Technology and Disability Policy Highlights

October 2013



# Overview

In October, rules pursuant to Sections 204 and 205 of the CVAA went into effect requiring navigation devices and other digital apparatus used to receive or play back video programming to be accessible to people with visual and auditory disabilities. The rules require audio output for all essential functions needed for video reception and playback while also requiring a button, key or icon for consumers to easily access closed captioning or video description, depending on the device. 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. Additionally, the FCC issued a Further Notice of Proposed Rulemaking (FNPRM) seeking comment on the adoption of additional rules to define the term “usable” in relation to Section 204 and 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.” In a Public Notice, the FCC invited interested parties to submit applications to become certified “to distribute equipment under the National Deaf-Blind Equipment Distribution Program (NDBEDP) to qualifying residents in Mississippi” following the decision of The Arch of Mississippi to withdraw from the program.

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# Regulatory Activities

## FCC Accepting Applications for the Mississippi Deaf-Blind Equipment Distribution Program

October 30, 2013 — The Federal Communications Commission (FCC) released a *Public Notice* [DA 13-2097] inviting interested parties to submit applications to become certified “to distribute equipment under the National Deaf-Blind Equipment Distribution Program (NDBEDP) to qualifying residents in Mississippi.” In accordance with Section 105 of the Twenty-First Century Communications and Video Accessibility Act of 2010 (CVAA), NDBEDP began as a two-year pilot program in 2012 that enables low-income individuals who are deaf-blind to have access to the Internet and advanced communications through State equipment distribution programs. Recently, The Arc of Mississippi noted that they were no longer able to participate as a NDBEDP provider and will withdraw from the program beginning January 1, 2014. Accordingly, the FCC is seeking applicants who wish to be certified as equipment distribution provider under the NDBEDP in Mississippi. Applications are open to both public programs and private entities and are due November 14, 2013.

#### Additional Information

[Public Notice [DA 13-2097]](http://transition.fcc.gov/Daily_Releases/Daily_Business/2013/db1031/DA-13-2097A1.pdf)

[<http://transition.fcc.gov/Daily_Releases/Daily_Business/2013/db1031/DA-13-2097A1.pdf>]

## FCC Refines Rules on Accessibility of User Interfaces & Digital Video Navigation

October 31, 2013 — The Federal Communications Commission (FCC) released a *Report and Order* (R&O) *and Further Notice of Proposed Rulemaking* (FNPRM) *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 R&O adopts rules to implement Sections 204 and 205 of the CVAA which will enable people with visual or auditory disabilities to easily access accessibility features for video programming. Specifically, the R&O outlines that the rules specified in Section 205 apply to “navigation devices” or those devices used to access multichannel video programming, and the rules specified in Section 204 apply 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 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 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.

The FCC seeks comment on the adoption of additional rules to define the term “usable” in relation to Section 204 and the possible benefits or costs of “imposing usability requirements.” Comments are also sought on 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. Initial comments are due 60 days after publication in the Federal Register, and reply comments are due 90 days after publication in the Federal Register.

#### Additional Information

[Report and Order and FNPRM [MB Docket No. 12-108 and 12-107]](http://transition.fcc.gov/Daily_Releases/Daily_Business/2013/db1031/FCC-13-138A1.pdf)

[<http://transition.fcc.gov/Daily_Releases/Daily_Business/2013/db1031/FCC-13-138A1.pdf>]

# Publications and Reports

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## Youth with Disabilities Key to Transforming the American Workforce

September 26, 2013 — U.S. Senator Tom Harkin (D-IA), Chairman of the Committee on Health, Education, Labor and Pensions, released a report entitled, “High Expectations: Transforming the American Workforce as the ADA Generation Comes of Age.” The report highlights that the “ADA Generation,” described as youth with disabilities who have “come of age after the passage of the Americans with Disabilities Act (ADA),” have benefited from the provisions of the ADA, leading to better education, transportation, and communications access. The report further notes that while the ADA Generation has made strides within secondary education there is still a general disparity in labor force participation among people with and without disabilities. Despite the overall labor force participation gap, for youth with disabilities ages 16 to 19 the gap is less significant. Taking this into consideration, the report identifies four areas which can be utilized to help continue eliminating the labor market disparity for youth with disabilities including:

* Increasing support for high school and middle school students with disabilities,
* Improving transitional services for students with disabilities entering postsecondary education and the workforce,
* “Changing the assumptions in disability benefit programs that discourage young people with disabilities from working,” and
* Working with employers to correct misconceptions about people with disabilities while “building strong pipelines from school to the competitive workforce.

