

FCC TOWNHALL AT CSUN CONFERENCE  
MARCH 17, 2011  
9:15 AM TO 11:15 AM PT

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>>PAM GREGORY: I want you to know that we have hand out materials issue sign up materials right here, on the desk.

>> KAREN PELTZ STRAUSS: Okay, I think we're going to be starting. Hi everybody.

>>AUDIENCE: It's too quiet.

>> KAREN PELTZ STRAUSS: Thank you first of all, for finding this room, we know you really want to be here if you found this room. We are the FCC, so that you know that you are in the right place, Federal Communications Commission. We have here Pam Gregory, Jamal Mazrui. Pam is the Director of our Accessibility and Innovation Initiative, and I'm Karen Peltz Strauss, and I'm the Deputy Bureau Chief of the FCC's Consumer and Governmental Affairs Bureau, and we are here to talk to you about the landmark legislation, what we call the most significant disability legislation since the passage of the ADA, which is the 21st Century Communications and Video Accessibility Act. Now, you'll notice that we have CART, but we don't have power point. I'm going to give an over view, but really we wanted this Town Hall Meeting to be more of a dialogue. For those of you who can see, we've given out some questions, suggested questions, we will be reading those as well for anybody who cannot see the paper that we distributed, to make sure that everybody knows just some suggestion questions--you don't have to ask them. They're just in case you want some ideas for what to talk about.

Right now, what I thought I would do is give an overview of the law, and then we're going to move into questions and answers, and a discussion, really a Town Hall Meeting, about what this law means to you, and how you think it best should be implemented. Many of you are familiar with this law already. It's divided into two parts, the first part, Title I, is the advanced communications section. The second part, Title II, is the video programming section.

The first part, Title I, has several components. Probably the biggest component directs companies, manufacturers, and service providers of advanced communications services to

make their services and products accessible to people with disabilities. This is an extension of the FCC's Section 255 regulations, which only covered telecommunications services. What does advanced communications mean? It means something called interconnected and non-interconnected Voice-Over IP (VoIP) services, which is basically communication services like Vonage, and other services that travel over the Internet.

Also Skype -- Skype is a non-interconnected IP service. Vonage a connected service, meaning that it can connect to the public switched telephone network, which is our basic telephone network. Title I also covers electronic messages, things like E-mail and instant messaging. And finally, it covers video conferencing.

The second requirement of Title I is that there has to be access to Internet browsers on mobile devices -- that's a requirement that kicks in a little bit later. The advanced communication services requirement kicks in a year from now. The mobile browsers requirement kicks in within three years, and that's so that people can use smart phones and be able to ramp onto the Internet. That's not access to the Internet sites themselves, or the websites themselves. Rather, it is access to the ramp to get onto the Internet. If you think of it as a wheelchair ramp into the building, it doesn't cover what's in the building itself.

This section also expands the definition of relay services. In 1990, when Congress passed the ADA, which includes telecommunications relay services (TRS) -- there was only one type of relay service: TTY to voice. So what the law originally said is that a telecommunications relay service (TRS) is a communications service between a person who has a speech or hearing disability, and a person who doesn't have a hearing or speech disability, basically a hearing person. But now there's all kinds of relay services: There's captioned relay, speech-to-speech (STS), for people that have speech disabilities, there's video relay services (VRS) for people who use sign language, and what we've found over the last few years is that sometimes somebody using one kind of relay wants to talk to somebody using another kind of relay, in which case you may need two relay operators. And now, these types of relay are permissible under this Act. This Act also expands the definition of the population covered under telecommunications relay services (TRS) to people who are both deaf and blind, that is, deaf-blind.

Next is also a provision that requires that \$10 million of the money from the telecommunications relay service fund be used for the distribution of equipment to enable deaf-blind people to communicate using telecommunications and advanced communication services. This is equipment that will go directly into the homes and businesses of people who are deaf-blind, to enable them to communicate over distances. It supplements several currently existing state equipment distribution programs.

The next item is expansion of the hearing and compatibility rules. These are rules that have been in place for quite some time. There were two laws already that covered hearing compatibility, a 1982 law and a 1988 law. These laws require all wire line phones to be compatible, and most wireless phones to be compatible. The CVAA extends these requirements to advanced phones used with advanced communication services, in other words phones used with VoIP type services.

Finally, Title I covers 9-1-1 services. Our 9-1-1 emergency services will be changing over the

next 5 to 10-years pretty significantly. Right now you can really only access 9-1-1 via voice or TTY. And in the future, the plan is to be able to access 9-1-1 emergency services using voice, data, text, video, all kinds of communications. And what that means is as we move to the next generation of 9-1-1 emergency service systems, we have to make sure that people with disabilities are not forgotten and that accessibility and compatibility is achieved.

