Technology and Disability Policy Highlights

May 2013



# Overview

In May, the Federal Communications Commission (FCC) adopted a Report and Order [FCC 13-64] regarding the roll out of text-to-911, specifically requiring wireless carriers as well as providers of text messaging services to provide a “bounce-back” message to consumers when text-to-911 is not available. The bounce-back rules become effective June 28, 2013, and are invoked under the authority of the Twenty-first Century Communications and Video Accessibility Act of 2010 (CVAA) to “promulgate regulations that implement one or more of EAAC [Emergency Access Advisory Committee] recommendations.”

In other efforts to implement provisions of the CVAA, the FCC released a Notice of Proposed Rulemaking requesting stakeholder input on defining the scope of Sections 204 and 205 of the CVAA, which require user interfaces and navigation devices for video programming to be accessible to people with vision loss.

In research news, the National Institute on Disability and Rehabilitation Research (NIDRR) has issued a number of final priorities and award notices for research demonstration and training projects covering topics such as disability statistics, employment of individuals with disabilities, and cloud and web computing.

Finally. the Wireless RERC reminds developers to submit proposals by June 30, 2013 for financial support to develop assistive and/or accessibility apps for mobile platforms (e.g., Android, Blackberry 10, iOS, Windows Phone), through its APP Factory project.

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# Regulatory Activities

## New “Bounce-Back” Rules for Text-to-911

May 17, 2013 —The FCC released a *Report and Order* [FCC 13-64] regarding the roll out of text-to-911, specifically requiring wireless carriers as well as providers of text messaging services to provide a “bounce-back” message to consumers who attempt to use text-to-911 where the service is unavailable or the text is unable to be transmitted. Text-to-911 is currently available in a limited number of areas, but will become more widely available as more areas transition to Next Generation 911. The FCC notes that to “reduce the risk of a person sending a text message to 911 in an emergency and mistakenly believing that 911 authorities have received it,”  the reply message will tell the consumer that their message was not received and provide “directions to use another means to contact emergency services.” The rules become effective and enforceable on June 28, 2013.

#### Additional Information

[Report and Order [PS Docket No. 11-153] and [PS Docket No. 10-255](http://hraunfoss.fcc.gov/edocs_public/index.do?document=321045)]

[[http://hraunfoss.fcc.gov/edocs\_public/index.do?document=321045]](http://hraunfoss.fcc.gov/edocs_public/index.do?document=321045)

## Multimillion Dollar Settlements Regarding Alleged Improper TRS Billing

May 28, 2013 — Sorenson Communications and AT&T have agreed to settle after the FCC began investigations of whether the companies had improperly billed the Telecommunications Relay Service (TRS) Fund. Sorenson Communications and AT&T will pay $15.75 million and $18.25 million respectively, in which approximately $9.2 million will go to repay the TRS Fund with the remaining $22.75 million being paid to the US Treasury as a voluntary contribution. The investigations concerned, among other things, the alleged charging of the TRS fund for calls made by unverified individuals. TRS allows for people with hearing and speech disabilities to “engage in telephone communications with one or more individuals” at no cost to the consumer. The TRS fund compensates TRS service providers for the cost of interstate calls. As noted by FCC Chairman Julius Genachowski, “for consumers with speech and hearing disabilities, Telecommunications Relay Service provides a vital connection to friends, family, employers and first responders.”

#### Additional Information

[FCC Press Release - AT&T](http://transition.fcc.gov/Daily_Releases/Daily_Business/2013/db0507/DOC-320774A1.pdf)

[<http://transition.fcc.gov/Daily_Releases/Daily_Business/2013/db0507/DOC-320774A1.pdf>]

[FCC Press Release - Sorenson Communications](http://transition.fcc.gov/Daily_Releases/Daily_Business/2013/db0528/DOC-321216A1.pdf)

[<http://transition.fcc.gov/Daily_Releases/Daily_Business/2013/db0528/DOC-321216A1.pdf>]

## FCC Invites Comments on Accessibility of User Interfaces & Digital Video Navigation

May 30, 2013 — The FCC released a *Notice of Proposed Rulemaking* (NPRM) *in the Matter of Accessibility of User Interface, and Video Programming Guides and Menus* [MB Docket No. 12-108]. The NPRM requests input on defining the scope of Sections 204 and 205 of the Communications and Video Accessibility Act of 2010 (CVAA) which require user interfaces and navigation devices for video programming to be accessible to people with vision loss. Specifically, The FCC seeks comment on the definitions of “navigation devices” and “digital apparatus” in addition to which essential user functions on these devices should be required to be made accessible by providing audio output for people who are blind or have low vision. In addition, the FCC seeks comment on whether activation of video description of user interfaces can be encompassed in the rules which require “closed captioning or accessibility features” to be activated “through a mechanism reasonably comparable to a button, key, or icon,” and whether video description of user interfaces can be required to “be activated (and deactivated) in a single step.” The FCC also seeks comment on compliance deadlines, means of enforcement and sunsetting the analog closed caption requirement. Initial comments are due 25 days after publication in the Federal Register, and reply comments are due 50 days after publication in the Federal Register.

