improve outcomes of Americans with disabilities. Despite recent gains from the federal government to the private sector to increase economic opportunities, Americans with disabilities remain unemployed and outside the work force at alarming rates. Business, government, and community organizations must work together to build outcome oriented solutions at the local, state, and national level.”

#### Additional Information

[AAPD Press Release](http://www.aapd.com/resources/press-room/aapd-releases-the-2013.html)

[<http://www.aapd.com/resources/press-room/aapd-releases-the-2013.html>]

[2013 Compendium on Disability Statistics](http://www.disabilitycompendium.org/)

[<http://www.disabilitycompendium.org/>]

## Federal Employment of People with Disabilities Increasing

December 19, 2013 — The United States Office of Personnel Management (OPM) released the *Report on the Employment of Individuals with Disabilities in the Federal Executive Branch.* In 2010, President Obama issues *Executive Order 13548*, creating a hiring goal of 100,000 people with disabilities into federal service over five years. The report highlights that in 2012, 219,975 people with disabilities were employed by the Federal government, which has “led to more people with disabilities in Federal service both in real terms and by percentage than at any time in the last 32 years.” Of the report, President and CEO of the American Association of People with Disabilities (AAPD) Mark Perriello notes, “Given the diversity of jobs within the federal government, this report illustrates that employers can recruit and retain people with disabilities as a part of any workforce. As more employers look to tap into the potential of people with disabilities in the workplace, the federal government can serve as a model. However, more must be done to place individuals with disabilities into senior roles within the Executive Branch.”

#### Additional Information

[Report on the Employment of Individuals with Disabilities in the Federal Executive Branch](http://www.opm.gov/policy-data-oversight/diversity-and-inclusion/reports/disability-report-fy2012.pdf)

[<http://www.opm.gov/policy-data-oversight/diversity-and-inclusion/reports/disability-report-fy2012.pdf>]

[AAPD Press Release](http://www.aapd.com/resources/press-room/federal-government-making.html)

[<http://www.aapd.com/resources/press-room/federal-government-making.html>]

# Wireless RERC Updates

## Wireless RERC in the Top 10

December 27, 2013 — Research performed by the Wireless RERC was highlighted in *Emergency Management* as one of the Top Ten Alerting Stories of 2013. In addition to discussing both success stories and potential concerns of the technical infrastructure associated with the Integrated Public Alert and Warning System (IPAWS), the article noted progress in alerting people with disabilities. Specifically, the article highlights recent findings by the Wireless RERC that note the preferred channels by which people with disabilities receive alerts and warnings, including television, text message, email and phone. The article also highlighted the Wireless RERC’s continued research with FEMA to assess the accessibility of IPAWS.

#### Additional Information

[Emergency Management Top Ten Alerting Stories of 2013](http://www.emergencymgmt.com/emergency-blogs/alerts)

[<http://www.emergencymgmt.com/emergency-blogs/alerts>]

## Take and Share the Wireless Emergency Alert Survey!

Wireless Emergency Alerts (WEA) can be received on cell phones across the country. These alerts are automatic, provide AMBER alerts, and weather emergency notifications. Unlike text alerts you may receive from your city, county, or institution, you do not have to sign-up to receive WEA messages. The Rehabilitation Engineering Research Center for Wireless Technologies (Wireless RERC) is interested in your level of awareness of WEA messages. This survey will also help us understand how accessible and useful you think they are.

[**Start** the Wireless Emergency Alert Survey (in English)!](https://www.surveymonkey.com/s/WirelessRERC_WEA_Survey) ***or* İ**[**en Español**](https://www.surveymonkey.com/s/WirelessRERC_WEA_Encuesta)**!**

**As an incentive for taking our 2013 WEA survey you will have a chance to win one of two $100 Amazon gift cards!**

If you wish to take the survey over the phone, please email**[DeeDee Bennett](mailto:deedee.bennett@cacp.gatech.edu" \t "_blank)**or call her at 404-385-4618.

#### Additional Information

[Start the Wireless Emergency Alert Survey!](https://www.surveymonkey.com/s/WirelessRERC_WEA_Survey)

[<https://www.surveymonkey.com/s/WirelessRERC_WEA_Survey>]

# Upcoming Events

## Assistive Technology Industry Association (ATIA) 2014

ATIA 2014 will convene at Caribe Royale All-Suites Resort & Convention Center, Orlando, January 29, 2014, to learn of products, practices and services for service professionals serving children, students and adults with disabilities.

#### Additional Information

[ATIA 2014](http://www.atia.org/i4a/pages/index.cfm?pageid=4449)

[<http://www.atia.org/i4a/pages/index.cfm?pageid=4449>]

## Save the Date: 2014 Disability Policy Seminar

The 2014 Disability Seminar will be held in Washington, D.C. on April 7 – 9. The Seminar will offer individuals a chance to hear from “leading public policy experts, disability advocates and Congressional staff” as they discuss key topics relating to the disability community including Medicaid, Employment, Education, and Health Care. Registration for the event will open soon, and any questions can be sent to Robin Powers at <mailto:robin@cmig.com>.

#### Additional Information

[2014 Disability Policy Seminar](http://www.thearc.org/page.aspx?pid=2173)

[<http://www.thearc.org/page.aspx?pid=2173>]

**Technology and Disability Policy Highlights**

December 2013

Technology and Disability Policy Highlights reports on national and local public policy events and recent wireless technological advances and political activities; and tracks emerging issues of interest to individuals with disabilities. *Technology and Disability Policy Highlights* is published monthly by the Wireless RERC. The Wireless RERC is a research center that promotes universal access to wireless technologies and explores their innovative applications in addressing the needs of people with disabilities. For more information on the Wireless RERC, please visit our web site at [<http://www.wirelessrerc.org>].

For further information on items summarized in this report, or if you have items of interest that you would like included in future editions, please contact this edition’s editors, Braeden Benson [braeden@cacp.gatech.edu], and Salimah LaForce [salimah.laforce@cacp.gatech.edu].

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