That's just an overview of Title I. There are a lot of limitations, and we'll get into those when we begin our discussion. But there are a lot of ins and outs of how you achieve compliance with all of these obligations.

Now we turn to Title II. This title covers video programming, and that has, again, several sections to it. It brings video programming into the 21st century. In other words, into the Internet, as well as fills a number of gaps that had existed in the law that was passed in the 1996 amendments to the Communications Act.

In 1996, Congress enacted a requirement for basically all television programming to be closed captioned. What the CVAA says that any programs that are captioned by virtue of that 1996 law, when they move to the Internet, they have to still have captions. It does not cover YouTube, nor does it cover programs that originate on the Internet. It only covers programs that originate on television and has captions, and when they're reshown, they have to have captions on the Internet.

Title II of the CVAA also restores the video description rules, which I'm sure that most of you know about. Basically video description is narratives in the natural pauses of television programs that fill in the audio for somebody who can't see the program. In 1996, Congress passed a provision that said that the FCC could do a study on video description to see if it was necessary. The Commission did a study, decided it was necessary, adopted rules, and the rules were subsequently thrown out in Federal court for lack of authority, because the 1996 Telecommunications Act had only said do a study. The 1996 Telecommunications Act didn't say promulgate rules. So this law says, actually, that the FCC does have the authority now. Go ahead and restore those rules. So the FCC in fact just issued a Notice of Proposed Rulemaking (NPRM) to restore those rules.

The next item is access to emergency televised information. This is different than the 9-1-1 emergency information. This is emergency information on TV. Right now, the Commission has rules that require that where emergency information is provided in an audio form, this emergency information has to also be provided in a visual form for people who can't hear. But the Commission rules on making sure that visual information is made available in an audio format are not as clear. Our rules currently say is that if you're watching a program, and there's an emergency news situation that breaks into the program, you will hear an aural tone. There's a beep that tells you that there's an emergency -- that's the only audio notification that you're going to get. So if you're blind, you have to go to another source to figure out what the emergency situation is...whether it's radio or calling up somebody or poking your head out the window. That aural tone isn't going to be followed by any audio information concerning the emergency. The CVAA requires this information to now have to be provided - there has to be an audio means of providing people who are blind or visually impaired with the information that they need to respond to emergencies.

The next requirement in Title II is for compatibility between access features and video devices. The 1990 Decoder Circuitry Act required that all televisions with screens at least 13 inches in size had to have captioning capability. That's why TVs everywhere, in bars and restaurants and exercise facilities all have the ability to show captions because of the 1990 Television Decoder Circuitry Act. But now, as you know, people are watching TV on much tinier (smaller than 13 inch) devices. If you can see, the video quality is pretty clear at this point because of digital technologies. And yet there's no requirement for the captioning to be displayed on these devices . . .at least there was no requirement until this law (the CVAA). This law now says that there is such a requirement for captioning on devices with screens smaller than 13". Some of this requirement is limited -- I'm making liberties here with describing these different provisions -- because some of them are limited by different defenses, such as technical feasibility, etc. But generally, there's now a requirement for closed captioning as well as video description pass through, on various types of devices and on various screen sizes.

Newer televisions these days are difficult if not impossible to program, and difficult if not impossible to navigate for many people. For people who are blind or visually impaired, it's virtually impossible to figure out how to access or navigate to a channel or a menu item or a program guide because everything is visual-based and controlled via on-screen menus. This law also requires that user interfaces on television sets and on video programming devices have to be accessible. There's going to have to be some audio output or some other means of making sure that people who are blind or have low vision can navigate -- not only how to turn on the television, and how to control the volume -- but also how to get access to the different menus that are on the television to control different features, as well as the programming guides.

I think that that's pretty much it in terms of the overview. I did want give a "shout" to out a couple of people in the audience. And I'd like for these people to stand. These kinds of landmark laws don't happen by themselves. And this one was sort of a miracle given how divisive Congress is at this point in time. I was fortunate enough, before I came to the FCC, to work on this legislation with some extraordinary people who are in today's audience. Mark Richert, and Paul Schroeder, and I don't know if Eric Bridges is here-- who were part of the Coalition of Organizations for Accessible Technology (COAT), who made this Act possible. And so there you go.

>> KAREN PELTZ STRAUSS: There are also several people in the audience who assisted with this law. I see Jim Tobias hiding his head in the back, who did all of the tech work for us and various things of importance and there's various other people. I don't want to start naming names because I will forget certain people. But I'm looking at people from the industry who made this Act possible. You don't get a law like this without coordination with industry. And there were major, lengthy discussions that went on for literally three years. It was because of the collaboration, coordination and willingness to discuss these issues and work through them--that is the reason that this law is passed. So I applaud you and thank you as well.