#### Additional Information

[High Expectations: Transforming the American Workforce as the ADA Generation Comes of Age](http://www.harkin.senate.gov/documents/pdf/52446704c3501.pdf)

[<http://www.harkin.senate.gov/documents/pdf/52446704c3501.pdf>

## New Study Finds Caregivers Live Longer

October 3, 2013 — A new study published by the American Journal of Epidemiology has found that when compared to non-caregivers, caregivers have a lower rate of all-cause mortality. The study followed over 3,500 caregivers during a 6-year period and compared the rate of mortality to non-caregivers, who were matched based on factors such as demographics and health history. Overall, the study found that during the follow-up period, 264 of the caregivers died, which was “significantly fewer” than the 315 of non-caregivers who died during the study. David Roth, primary author of the study and director of the Johns Hopkins University Center on Aging and Health noted, “If highly stressful situations can be avoided or managed effectively, caregiving may actually offer some health benefits for both the care recipients and the caregivers, including reduced risk of death for those providing care. Public discussions of caregiving should more accurately balance the potential risks and gains of this universal family role.”

#### Additional Information

[Family Caregiving and All-Cause Mortality: Findings from a Population-based Propensity-matched Analysis](http://aje.oxfordjournals.org/content/early/2013/10/02/aje.kwt225.abstract?sid=07abcc80-a3ce-45ba-acd5-ef25e218541e)

[<http://aje.oxfordjournals.org/content/early/2013/10/02/aje.kwt225.abstract?sid=07abcc80-a3ce-45ba-acd5-ef25e218541e>]

## Report Analyzes Employment Outcomes for People with Disabilities

October 4, 2013 — Researchers with the Individual Characteristics Rehabilitation Research and Training Center have released a report entitled “Individual Characteristics and Employment Outcomes among People with Disabilities: A Critical Literature Review.” The report reviews literature on employment for people with disabilities to determine how individual characteristics affect employment outcomes. Overall, the report found that few studies focus on individual characteristics, such as health or personal factors and their relation to employment. Additionally, of the studies that focus on individual characteristics and employment outcomes, there was “substantial variation in the populations studied,” making it difficult to generalize or compare any findings.

#### Additional Information

[Individual Characteristics and Employment Outcomes among People with Disabilities: A Critical Literature Review](http://www.researchondisability.org/docs/publications/phase1-ic-employment-oucomes.pdf?sfvrsn=2)

[<http://www.researchondisability.org/docs/publications/phase1-ic-employment-oucomes.pdf?sfvrsn=2>]

## AT&T Spotlighted for Accessibility

October 15, 2013 — The Global Initiative for Inclusive Information and Communication Technologies (G3ict) released a report highlighting the Corporate Accessibility Technology Office (CATO) at AT&T. The report notes that although CATO was established in 2012, this is the most recent effort by AT&T to ensure accessibility for both employees and consumers. As an office, CATO works to ensure that products comply with accessibility regulations while also raising awareness, providing training concerning disability-related issues and performing outreach to members of the disability community. The report also highlights CATO’s prospective projects, including company-wide accessibility standards, additional employee trainings concerning accessibility-related issues and collaborations with equipment manufacturers to both educate manufacturers and “advocate for incorporating accessibility technology into mobile product design.”

