



# AMERICAN COUNCIL OF THE BLIND

1155 15th Street, NW • Suite 1004 • Washington, DC 20005  
Telephone (202) 467-5081 • Fax (202) 467-5085 • [www.acb.org](http://www.acb.org)

Charles Crawford  
Executive Director

ORIGINAL

March 1, 2002

Mr. Robert Corn-Revere, Esq.  
Hogan & Hartson  
555 13th Street, NW  
Washington DC 20004

RECEIVED

MAR - 1 2002

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

Dear Attorney Corn-Revere,

Please find attached the response of the American Council of the Blind with support letters in opposition to your petition at the FCC in the matter of described video Docket no. MM 99-339. This is being sent to you as we understand it is our responsibility to serve you with a copy of our communication to the FCC on this matter.

Sincerely,

Charles H. Crawford  
Executive Director

No. of Copies rec'd 0  
List ABCDE  
\_\_\_\_\_

**Barbara Vodapivc**

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**From:** "Audley Blackburn" <audley@texas.net>  
**To:** <info@acb.org>  
**Sent:** Friday, March 01, 2002 10:36 AM  
**Subject:** I support video description

Audley Blackburn  
8607 Delaware Court  
Austin, Texas 78758

I am writing this letter to express my support for description of programs and movies on network television as required in X-Mailer: Microsoft Outlook Express 5.50.4522.1200. I am a member of the board of directors of a state wide organization in Texas which provides audio description for live performances and movies. I have worked with our local cable company to make video description available in the Austin area. The request by the film and TV industry to prohibit the FCC rule requiring the beginning of description in April of 2002 is a clear example of an industry ignoring part of it's market. The issue here is equal access to information. Employment is an important issue, but access to the arts provides balance in life. I strongly urge the commission to leave their current rule in place and that the FCC Commissioners not be swayed by lobbyists and The National Federation of the Blind who do not have the best interest of blind persons at heart.

Thank you for your attention to this matter.

Audley Blackburn  
abailab

**Barbara Vodapivc**

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**From:** "Mckinney, Diana C." <diana1@purdue.edu>  
**To:** <Info@ACB.org>  
**Cc:** "Judy Davis (E-mail)" <judydavis79@hotmail.com>  
**Sent:** Friday, March 01, 2002 1:51 PM  
**Subject:** I support video description

March 1, 2002

Secretary of the FCC:

Re: MM docket number 99-339

The movie, cable, and broadcast industries are asking not to be held to requirements to provide video description for their products. I think not holding them to compliance is a mistake for two reasons.

First, members of my family have significant sight loss, and I can tell you how much they have been looking forward to having description available. As we sit watching something on television or at a movie, they frequently have to resort to asking, "What's happening" as action unfolds on the screen without accompanying dialog. They hate doing it, because they know it's disturbing to others, but there is no other way for them to understand what is happening. And even when there is accompanying dialog, much of the richness of the product and the intent of the director is lost because visual attributes aren't conveyed.

Second, video description would provide yet another option to sighted people who want to do more than one thing at a time, such as sew, or prepare meals, or clean. While I'm engaged in tasks like this that require most of my visual attention, I enjoy the companionship of television. Actually watching the television is usually out of the question. If video description were available, I would use it and be able to enjoy programs that I bypass today because I can't give them enough attention.

The industries claim that providing this capability in their products is cost-prohibitive, suggesting that only a small portion of their customers require it. Perhaps they have overlooked the the huge numbers of visually impaired individuals, including the always-growing population of elderly with degenerating vision, as well as the sighted people who would use this service. I'm sure the start-up costs are large, but these industries will actually benefit for a long period of time in increased viewership once visual description is available.

Hold them to the order, and do not extend the compliance time again.

Sincerely,

Diana C. McKinney  
2401 Ranch Road  
West Lafayette, IN 47906

**Barbara Vodapivc**

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**From:** "Tony Halog" <kr6eg@juno.com>  
**To:** <Info@ACB.org>  
**Sent:** Friday, March 01, 2002 1:30 PM  
**Subject:** I Support Video Description

Mr. William Caton, Secretary  
Federal Communications Commission  
445 12th St SW  
Washington, DC 20554.

Reference MM Docket no. 99-339.