We have some handouts, as I mentioned. They are up here on the dais. And I think that somebody is going around and distributing the handouts. At this point, I'm just going to read through some suggested questions for our discussion. Just to give you an idea of the kinds of

things that we thought that we would talk about. And then we're going to literally open this dialogue up. And if you don't have anything to say, we can keep talking. But we really wanted this to be for you to share your opinions and your views. So I'm just going to read through these because we were only able to get this out in the last minute. I want to make sure that everybody knows what the suggested questions ask.

>>AUDIENCE: Are you taking questions?

>> KAREN PELTZ STRAUSS: Yes, but not yet. First we're going read the questions that are provided to facilitate the dialogue, but you're not limited to those listed questions. I'm just going read them out loud. Suggested questions for discussion are:

What is covered by advanced communication services and equipment?

How is the Act different from Section 255?

What is the difference between achievable and readily achievable? How will this Act result in more accessible and affordable products on the market? Will I ever have to pay anything for accessible features? Will the FCC require apps (applications) to be accessible, and compliance with the apps? Does the FCC regulate software used on phones? My wireless phone has Internet access but I can't use it. Will the Act help? Who has the obligations to comply with Title I's requirement for advanced communications services? What about VoIP services? What is the difference between interconnected VoIP services and non-interconnected VoIP? Is real-time-text covered under the Act? To what extent will the law cover video conferencing? Will video mail be covered? Will webinars will covered? What does it mean for a device to be usable? How about compatible? [I didn't mention but the advanced communication services need to be accessible and compatible.] Will universities be required to follow the Act's requirements? What about public libraries and private entities? What kinds of companies are exempt from the Act? Will the Act require retail staff to be able to respond to any of my accessibility needs? How can I make an informed choice when purchasing products and services? How will I know which products and services are right for me? How are the Access Board's functions differ from the FCC's? Does the new Act affect obligations under the ADA, and if so, how? What are my rights under this Act to access 9-1-1 emergency services? How will the FCC enforce the Act? For example, how would the FCC know if a company has made enough of an effort to make a product accessible? How easy will it be to file complaints under the Act? Will the Act promote or stifle innovation? And how will the accessibility landscape over the next few years affect the implementation of the Act? I'm going to stop there, because that is all of Title I. And we'll read the questions for Title II afterwards. I think at this point I'm going to sit down, and we're going to answer these questions as a panel.

Yes, we are now open for questions.

>> PAM GREGORY: Hi, this is Pam Gregory. Thanks for coming. I just wanted to let you know that the FCC as a regulatory agency, we have requirements in terms of establishing rules. And right now, we have two open proceedings under this new Act, one is an NPRM on video description. And the other is an NPRM on advanced communication services. So if you make a comment regarding any of these two proceedings, we need to be sure that you've signed in so we can take your comments and put them into the docket. It's just the way the FCC works, so everyone can know what people's opinions are, and be transparent. Thanks.

>> KAREN PELTZ STRAUSS: This entire computer assisted real-time transcript (CART) will be going into the record. So just make sure that you state who you are, and sign in.

>> PAM GREGORY: Okay. Who is going to go first?

>> KAREN PELTZ STRAUSS: I think we need a microphone for everybody. We'll have somebody bring it around to you.

>> PAM GREGORY: This is June Gonzalez from the FCC's San Diego Field Office. She's helping us today.

>> Zuhar Mahmud: My name is Zuhar Mahmud, with the Library of Congress. My question is, you mentioned that the Title I requires access for televisions, specifically for on screen display texts. Will that requirements also extend to set top boxes and the new generation of Internet-connected TVs?

>> KAREN PELTZ STRAUSS: Let me cover one thing. We really wanted to cover Title I for the first half of this Town Hall Meeting. But that was really a question about Title II. Title I is the communications section. But I'll answer your question. Yes, basically it will cover new set-top boxes as well as new on-screen information. Does that answer your question? Again, Title I is communications, covers advanced communications services, hearing aid compatibility, telecommunications relay services, emergency communications, and Internet browsers. Are there other questions on Title I? Yes?

>> John Rikenbalk: How does the Act engineer ideal compliance as opposed to compliance that just meets the bare minimum?