#### Additional Information

[NPRM on Accessibility of User Interfaces, and Video Programming Guides and Menus [MB Docket No. 12-108]](http://www.fcc.gov/document/user-interface-guide-and-menu-accessibility)

[<http://www.fcc.gov/document/user-interface-guide-and-menu-accessibility>]

# Wireless RERC Updates

## Wireless RERC Included in Emergency Communications Rulemakings

Wireless RERC input on accessible emergency information and text-to-911 was included in recent FCC rulemaking. The first, in the *Report and Order (R&O) In the Matter of Accessible Emergency Information and Apparatus Requirements…Video Description…*[MB Dockets No. 12-107 and 11-43], the Wireless RERC was cited and/or included in the body of the document 17 times, influencing final rules requiring the simultaneous provision of visual and audio emergency information conveyed during non-newscast programming. Findings from Wireless RERC research have long included this recommendation for any type of alerting modality: traditional broadcast, wireless or otherwise. In order to ensure accessibility by people with vision loss, audio presentations must be present. In the *R&O In Matter of Facilitating Deployment of Text-to-911…*[PS Docket No. 11-153] the Wireless RERC was cited and/or included in the body of the document 15 times, impacting final rules requiring all commercial wireless and interconnected text providers to enable bounce back messages to consumers in areas where text-to-911 is not available. This requirement will assist with managing the public expectation regarding text-to-911 availability as deployment will be on a rolling basis.

#### Additional Information

[*Report and Order (R&O) In the matter of Accessible Emergency Information and Apparatus Requirements…Video Description…*[MB Dockets No. 12-107 and 11-43]](http://transition.fcc.gov/Daily_Releases/Daily_Business/2013/db0411/FCC-13-45A1.pdf)

[<http://transition.fcc.gov/Daily_Releases/Daily_Business/2013/db0411/FCC-13-45A1.pdf>]

[*Wireless RERC Comments*](http://www.wirelessrerc.org/content/newsroom/making-emergency-information-accessible)

[<http://www.wirelessrerc.org/content/newsroom/making-emergency-information-accessible>]

[*R&O In Matter of Facilitating Deployment of Text-to-911…*[PS Docket No. 11-153]](http://hraunfoss.fcc.gov/edocs_public/index.do?document=321045)

[<http://hraunfoss.fcc.gov/edocs_public/index.do?document=321045>]

[*Wireless RERC Reply Comments*](http://www.wirelessrerc.org/content/newsroom/wireless-rerc-comments-text-911-deployment)

[[http://www.wirelessrerc.org/content/newsroom/wireless-rerc-comments-text-911-deployment]](http://www.wirelessrerc.org/content/newsroom/wireless-rerc-comments-text-911-deployment%5D)

## App Factory 2013 – 2014 Proposals due June 30, 2013

The Wireless RERC is inviting experienced organizations or individual developers based in the U.S. to submit proposals for financial support to develop assistive and/or accessibility apps for mobile platforms (e.g., Android, Blackberry 10, iOS, Windows Phone).  Developers may also request partial funding for apps that already have partial support from other sources, or for adaptation of existing apps to additional platforms.  Proposals must be submitted by June 30, 2013.  Complete details and a proposal outline are available at: <http://www.wirelessrerc.org/sites/default/files/content/newroom/2013%20App%20RFP%204%2001%2013.pdf>

## Wireless Technology Use and Disability presentation at CTIA's Wireless 2013 Accessibility Outreach Initiative

On May 21, 2013, Wireless RERC program manager John Morris gave a presentation on *Wireless Technology Use and Disability: Results from the Survey of User Needs* at CTIA's Wireless 2013 Accessibility Outreach Initiative (AOI). John, along with other disability and consumer advocacy experts, provided a roundtable discussion on wireless accessibility and consumer needs to industry and federal regulatory professionals. Below is a PDF of John's presentation that includes his speaking notes.

#### View Full Document Below

[PDF of Presentation on Wireless Technology Use and Disability for CTIA's Wireless 2013 Accessibility Outreach Initiative](http://www.wirelessrerc.org/sites/default/files/publications/Wireless_Technology_Use_and_Disability_CTIA_FINAL-SHORT_FINAL_notes.pdf)

# Publications and Reports

## Broadband Adoption Toolkit

May 8, 2013 — The National Telecommunications and Information Administration (NTIA) released the *Broadband Adoption Toolkit* in an effort to help document and share effective practices of recipients of Broadband Technology Opportunities Program (BTOP) funding.  The *Toolkit* highlights that approximately 100 million people have yet to adopt broadband in their homes and provides guidance for initiatives to bring people online.  Specifically, the *Toolkit* notes that only 38% of people with disabilities have broadband at home which is compounded by the fact that “for people with disabilities, using a computer can pose a multitude of unique barriers.” The toolkit provides recommendations such as providing a mobile computer lab which is ADA compliant, ensuring instructors are trained to help meet the needs of people with disabilities, and making organizational changes to welcome people with disabilities and ensure accessibility.