Dear Sir,

I am a blind person. The majority of my entertainment comes from audio sources such as radio programs, music recordings, and the like. There are rare video tapes and television programs that include descriptive narration. The television programs are mostly on PBS. I have not been blind all my life. Until a few years ago, I enjoyed movies and television just like anyone else. Since becoming blind, I rarely listen to TV programs because much of the content is visual. I have stopped going to the movies and renting videos. Even news programs, narrated as they are, contain many visual references that I do not understand. It is not surprising that the media giants do not want to do anything that will cost them money. It is my hope that you will not submit to their pressure to delay or deny the legislation that will allow us blind and visually impaired people to enjoy the same entertainment as the general populace. It seems to me only fair play to institute descriptive video for the blind as closed-captioning has been done for the deaf. Please support descriptive video.

Thank you,

Leo Halog  
1433 Anza St.  
San Francisco, CA, 94118

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**Barbara Vodapivc**

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**From:** "gerard archibald" <archbuck@yahoo.com>  
**To:** <info@acb.org>  
**Sent:** Friday, March 01, 2002 1:37 PM  
**Subject:** I support video description

To: Charles Crawford  
Re: MM docket #99-339

Please forward to Mr. William Caton, FCC Secretary

Dear Mr. Caton,

In the American spirit of "liberty and justice for all," please implement video description in April, 2002, as scheduled.

This is NOT a request for special treatment. It is a request for EQUAL ACCESS to information and entertainment that is dominantly visual. It is a request for equal access for millions of blind Americans and a growing number of older Americans who are losing their vision.

It is outrageous that the National Association of Broadcasters, the national Cable Telecommunications Association, and the Motion Picture Association of America all think it is OK to discriminate against people who are blind or who have low vision.

Thank you for recognizing and rectifying this injustice as soon as possible.

Sincerely,

Eunice Buck

1105 E. Oregon  
Urbana, IL 61802

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**Barbara Vodapivc**

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**From:** "Gaetano D'agostino" <inguy@panix.com>  
**To:** <info@acb.org>  
**Sent:** Thursday, February 28, 2002 7:23 AM  
**Subject:** I support dvs

I am having great difficulty controlling my rage and the trechery of the industry which is in business to give public service in return for the free use of the ether. I find it difficult to believe that the TV, cable and movie industries purposely waited until the last possible moment to voice their objections.

Tom D'Agostino  
280 Ninth Avenue  
New York, NY 10001-5714

Telephone (212)243-3309

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Inez and Tom D'Agostino  
inguy@panix.com /

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**Barbara Vodapivc**

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**From:** "richard o'driscoll" <rodriscoll@att.net>  
**To:** <Info@ACB.org>  
**Sent:** Thursday, February 28, 2002 6:42 AM  
**Subject:** I support video description

It has come to my attention that the rights of visually impaired citizens are being tried again as the Motion Picture Association and other entertainment groups are trying to hold back the implementation of the ruling that narrative description be made available to the blindness community on April 1, 2002. I find this action both objectionable and irresponsible. Seeing that the technology is already proven to be in place, why would these media outlets be so set against them? The rights of the deaf and hard of hearing have closed caption capability on virtually every television purchased today. With the second audio program (sap) now on most televisions today, there should no longer be any more delay in the ruling set forth by the FCC. We, as a part of the citizens of this country, should be given the opportunity as others are given when it comes to the subject of reasonable accommodation in this as well as other aspects of living with as few restrictions as possible.

In closing, I urge you, as representatives of the government of this country, to uphold the passage of this important event. The blindness community has waited for so long for this time in our lives. Please do not bend to any pressure from the communication industry to overturn your ruling! My sincerest thanks.

Richard O'Driscoll  
49 Carroll St.  
Chelsea, MA 02150

**Barbara Vodapivc**

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**From:** <Hearts636@cs.com>  
**To:** <Info@acb.org>  
**Sent:** Thursday, February 28, 2002 2:00 AM  
**Subject:** "I support video description"

Mr. William Caton, Secretary  
Federal Communications Commission  
445 12th St SW  
Washington, DC 20554.

Reference MM Docket no. 99-339.

Shawn Heckathorn  
1408 Turner  
Borger, Tx 79007  
hearts636@cs.com

I support video description, my aunt and uncle are blind, and just as other handicapped people, they deserve to have access to the same things sighted people have. This improves their quality of life. Put yourself in their shoes, wouldn't you want the same thing. Do what is right! Thank you.  
Shawn Heckathorn

**Barbara Vodapivc**

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**From:** "Judy Pauza" <bunchkinbear@hotmail.com>  
**To:** <info@acb.org>  
**Sent:** Friday, March 01, 2002 12:48 PM  
**Subject:** I support descriptive videos

This letter is concerning MM 99-339. It is outrageous that the television and cable industries are trying to get out of providing audio description of television programs and movies for the blind. We have fought long and hard for this right and will continue to do so til we win, and their tactics to stop this from being implemented are unforgiveable. It shows a lack of understanding, compassion and the fact that we as visually impaired individuals don't count, we don't matter. They do not realize how large a group we are. Judith Pauza, 924 Vineshire Rd., Cleveland Hts., Oh.