>> KAREN PELTZ STRAUSS: That's a very good question. How does the Act encourage ideal compliance instead of just minimal compliance? One of the nice things about this Act is that it's different from Section 255 in that it affords flexibility. It allows for companies to meet the requirements of advanced communications services, not only by building in accessibility, but also by using apps, and software and other third party devices. It really kind of opens up a world of opportunity to visualize accessible products and services for people. One of the things that we have at the FCC is an Accessibility and Innovation Initiative (A&I Initiative), and even though we have a whole session on the A&I Initiative tomorrow, I'd like for Pam and Jamal to answer your question, because we don't want implementation of this Act to only be us telling the industry how to comply. We want much more of a dialogue. We want much more of a collaborative effort. And the A&I Initiative is one of the tools by which to get the industry excited about innovating and including all Americans. And not about solely complying, meeting the minimum.

>> PAM GREGORY: Hi, this is Pam Gregory. And my colleague to the left of Karen is Jamal Mazrui. And both of us work on the Accessibility and Innovation Initiative. And what the A&I Initiative is trying to do, and we're very excited about it, is work with consumers, organizations, private entities, industry, and we actually get together and brain storm about how can we light the fire on things that are not yet regulated, or may never be regulated, to be accessible. So we're very forward-looking in our goals. And the A&I Initiative is always

looking for collaborative partners. And, as Karen mentioned, we're also giving a presentation on the Accessibility and Innovation Initiative tomorrow. But we can always answer any questions you might have today, too.

>> KAREN PELTZ STRAUSS: Something else you should know about is that as part of the legislation, we have created two advisory committees, one is dealing with Title II, and I'll get into that later. But one deals with 9-1-1 emergency services. One main goal of this committee is to come to a consensus on how best to ensure that access is provided to 9-1-1 emergency services to people with disabilities. Again, that is a process. We have found that in the past that when you work together and achieve consensus, and there's buy-in by the industry and consumers, it's going to move a lot more quickly. The success of the implementation will move a lot faster and a lot more effectively. So as part of that effort, actually, we are conducting a national survey. The Commission was directed to do so by the Act for people who are deaf and hard of hearing to find out how they use 9-1-1 emergency access, how they would like to use 9-1-1 emergency services in the future, what their barriers are to these services, and what they think solutions can be. We actually have some fliers about the 9-1-1 emergency services survey, and in case I forget, I want to mention it because I would love for everybody in this room who has a disability to log onto our Internet site and fill out that national survey. The short and long answer are that by continuing a dialogue with industry and making sure the consumers talk to industry with us involved, we think that we can achieve better compliance than in the past.

>> JAMAL MAZRUI: Let me also add, in addition to the non-regulatory approaches that Pam mentioned, I think the Act or -- Section 255, I think it's fair to say the FCC was criticized by a number of consumers for not enforcing the Act (1996 Telecommunications Act) strongly. And so this new legislation has additional provisions in it to try to make sure that the Federal Communications Commission, as a Federal agency, does its job right. So Karen could address the specifics, but I know that there are provisions that involve making it easier for people to file complaints, requiring the FCC to respond to a complaint within a certain period of time. I think there's also an Inspector General's report every couple of years that reviews the FCC's implementation of the Act.

>> KAREN PELTZ STRAUSS: Thank you for reminding me of that, Jamal. You're absolutely right. There are no fees for filing formal complaints anymore. The FCC is supposed to be making it easier to file complaints with a separate electronic or telephonic and physical receptacle. We've actually already done that. We have a separate line into the Disability Rights Office for that purpose. The FCC is directed by the Act to revise our complaint procedures to make it easier for people to tell us when they don't get the access they need. The Commission must respond with a Final Order on complaints within 180 days. We are allowed to impose forfeitures, and consumers are allowed to file in court if they don't like the way we've decided in our final orders on complaints.

In addition there's recordkeeping measures that must be taken by the industry, so that they keep track of how they're responding to the Act's obligations. The FCC has reporting obligations every two years to Congress. That's new as well. We never had to respond to Congress on how we were implementing the accessibility laws. That's a major difference. We also, as Jamal mentioned, are going to have the Comptroller General do a study on how the FCC is implementing the Act. So we have to be doing something, and the Office of the

Comptroller General is going to be doing that study over a five year period. And finally, we are tasked with creating a clearinghouse of information on products and services. And to meet the Act's obligation of a clearinghouse, we're turning to the industry to help us to make sure that people with disabilities -- not only the products and services exist, but that people with disabilities know where to get them.

>>AXEL LEBLOIS: My question is on the accessibility of web browsers and mobile devices-- specifically on tablets. So we now have tablets that have quite a few functionalities, and some of them are just Wi-Fi enabled, some of them have more capability. What is actually a "mobile device" in that kind of area. And the second thing is, E-book readers today may have a browser. Some are only Wi-Fi enabled, some have more capability. What's the definition of a mobile device? And does that mean, that, for example, the tablets which have a browser need to have built-in accessibility features -- or if one can just download an application that provides compatibility for the tablet enough?