#### Additional Information

[NTIA Broadband Adoption Toolkit](http://www2.ntia.doc.gov/files/toolkit_042913.pdf)

[<http://www2.ntia.doc.gov/files/toolkit_042913.pdf>]

## GAO Report on Emergency Alerting Highlights Challenges

May 23, 2013 — The Government Accountability Office released the report titled *Emergency Alerting: Capabilities Have Improved, but Additional Guidance and Testing are Needed*. The report reviews the changing capabilities of the Integrated Public Alert and Warning System (IPAWS) in addition to the results of the nationwide test of the Emergency Alert System (EAS). The report highlights that while IPAWS has the capability to better disseminate alerts and warnings through the creation of the alert aggregator, barriers to implementation remain, including insufficient guidance, inability to test the IPAWS system, and insufficient public outreach. The report also notes that during the 2011 test of EAS, approximately 82% of reporting broadcasters and cable operators received the alert and only 61% of those reporting were able to redistribute the alert due to technical failures at public entry point (PEP) stations, shortened test length, and outdated monitoring assignments. As noted by the report, the implementation of IPAWS may help overcome some of the limitations traditionally seen in the “effectiveness of the national-level EAS.” Specifically, IPAWS will help to disseminate alerts and warnings to a larger portion of the population through dissemination in many modalities including radio, television, mobile alerts and “messages to specialized alerting devices for individuals with disabilities.”

#### Additional Information

[GAO - Emergency Alerting: Capabilities Have Improved, but Additional Guidance and Testing are Needed](http://www.gao.gov/assets/660/654135.pdf)

[<http://www.gao.gov/assets/660/654135.pdf>]

# Other Items of Interest

## New NIDRR Award Applications

May 2013 — The National Institute on Disability and Rehabilitation Research (NIDRR) has announced final priorities and award applications for Disability Rehabilitation Research Projects (DRRPs) and Rehabilitation Research and Training Centers (RRTCs) in the following areas:

* Community Living and Participation of Individuals with Disabilities (DRRP)
* Health and Function of Individuals with Disabilities (DRRP)
* Employment of Individuals with Disabilities (DRRP)
* Inclusive Cloud and Web Computing (DRRP)
* Traumatic Brain Injury Model Systems Collaborative Research Project (DRRP)
* Employment of Individuals with Physical Disabilities (RRTC)
* Health and Function of Individuals with Intellectual and Developmental Disabilities
* Community Living and Participation for Individuals with Intellectual and Developmental Disabilities (RRTC)
* Disability Statistics (RRTC), *application deadline July 19, 2013*
* Community Living and Participation for People with Psychiatric Disabilities (RRTC), *application deadline July 19, 2013*

The research priorities are an effort to “improve outcomes for people with disabilities” through focusing “research attention on areas of national need.” Estimated available award funds range from $600,000 to $950,000 depending on the research priority. Applications for awards are available and the deadline for notice of intent to apply (if applicable) is June 11, 2013. The final deadline for the first eight applications listed above is July 8, 2013; the final two are due July 19, 2013.

#### Additional Information

[NIDRR Priority [FR Doc No: 2013-10823]](http://www.gpo.gov/fdsys/pkg/FR-2013-05-07/html/2013-10823.htm)

[[http://www.gpo.gov/fdsys/pkg/FR-2013-05-07/html/2013-10823.htm](http://www.gpo.gov/fdsys/pkg/FR-2013-05-07/html/2013-10823.htm)]

[NIDRR Award Application [FR Doc No: 2013-10824]](http://www.gpo.gov/fdsys/pkg/FR-2013-05-07/html/2013-10824.htm)

[<http://www.gpo.gov/fdsys/pkg/FR-2013-05-07/html/2013-10824.htm>]

[NIDRR Priority [FR Doc No: 2013-10829]](http://www.gpo.gov/fdsys/pkg/FR-2013-05-07/html/2013-10829.htm)

[<http://www.gpo.gov/fdsys/pkg/FR-2013-05-07/html/2013-10829.htm>]

[NIDRR Award Application [FR Doc No: 2013-10830]](http://www.gpo.gov/fdsys/pkg/FR-2013-05-07/html/2013-10830.htm)

[<http://www.gpo.gov/fdsys/pkg/FR-2013-05-07/html/2013-10830.htm>]