**Barbara Vodapivc**

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**From:** "Charles Crawford" <ccrawford@acb.org>  
**To:** <info@ACB.org>  
**Sent:** Friday, March 01, 2002 12:18 PM  
**Subject:** Fwd: I support video description

>Delivered-To: ccrawford@braille.acb.org  
>Delivered-To: acbmail-ccrawford@acb.org  
>From: MARNIEJEAN@aol.com  
>Date: Fri, 1 Mar 2002 09:54:39 EST  
>Subject: I support video description  
>To: admin@acb.org  
>CC: cCrawford@acb.org  
>X-Mailer: AOL 6.0 for Windows US sub 10556  
>  
>To Mr. William Caton, Secretary of the FCC:  
>  
>My name is Marnie Andrews and I work in the entertainment industry. I am  
>writing in reference to MM docket number 99-339. I believe everyone  
>should have access to the information on television, including the blind.  
>While I have my sight, I have friends who are blind. When I take a blind  
>person to the theatre, I give him information of what I am seeing onstage.  
>  
>I believe they should have the same access to what I see on television. I  
>object to the movie, cable, and broadcast industries attempt to get off  
>the hook in supplying that information.  
>  
>Thank you for your attention.  
>Marnie Andrews  
>244 First St., #1  
>Jersey City, NJ 07302

**Barbara Vodapivc**

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**From:** "Nancy and Bob Buchanan" <buchanan@hawaii.conterra.com>  
**To:** <Info@ACB.org>  
**Sent:** Friday, March 01, 2002 11:46 AM  
**Subject:**

Descriptive Video, FCC MM Docket no. 99-339

It is our understanding that the NAB and others have petitioned to have the FCC Ruling for the providing of Descriptive Video programming delayed and ultimately reversed. This letter is to support the efforts of the Federal Communications Commission's efforts to bring the full value of television to blind and visually impaired persons.

Given today's technology, it is confounding to us that any organization would oppose providing the full benefits of television programming to any individual or group of people. With the relatively limited cost involved, the only apparent answer has to be simple greed and.

Descriptive Video is to the visually impaired population what Closed Captioning is to the hard of hearing. Apparently, modern broadcasters consider that television is strictly a visual medium and that persons who are unable to see broadcasts should confine themselves to radio. This argument would have been appropriate in the 1930's and early 1940's. However, technology has moved on and so must those in the broadcast business.

It is past time that the broadcast industry be allowed to simultaneously abandon the responsibility to present to the entire population when technology permits, and at the same time be allowed to use the public airways for their own exclusively determined financial gain, regardless of the consequences.

Delaying the ruling will result in eventually result in killing it since it is clear that the broadcast and entertainment industry has no intention of ever providing description as part of presentation they produce. It is in the best interest of all that the FCC hold to its ruling so that everyone can get on with accomplishing the intent of the original ruling.

Very truly yours,

Robert H. and Nancy L. Buchanan  
216 Shandon Street  
Columbia, SC 29205

**Barbara Vodapivc**

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**From:** "Elvira Collins" <ezbc@duke.edu>  
**To:** <info@ACB.org>  
**Sent:** Friday, March 01, 2002 2:32 PM  
**Subject:** I support video description

I do hope this letter is not too late. I feel strongly about this issue and hope this helps.

I was uncertain as to the best way to send this, but if for any reason you need further assistance on my part, please contact me ASAP. This matters to me.

907 Chalk Level Rd.  
Durham, NC 27704

March 1, 2002

Mr. William Caton, Secretary  
Federal Communications Commission  
445 15th Street, SW  
Washington, DC 29554

Re: MM Docket no. 99-339

Dear Mr. Caton:

I was simply appalled to learn that new developments were underway to delay or even possibly block the accessibility of television viewing to the visually impaired via descriptive video services. As a totally blind individual who often views television alone I have found, through the use of DVS videos just how valuable and important this service is. I have viewed movies without DVS and then viewed the same movie with the service. I have to say the difference is almost indescribable. The movie had so much more meaning and the service provided much needed information for full comprehension and enjoyment of the movie. I would like to take this opportunity to express my full support for descriptive video service. I have on more than one occasion inquired with my local cable provider as to the availability of this service. As a consumer who pays full price for my cable service, it enrages me to realize I do not at the same time have full access. I would hope this matter would be given careful consideration before allowing the insensibilities/insensitivities of the movie, cable, and broadcast industry to avoid or ignore their obligation to all consumers. I object whole heartedly to their asking to get off the hook. Maybe a small investment in a few blindfolds might help enlist the support of the sighted population, especially those attempting to ignore the needs of others.