>> JAMAL MAZRUI: I'll try this. Of my understanding is that the language of the Act is rather general in this regard. It speaks of Internet browsers on mobile phones having to be non-visually accessible. And we haven't written the specific rules to define what accessibility is in this case. What is an Internet browser, what is a mobile phone, but my guess is the Act already contains a definition for that. [Side bar discussion] It doesn't? Oh, okay. But with regard to a tablet, if I had to, just speaking off the top of my head, I would guess that there would have to be a case that it fell into the category of a mobile phone.

>> KAREN PELTZ STRAUSS: Jamal's right. I'll tell you what the actual legislation says. It says a manufacturer of a telephone, used with public mobile services, includes an Internet browser in such telephone, or if a provider of a mobile service arranges for the inclusion of a browser in telephones to sell to customers, the manufacturer or provider shall insure that the functions of the included browsers are accessible to individuals who have a visual or hearing impairment. So there is a linkage to the word phone. Some of the tablets don't have phone components. Then again, how do you define telephone? I mean, if you can communicate via VoIP with somebody else, then is it potentially a phone? If you can communicate over the Internet with someone else, is it a phone? So these are issues that are going to have to be dealt with first. We don't have the answers for them yet. But we did ask a little bit about the web browser section in our Notice of Proposed Rulemaking that went out. And I actually did not mention that -- many of you I see around the room are very aware how busy we've been at the Commission. We're keeping you [consumers and industry] busy because we have incredible deadlines on this Act.

On March 3rd, 2011, we released three Notices of Proposed Rulemakings in one day, the first, on the advanced communication services issue, the second on video description, and the third on contributions to the TRS Fund by VoIP providers. I forgot to mention earlier that VoIP providers must now contribute to the cost of telecommunications relay services and we issued a request for comments on that proceeding. By April 8th, we have to have rules in place for the equipment distribution program for people who are deaf-blind. This requirement is by statute. And we've also issued Notices of Proposed Rulemakings and Public Notices on hearing aid compatibility, and as I mentioned before, we set up two advisory committees. So we've been very, very busy. And this mobile question is in our advanced communications services docket. We welcome any comments you might have on how to define this

terminology. Next question?

>> PETER KORN: I do not have a comment but just a couple of questions to what you just brought up about the telecommunications relay service. I noticed that from skimming through the telecommunications relay services Fund NPRM, the anticipation is that requirements are going to apply to non-interconnected VoIP. And I'm curious from a technical point of view, how would a relay service provider and a relay operator be utilized and work with a private company's private VoIP service, behind their firewall, that isn't interconnected? How would a relay operator provide those services which non-interconnected VoIP services would be potentially contributing to?

>> KAREN PELTZ-STRAUSS: I'm not sure that I'm going to be able to answer your question exactly as you asked it. But I'm going to try to answer your question in a different way. The requirement for non-interconnected VoIP providers to contribute is not the same as the requirement to participate in the provision of relay services. So while there's a requirement for interconnected VoIP providers to make sure that their services are accessible to telecommunications relay services and make sure that they're participating in the program per se, there's no equivalent requirement for non-interconnected.

The only thing that non-interconnected VoIP providers have to do is to pay the fee, to pay the money. Okay? And that may answer your question. I hope it does. So basically, they have to contribute to the TRS Fund. The proceeding, NPRM that we issued on March 3, 2011 asks how should they contribute to the TRS Fund. Some non-interconnected VoIP providers make their services free. So if they make their services free, are they getting revenues? Are they getting interstate revenues, which was the basis for which we assessed contributions on common carriers and interconnected providers? That's one of the issues under consideration. But it's basically just a TRS Fund contribution requirement.

>> PETER KORN: Then just a follow-up question about Internet browsers on mobile phones. Does the FCC anticipate forming an advisory committee to tackle that issue? I know that the rulemaking is further out so you don't have the same burning emergency. I'm just curious.

>> KAREN PELTZ STRAUSS: It's a good question. Very possibly. We haven't really talked about it yet because we're doing so many things right now. But there have been other areas as well where this has come up. We have talked about possibly the need for other advisory committees. As I mentioned, we have two advisory committees up and going right now, and one of the things that we'll talk about in the second hour is video programming. The video programming accessibility advisory committee (VPAAC) is divided into four Working Groups, which really makes it, like, a total of five committees, if you count the Emergency Access Advisory Committee (EAAC). Then we also have the Consumer Advisory Committee (CAC), which is an ongoing advisory committee, which makes for a total of six advisory committees. And that's a lot.