#### Additional Information

[AT&T's Corporate Accessibility Technology Office: An Industry Model](http://g3ict.org/resource_center/publications_and_reports/p/productCategory_books/subCat_3/id_302)

[<http://g3ict.org/resource_center/publications_and_reports/p/productCategory_books/subCat_3/id_302>]

# Other Items of Interest

## Blind Americans Equality Day

October 11, 2013 — In a Presidential Proclamation, President Barack Obama announced October 11, 2013 as Blind Americans Equality Day. In the Proclamation, President Obama discussed current efforts to ensure people who are blind or have low vision have “every opportunity to pursue their dreams.” Recent efforts undertaken by the United States include support for a treaty to legally allow for copyrighted material to be made accessible to people who are blind or have low vision and guidance to promote “Braille as a literacy tool under the Individuals with Disabilities Education Act.” Regarding the day, President Obama said, “we celebrate the accomplishments of our blind and visually impaired citizens, and we recommit to building a Nation where all Americans, including those who are blind or visually impaired, live with the assurance of equal opportunity and equal respect.”

#### Additional Information

[Presidential Proclamation: Blind Americans Equality Day](http://www.whitehouse.gov/the-press-office/2013/10/11/presidential-proclamation-blind-americans-equality-day-2013)

[<http://www.whitehouse.gov/the-press-office/2013/10/11/presidential-proclamation-blind-americans-equality-day-2013>]

## Grants to Support Disability Research Awarded by Department of Education

October 21, 2013 — The Department of Education’s National Institute on Disability and Rehabilitation Research (NIDRR) announced that over $6.4 million has been awarded to varying institutions to support disability research. The grants awarded include Rehabilitation Engineering Research Centers and Rehabilitation Research and Training Centers and were awarded to the following institutions:

* Georgia Tech Research Corporation ($924,999)
* University of Washington ($875,000)
* The Board of Regents of the University of Wisconsin System ($925,000)
* Regents of the University of Michigan ($923,442)
* Rehabilitation Institute of Chicago (RIC) ($924,937 and $924,939)
* Carnegie Mellon University ($923,878)

Of the awards, U.S. Secretary of Education, Arne Duncan stated, “Through these projects, we hope to conduct research, develop projects and provide technical assistance and training – all aimed at helping better the lives of individuals with disabilities.”

#### Additional Information

[Department of Education Press Release](http://www.ed.gov/news/press-releases/46-million-grants-awarded-research-projects-aimed-helping-improve-lives-people-0)

[<http://www.ed.gov/news/press-releases/46-million-grants-awarded-research-projects-aimed-helping-improve-lives-people-0>]

[Department of Education Press Release](http://www.ed.gov/news/press-releases/almost-18-million-grants-awarded-help-older-adults-disabilities)

[<http://www.ed.gov/news/press-releases/almost-18-million-grants-awarded-help-older-adults-disabilities>]

# Wireless RERC Updates

## Take 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.

**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**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>]

## Wireless RERC Research Brief, FM Radio and RBDS-Based Emergency Alerting: Possibilities and Potholes

October 21, 2013 — The Wireless RERC released a Research Brief entitled, “[FM Radio and RBDS-Based Emergency Alerting: Possibilities and Potholes](http://www.wirelessrerc.gatech.edu/content/newsroom/2013-research-brief-number-04-fm-radio-and-rbds-based-emergency-alerting).” The brief discusses the limitations of current mobile emergency alerts, noting the expense and unreliability of Short Message Service (SMS) text messages and the limited text allowed for Wireless Emergency Alerts (WEA). The brief also noted the limited accessibility of WEA, as text-to-speech is not a requirement for WEA and is often costly to the end user. In order to enhance the accessibility of alerts and provide more robust emergency information, the brief proposes the use of FM radio and Radio Broadcast Data Service (RBDS). Specifically, use of “RBDS for emergency alerting would combine both a WEA textual message sent to a phone as well as receiving EAS audio emergency alerting information from an FM radio station.” Use of FM radio and RBDS in conjunction with WEA would allow for people with disabilities to receive emergency alerts in both audio and visual formats, while additional development of accessory software could further enhance accessibility to allow mobile devices to interpret alerts in ASL, provide text-to-speech or drive a bed shaker. Yet, due to the limited adoption of FM radio in cell phones, the alerting capabilities of RBDS are extremely limited. The Wireless RERC notes that industry support or regulatory action could support inclusion of FM functionality within cellular phones.