Elvira Basnight Collins

**Barbara Vodapivc**

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**From:** <bondar98@prodigy.net>  
**To:** <Info@ACB.org>  
**Cc:** "Steve Berry" <SBerry@metrocast.net>  
**Sent:** Friday, March 01, 2002 11:22 AM  
**Subject:** I support video description

Dear Secretary of the FCC,

My name is Anya Bondar and I would like to express my objection to the following.

The National Association of Broadcasters, the National Cable telecommunications Association and the Motion Picture Association of America have filed a petition late last Friday at the FCC to stay the implementation of the video description rule until after the court appeal is decided. This request is being made just one month before compliance is required from the industry, well into the period the industry was given as an extension to do the right thing, and at the eleventh hour just before blind and visually impaired people all over this nation have waited since the issuance of the order to finally have access to television programming. I am outraged at this offensive action on the part of an industry that argues itself to be so-called socially responsible.

I know that video description is a great service to all blind people and demand its enforcement! (Please refer to MM docket number 99-339.)

If you have any questions, please feel free to contact me at the following address:

RR 4, Box 394  
Laconia, NH 03246

Sincerely,  
Anya Bondar, RN

**Barbara Vodapivc**

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**From:** "John Riley" <johnriley@mail.drs.state.wv.us>  
**To:** <info@acb.org>  
**Sent:** Friday, March 01, 2002 9:52 AM  
**Subject:** I Support Video Description

I support the FCC in not retreating from their video description order. I need video description implemented on schedule in April.

John G. Riley  
District II Clarksburg  
(304)624-0313  
FAX: (304)624-0345  
E-MAIL: johnriley@mail.drs.state.wv.us

**Barbara Vodapivc**

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**From:** "Ann Roscoe" <annro@mcil-mn.org>  
**To:** <Info@ACB.org>  
**Sent:** Friday, March 01, 2002 9:15 AM  
**Subject:** I support video transcription

Ann Roscoe  
ADA Minnesota

**Barbara Vodapivc**

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**From:** "lyn b" <lilpunkin79@hotmail.com>  
**To:** <Info@ACB.org>  
**Sent:** Friday, March 01, 2002 9:15 AM  
**Subject:** I support video description

To: Mr. William Caton, Secretary  
Federal Communications Commission  
445 15th Street, SW  
Washington, DC 29554

Dear Sir,

I am writting in reference to MM Docket no. 99-339. I feel the the blind should be allowed this support. I am currently a college student studying elementary education and I would wish for any child in my classroom to have the great advantage of being able to enjoy a video with the rest of his or her classmates. It is a bonding and educational experience that can not be duplicated.

This type of capability would allow friends of mine to enjoy movies with his family, who are all sighted individuals, without feeling left out or not understanding all of the actions.

Thanks for hearing my concerns.

Lyndi Boisvert

Atlantic Union College

So. Lancaster. MA

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**Barbara Vodapivc**

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**From:** "Escalante Annelie C" <Annelie.C.Escalante@irs.gov>  
**To:** <Info@ACB.org>  
**Sent:** Thursday, February 28, 2002 7:29 AM  
**Subject:** "I support video description"

Annelie Escalante

1701 S 6th St #640

Arlington, VA 22204

Phone number 99-339

As a blind individual it causes me great disgust that an industry that has the money to

accommodate there customers is refusing to do so. The entertainment industry has made big money from us the consumers who go out and buy videos and dvd's regardless of the fact that the movies are not in descriptive form. How can this industry accommodate the hearing impaired and not the visually impaired? It is very difficult to watch movies and always ask well what happened and what is going on to friends and family members. Or on the other hand not going to watch movies because of not being able to enjoy the movie because you don't know what is going on.

It is very disappointing that some of the people that live in countries can by a DVD and select the language of the movie. As visually impaired people we are given the option or opportunity to enjoy a movie on our own. I feel that the entertainment industry should be held accountable and that they not be permitted to pull this last minute trick of buying time. It appears that until someone stands up and forces them to comply this industry will not do so.

Annelie Escalante

**Barbara Vodapivc**

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**From:** "Kristeen Hughes" <khug.1@insightbb.com>  
**To:** <Info@acb.org>  
**Sent:** Thursday, February 28, 2002 7:56 AM  
**Subject:** I support video description!