So for now, the answer is no -- we wouldn't do it now. But the EAAC, that's the Emergency Access Advisory Committee, completes its task within one year. One of the Working Groups for the Video Programming Accessibility Advisory Committee (VPAAC) completes its task within six-months. That brings the total number of disability access related advisory committees down a few. We may decide later. Then some of the other advisory committees

complete their task within 18 months. So if we find that it's necessary, and if you all find that it's necessary, we may consider it. The other option is to do something along the lines of what Alliance for Telecommunications Industry Solutions (ATIS) is doing. I know that they just initiated, help me out, somebody, they just initiated an incubator –

>> AUDIENCE: TTY replacement

>> KAREN PELTZ STRAUSS: Thank you. TTY phase out, basically. So if the Commission doesn't have an additional advisory committee, maybe ATIS or another group can do it, and the FCC can participate. The other option is to make it a subsection of the Consumer Advisory Committee (CAC). That would be easier. It's harder to get a full committee going, an official Federal Advisory Committee. So, there are various options, and at a minimum, however -- I know this is a long answer -- even if it's not an official federal advisory committee, the Commission can have people come in on a regular basis for, let's say, five times, and just have discussions. And it sounds like that would work.

>> BRIAN YUNASHKO: My name is Brian, YUNASHKO. Yunashko. I'm a user of video phones. Are you talking about making it easier to connect a video phone from anywhere? And then I would be able to call anyone, my family or friends? What I'm trying to say is, I have to use either a Windows or Mac platform to call on my video phone. And I don't use Windows or Mac, myself, actually. So I'm wondering what this Act will do. Will it open up the use of video phones to more a standardized way, instead of depending on those specific platforms? So it's more standardized. It has to-- be an open standard.

>> KAREN PELTZ STRAUSS: That's a really good question. The Act does, in fact, cover video-conferencing. And we've asked questions about video-conferencing in the advanced communications services Notice of Proposed Rulemaking. We really encourage you to submit comments on that rulemaking. We also just recently, on February 17, 2011, issued a Public Notice, separately, having to do with video relay service (VRS). And that Notice actually asks specifically about the use of video communications equipment for VRS. Because of the proliferation of, I think Axle mentioned earlier, new tablets, and a lot of them have video capability. We are aware that they are not interoperable. So while they're revolutionizing video communications in one aspect, in another, there are some interoperability (or lack of) issues. For example, if you get a tablet from one company, you can't necessarily talk to somebody with another company's technology. That's different than voice communication where somebody can have Verizon service and communicate with anybody who uses AT&T, or T-mobile, etc. services.

We've been told by people in the industry that it's just a matter of time before interoperability occurs . . . it just takes time for these things to work themselves out. It's definitely something the Commission is looking at. We also want to make sure that the video communication that is available to the public is fully accessible to people who are deaf and hard of hearing and deaf-blind, and need video in terms of its emergency 9-1-1 services access. In fact, we also released in February 2011 an Enforcement Advisory that any IP relay or video relay service that is used with Internet Protocol must be enabled for people who use TRS for emergency 9-1-1 services.

So we're looking closely at video communications. We see it as the next wave of

communications for not only people who are deaf and hard of hearing but for people all over America and we want to avoid what happened with TTYs. I guess that's the best way of putting it. TTYs were an incredible invention, and they opened up a world of communication in the late 1960s. But it used a very antiquated form of technology, the Baudot Code, and it migrated the deaf community away from the mainstream public. And we don't want to see that same thing happen with video communications where there are separate pieces of equipment for VRS users than that of the general public.

This is one of the many questions we're looking at. It's going to take a while to work itself out, and we're going to try to figure out how the provisions in the Act are going to get us there. So the short answer is yes. Oh, there's a question down here, then after that -- and again please make sure to state your name. And actually from here on in, if you would not mind spelling your name, that way we will be slightly sure to have you on the record. We need your name in case we want to cite to you when we issue our Final Rule, we can do so.

>> ANINDYA BHATTACHARYYA (BAPIN): Okay, hello. My first name is ANINDYA, and my last name is BHATTACHARYYA. And I go by BAPIN. I'm currently on a Committee for the Deaf and Disabled Telecommunications for the California Commission, under the Equipment Program Advisory Committee. I'm responsible for looking at the accessibility of equipment for people who are deaf-blind in the state of California. I also look at deaf-blind equipment for people for all over the United States, too. Right now, California is providing TRS, and I specifically wanted to talk about TRS right now.

I know that there's no link between TRS and deaf-blind people. There's no equipment right now that's readily available that's acceptable for people that are deaf-blind. In California, we have AT&T and Hamilton Relay Services, and they're trying to improve the services and accessibility for people who are deaf-blind. But the problem is that there's not enough deaf-blind people who are utilizing the service to justify making it accessible. So we have to use a Braille reader, then have that printed out.