Additional Information: <http://www.wirelessrerc.gatech.edu/content/newsroom/2013-research-brief-number-04-fm-radio-and-rbds-based-emergency-alerting>

## Wireless RERC Comments on the Accessibility of the Nationwide EAS Test

October 23, 2013 — The Wireless RERC filed comments in response to a Public Notice [EB Docket No. 04-296] issued by The Public Safety and Homeland Security Bureau (the Bureau) of the Federal Communications Commission (FCC) regarding issues identified during the first nationwide test of the Emergency Alert System (EAS) on November 9, 2011. The comments filed by the Wireless RERC specifically responded to the Bureau’s request for comment on how the FCC can address the accessibility of visual text crawls accompanying EAS alerts. Wireless RERC comments draw from findings from a series of focus groups and surveys performed before, during and after the nationwide EAS test. Overall findings from the focus groups and surveys indicate that during the nationwide EAS test, people with disabilities faced many accessibility issues, which included seeing the visual crawl. Based on these findings, the Wireless RERC recommended that EAS messages have a standardized appearance containing both audio and visual content to enhance accessibility, while also providing slower text crawls in a larger size and improving the quality of all audio contained in the alerts. The Wireless RERC also recommends that the FCC not only revise its rules to include text crawl specifications for *all* EAS messages but also include people with disabilities in the research and development process to determine these specifications.

Additional Information

[Wireless RERC Comments](http://apps.fcc.gov/ecfs/document/view?id=7520950223)

[<http://apps.fcc.gov/ecfs/document/view?id=7520950223>]

Upcoming Events

## LifeLabs Presents the Design-athon

United Cerebral Palsy’s Life Labs will partner with Enabled by Design and Futuregov to host the second annual Enabled by Design-athon in Washington, D.C. on November 8-9, 2013. The event will not only allow participants to hear from “disability, technology and engineering-focused speakers” but also work in teams to create prototypes of products for people with disabilities that are “more accessible, attractive and easier to use.”

Additional Information

[Design-athon Website](http://lifelabs.ucp.org/portfolio/design-athon/)

[<http://lifelabs.ucp.org/portfolio/design-athon/>]

## 16th Annual Accessing Higher Ground Conference in November

The 16th Annual Accessing Higher Ground Conference, presented by the Association on Higher Education and Disability (AHEAD), will be held in Westminster, Colorado November 4 – 8, 2013. The conference will address accessibility, including “accessible media, universal design and assistive technology” for institutions of higher education and businesses.  Online registration for the conference can be accessed [here](http://accessinghigherground.org/registration2013.html).

Additional Information

[16th Annual Accessing Higher Ground Conference](http://accessinghigherground.org/index.html)

[<http://accessinghigherground.org/index.html>]

## 2013 Compendium Briefing and Research-to-Policy Roundtable

The release of the *2013 Compendium of Disability Statistics* and the T*hird Annual Research-to-Policy Roundtable* will take place on December 11, 2013 in Washington, D.C. The Compendium is a web-based tool used to “pool disability statistics.” The release of the Compendium will be followed by a “one-hour workshop on the sources and uses of disability statistics” and the *Research-to-Policy Roundtable*, where researchers and disability advocates will be able to discuss ways that research can influence policy and programs affecting people with disabilities. Registration for the event will open this month.

Additional Information

[Annual Compendium of Disability Statistics and Research-to-Policy Roundtable](http://www.researchondisability.org/news-features/2013/08/15/date-released-for-2013-compendium-of-disability-statistics%21)

[[http://www.researchondisability.org/news-features/2013/08/15/date-released-for-2013-compendium-of-disability-statistics!](http://www.researchondisability.org/news-features/2013/08/15/date-released-for-2013-compendium-of-disability-statistics%21)]

**Technology and Disability Policy Highlights**

October 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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This is a publication of the Rehabilitation Engineering Research Center for Wireless Technologies supported by the National Institute on Disability and Rehabilitation Research of the U.S. Department of Education, grant # H133E060061. The opinions contained in this publication are those of the grantee and do not necessarily reflect those of the U.S. Department of Education.