[NIDRR Award Application [FR Doc No: 2013-11085]](http://www.gpo.gov/fdsys/pkg/FR-2013-05-09/html/2013-11085.htm)

[<http://www.gpo.gov/fdsys/pkg/FR-2013-05-09/html/2013-11085.htm>]

[NIDRR Award Application [FR Doc No: 2013-11077]](http://www.gpo.gov/fdsys/pkg/FR-2013-05-09/html/2013-11077.htm)

[<http://www.gpo.gov/fdsys/pkg/FR-2013-05-09/html/2013-11077.htm>]

[NIDRR Final Priority - Disability Statistics](http://www.gpo.gov/fdsys/pkg/FR-2013-05-20/html/2013-11988.htm)

[<http://www.gpo.gov/fdsys/pkg/FR-2013-05-20/html/2013-11988.htm>]

[NIDRR Award Application - Disability Statistics](http://www.gpo.gov/fdsys/pkg/FR-2013-05-20/html/2013-11987.htm)

[<http://www.gpo.gov/fdsys/pkg/FR-2013-05-20/html/2013-11987.htm>]

[NIDRR Final Priority - Community Living and Participation for People with Psychiatric Disabilities](http://www.gpo.gov/fdsys/pkg/FR-2013-05-20/html/2013-11978.htm)

[<http://www.gpo.gov/fdsys/pkg/FR-2013-05-20/html/2013-11978.htm>]

[NIDRR Award Application - Community Living and Participation for People with Psychiatric Disabilities](http://www.gpo.gov/fdsys/pkg/FR-2013-05-20/html/2013-11977.htm)

[<http://www.gpo.gov/fdsys/pkg/FR-2013-05-20/html/2013-11977.htm>]

## NIDRR Seeks Public Input on Proposed Research Priority

May 7, 2013 — The National Institute on Disability and Rehabilitation Research (NIDRR) has issued a notice of proposed priority [FR Doc No: 2013-10833] for a Rehabilitation Research Training Center (RRTC) Program on Disability in Rural Areas.  The notice highlights that people with disabilities comprise an estimated 13.2 percent of rural populations, as compared to 11.6 percent in urban areas.  In addition, rural areas pose challenges such as geographic isolation which is often coupled with “less access to public transportation, employment and educational opportunities, health networks and health care providers,” and broadband connections.  The notice asserts that further research is needed concerning people with disabilities in rural areas specifically relating to “programs and interventions that can lead to improved employment, health and function, and community living and participation.” Comments on this priority are due June 6, 2103.

#### Additional Information

[NIDRR Proposed Priority](http://www.gpo.gov/fdsys/pkg/FR-2013-05-07/html/2013-10833.htm)

[<http://www.gpo.gov/fdsys/pkg/FR-2013-05-07/html/2013-10833.htm>]

## User Agent Accessibility Guidelines

May 23, 2013 — W3C is seeking comment on two newly released drafts regarding the User Agent Accessibility Guidelines (UAAG) 2.0 and Implementing UAAG 2.0. The drafts provide guidance for designing accessible user agents, which include “web browsers and other types of software that retrieve and render web content.” Specifically, the drafts are requesting comment on accessibility guidelines for mobile web applications, clarity of guidelines, whether only certain guidelines must be met for development of user agents for specific platforms, and the availability of “sufficient examples of other technologies that support accessibility.” Comments on the draft are due by June 21, 2013 to public-uaag2-comments@w3.org.

#### Additional Information

[User Agent Accessibility Guidelines (UAAG) 2.0](http://www.w3.org/TR/UAAG20/)

[<http://www.w3.org/TR/UAAG20/>]

[Implementing UAAG 2.0](http://www.w3.org/TR/IMPLEMENTING-UAAG20/)

[<http://www.w3.org/TR/IMPLEMENTING-UAAG20/>]

# Upcoming Events

## NENA 2013 Conference & Expo

The National Emergency Number Association (NENA) will hold its annual Conference and Expo on June 5-20, 2013 in Charlotte, North Carolina. Thousands of public safety professionals, telecommunications specialists, and federal, state, and local policymakers will meet to discuss the near and long-term issues facing public safety and the skills needed to address challenges. NENA’s educational tracks, among other things, will address NG911, accessibility, text-to-911, public outreach, and Geographical Information Systems (GIS). Wireless RERC Principal Investigator, Helena Mitchell, PhD, will present *Current 9-1-1 & Alerting Trends for People with Disabilities*, reporting on current data on how people with disabilities receive public alerts and their preferences and practices for contacting emergency services.

#### Additional Information

[NENA 2013](http://www.nena.org/?page=NENA2013)

[<http://www.nena.org/?page=NENA2013>]

**Technology and Disability Policy Highlights**

May 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], Salimah LaForce [salimah.laforce@cacp.gatech.edu], or James White, Ph.D., [james@cacp.gatech.edu].

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