We're trying to work on deaf-blind TRS right now. And I know right now, the big wave is video relay service, but obviously people who are deaf-blind can't use that. I'm wondering how we can figure out a requirement for companies to provide equipment or to make their equipment or software accessible for people who are deaf-blind. Right now, companies are resistant to that. To do so, it takes a lot of time and energy to develop Braille readers for people who are deaf-blind. The deaf-blind population is small, yes. But it is really important that we have the accessible equipment to be able to communicate. And it would really benefit the users tremendously.

There are also a lot of phones right now that, like the iPhone for example, that can be connected to Braille reader. I use the iPhone myself, and I connect it to a Braille reader. But the problem that I'm having right now is that a lot of the equipment requires blue tooth capability for the Braille display. What I'm seeing right now is a lot of people who are doing the code for the blue tooth, but for some reason my iPhone is not able to connect to the Braille reader. Or, it constantly is disconnecting, and then users lose the information, and have to start the conversation all over again. We need to have the phones become fully, 100 percent compatible. When deaf-blind people are out in the community and they need to contact their families, they need to feel safe. Not that they feel like they're going to be

disconnected from their Braille reader or they're not going to have any access to communication.

Another thing, the Android doesn't have standards set up right now. There's no built-in capability for Braille readers on the Android. And we're really struggling with phone accessibility in the deaf-blind community. What would help the deaf-blind community is the standardization of phone requirements to be compatible with Braille readers to help the deaf-blind community.

KAREN PELTZ STRAUSS: Thanks Bapin. This is Karen responding. Your concerns are exactly the kinds of things that we're looking at, at the Commission.

As I mentioned before, there is a new \$10 million appropriation per year for the distribution for deaf-blind equipment—a ten million dollar per year Deaf-Blind Equipment Distribution Fund. But we are not sure that the Fund will be setting aside money for research, because the Fund a limited amount. Also because I'm not sure that we have the authority to do so. We are hoping that the availability of such funds results in providing incentives for members of the industry to make their equipment more accessible to people who are deaf-blind. And this is not going to happen overnight. It will take some time. We've already entered into some discussions with some groups that have said that if they are able to have more funding, it's going to provide more incentive for them to improve their products.

In terms of the specific concerns that you raised, for example with Android, is Steve Jacobs still here? I don't see him. But I'm sure you know who Steve Jacobs is. He's working on the Android accessibility. I would encourage you to continue discussions with them. I know that they're working on this. The same applies for any other industry.

Just to mention something else that we did at the Commission with respect to people who are deaf-blind. . . we pride ourselves on the fact that this is the first Commission to ever to look at communication services and policy for people who are deaf-blind. And last May, we held a Mini Deaf-Blind Forum or Summit for young deaf-blind adults and also for attendants representing the Helen Keller Association, and the American Association for People who are Deaf- Blind. We shared concerns just like you just described.

I think the next step may be to have another type of a forum, like I was talking to Peter Korn about just a little while ago, where not only the deaf-blind community is in the room, but where some of the members of industry are in the room, and they can hear your concerns. I will say as well that the Act does require access to people with all kinds of disabilities. That would include people who are deaf-blind. It's not to say every single piece of equipment will have to be accessible to every disability. But there is supposed to be a range of pieces of equipment, communications equipment, that are accessible to virtually every kind of disability, where it is achievable to do so.

With apps, and personalization of features, there's a lot that can be done. So we're going to work with you and try to help collaborate and have a dialogue with you, meaning the deaf-blind community, with the industry, as we move forward. I think that Mark Richert was next, then there's somebody behind Mark.

>> MARK RICHERT: Before I make three comments that I hope the panel might answer responding to or offering some feedback about, I think it's important for this audience to acknowledge not only the quality of panelists that we have here, but also a colleague of ours at the FCC who's in absentia, Rosaline Crawford with whom we worked literally sometimes night and day on this legislation, in addition to her and her other panelists, please, join me in applauding Karen Peltz Strauss one more time. Nobody knows more about this area of the law and policy as she does, and we're very, very fortunate to have someone like Karen and all of our panelists at the FCC helping us. So please --  
[APPLAUSE]

>> MARK RICHERT: Karen I can't tell if you're blushing because I can't see. But -- three comments first, with respect to the pending Notice of Proposed Rulemaking on Title I. We would encourage the Federal Communications Commission to remember that the new law, the CVAA, as I'm hold we're supposed to refer to it, has as its default, accessibility. Unlike Section 255 that talks about equipment manufacturers and service providers making their stuff accessible when it is readily achievable, as if somehow accessibility is the exception. The new law talks in terms of distribution and availability of equipment that shall be accessible unless it is not achievable to do so. It might seem like a pedantic point, but I think it's important that whatever final rules the Commission adopts, that that default is recognized. And that we see that recognition of that default in things like the enforcement provisions, the paperwork, and recordkeeping obligations, the fact that the burden of proof ought to be on industry, when a complainant comes before the Commission, and alleges inaccessibility that it's the burden not on the consumer to demonstrate the achievability of access, but the burden needs to be on industry appropriately to demonstrate why they could not comply with the law.