2/28/02

**Barbara Vodapivc**

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**From:** "Phyllis Stevens" <CatLady12@Naxs.Net>  
**To:** <Info@ACB.org>  
**Sent:** Thursday, February 28, 2002 7:38 AM  
**Subject:** I support Video

I hope they don't succeed in their attempt to destroy our ability to view videos with descriptions! They do not interfere with normal viewers, since the describing is done on the secondary channel and one would need to set up their TV to receive this. I do not see why these people think they are being hurt by the descriptions!! So count me in.  
Thanks

Phyllis Stevens ICQ#:146415558

Current ICQ status: SMS: (Send an SMS message to my ICQ):  
+2783142146415558 More ways to contact me: <http://www.icq.com/146415558>

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**Barbara Vodapivc**

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**From:** "Sheehan, Pat" <Pat.Sheehan@mail.va.gov>  
**To:** <Info@ACB.org>  
**Sent:** Thursday, February 28, 2002 8:48 AM  
**Attach:** fcc doc 2002.doc  
**Subject:** I Support Video Description

February 28,2002

Mr. William Caton, Secretary  
Federal Communications Commission  
445 12th St SW  
Washington, DC 20554.

Reference MM Docket no. 99-339.

Dear Sir:

I am writing to express my support of the Federal Communications Commission (FCC) rule to implement video description in the major television markets by April of 2002. Video description is a very important technology because it allows me to enjoy television programs to the same extent as my sighted counterparts. I have enjoyed for years watching movies produced with video description by WGBH because I know that any visual parts to the movie will be thoroughly described so as to enhance my enjoyment of the film. The FCC's rule to extend this technology to television programming is something that the blind community has worked towards for 15 years and I urge you to proceed with its implementation by April 2002.

The cable, motion picture and television broadcast industries should not be allowed to further delay the implementation of this rule. A full hearing of the pros and cons concerning video description has already taken place and the FCC has agreed that this service should proceed. It is high time to grant the same rights to the blind that are enjoyed to the rest of the viewing public. I applaud your decision to implement video description and urge you to require industry to live up to their part and do the right thing.

Patrick Sheehan

14311 Astrodome Drive  
Silver Spring MD 20906

**Barbara Vodapivc**

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**From:** <CCLVI@aol.com>  
**To:** <Info@acb.org>  
**Sent:** Thursday, February 28, 2002 11:24 AM  
**Subject:** I support descriptive video

Mr. William Caton, Secretary  
Federal Communications Commission  
445 12th St SW  
Washington, DC 20554.

Reference MM Docket no. 99-339.

Dear Mr. Secretary:

I am a board member of the Council of Citizens with Low Vision International and a member of the American Council of the Blind.

I have learned that the National Association of Broadcasters, the National Cable Telecommunications Association, and the Motion Picture Association of America filed a petition late last Friday at the FCC to stay the implementation of the video description rule until after the court appeal is decided. This request is being made just one month before compliance is required from the industry, well into the period the industry was given as an extension to do the right thing, and at the eleventh hour just before blind and visually impaired people all over this nation have waited since the issuance of the order to finally have access to television programming. I am outraged at this offensive action on the part of an industry that argues itself to be "socially responsible."

Please do not delay the implementation of the video description rule.

Sincerely,  
Herbert S. Guggenheim, PhD, MSW  
Board Member  
Council of Citizens with Low Vision International

**Barbara Vodapivc**

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**From:** "john kolwick" <john2109@bellatlantic.net>  
**To:** <info@acb.org>  
**Sent:** Thursday, February 28, 2002 11:23 AM  
**Subject:** I support descriptive video

Please forward this message in regard to my desire to support descriptive video. Thank you.

**CHARLES D. GOLDMAN, ESQ.**

1155 15th Street, N.W.

Suite 1004

Washington, D.C. 20005

(202) 466-7550 • Fax: (202) 467-5085

E-mail: cdg.gsquared@att.net

3/1/02

William Carter, Secretary  
Federal Communications Commission  
445-12<sup>th</sup> St NW  
Washington DC 20554

Dear Secretary Carter:

I support adoption and full implementation of requirements for descriptive video. The need to ensure communication to all is greater than ever.

I strongly urge the FCC to move forward without any further delay.

Respectfully submitted,  
Charles Goldman

**Barbara Vodapivc**

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**From:** "Joel Etra" <jletra@earthlink.net>  
**To:** <Info@ACB.org>  
**Sent:** Thursday, February 28, 2002 10:41 AM  
**Attach:** Joel L. Etra.vcf  
**Subject:** I support video