In connection with that, we commend the FCC on looking at things like accessibility apps, to achieve accessibility under that part of the Act, in regards making stuff compatibility. That's very, very important; we'd simply encourage the Commission to remember that accessible apps are a mechanism for achieving access. We don't want to get too prescriptive about it. That's the first of the three.

The second two comments you'll be relieved to know are much briefer. The second comment has to do with the Deaf-Blind Equipment Distribution Program. Given that this presentation is officially on the record, we want to reiterate, publicly, for our colleagues here in the audience, as well as for the Commission, that we feel very, very strongly that the Equipment Distribution Program for folks who are deaf-blind should not presume that state equipment distribution programs have essentially a right of first refusal to participate. There are a number of state equipment distribution programs, and California may be an equal of one of them. I hear that Washington State really succeeds at this. I'll let folks who are deaf-blind speak for themselves on the subject. But there are definitely exceptions to the rule in terms of the quality, the responsiveness, the connection to the deaf-blind community of the state equipment distribution programs to folks who are deaf-blind. We really strongly encourage the Commission to be very, very cautious about establishing, essentially, some sort of rank ordering of participation or saying that state equipment distribution programs issue simply because they exist, should be at the front of the line.

>> MARK REICHERT: And finally, this is not directed to any of our panelists, because as I've started this presentation, we've acknowledged the quality of each of you. But quite frankly, a

number of us in the blindness and visual impairment community are extremely disappointed in the FCC for its failure to formally acknowledge a request by, which we've done in writing, by just about every major initial and regional organization in our community, frankly joined by other organizations outside -- strictly speaking, the visual blindness arena, asking, calling on the Commission to make sure that the Commission staffs up in the area of blindness and visual impairment, and that frankly to achieve a bit more of a cross-disability representation. I'm not just talking about folks who are blind or visually impaired, though clearly that should be a goal of every Federal agency. We're talking about adding to the obvious expertise that the Commission already has in our area. Frankly, we're really dumbfounded that the FCC has not formally responded to that correspondence. So those are my three comments and thank you very much for listening.

>> KAREN PELTZ STRAUSS: Thank you, Mark. Well, your first two comments, I appreciate your suggestion on the burden, and I understand your point. It's something that we did talk about when we were putting together the Notice of Proposed Rulemaking, and we'll be talking about in the Final Order, and that's the point about the fact that accessibility, that the language has switched around somewhat the default, as you put it, of whether it has to be accessible and achievability language.

The second item, we are in the final stages of drafting the Final Order on the Deaf-Blind Equipment Distribution Program. Again, we've taken into consideration your concerns. And that's actually coming out, and we're hoping that you're happy with how it comes out.

The final comment is probably the most difficult of the ones that you raised. I will say that we have actually hired people who are experts and former advocates that are doing extraordinary jobs in helping us to implement this legislation. We are very mindful of the President's Executive Order. We have extended an invitation that has not been responded to, so I'll talk to you separately about this, to the blind community to come in and talk to us about the letter. There was not a response to that request. So we'll talk off line about that. But I will just say that we cannot agree more on the need to ensure that the people working at the Commission are experts on these issues, have the knowledge and background to be able to respond to these very difficult questions, and also respond to the President's Executive Order to increase the number of people with disabilities at the Commission. Jamal? Would you like to add?

>> JAMAL MAZRUI: I would just like to first thank you for keeping the heat on the FCC as well as any other Federal agency to follow this Executive Order about the requirement of hiring people with disabilities. I've heard cynicism, 'oh, they're tried this kind of thing before', and 'nothing ever changes', that 'Federal agencies do not hire and promote'. And factually speaking, employment of people with disabilities has gone down over the last decade in the Federal government. So on that point, I just want to thank you and other advocates for keeping the heat on Federal agencies to actually make it come true this time. Make this be more than words in terms of that Executive Order.

>> MARK RIECHERT: Thank you.

>> PAM GREGORY: Hi, this is Pam Gregory. I did want to add to Mark's point, which I couldn't agree with more. As a staff person at the FCC who works on disability access issues, you know, we're overwhelmed. We need experts. And especially we would like to have more

people with disabilities. So I just wanted to say from a personal perspective that Karen has been a tireless advocate to try to move things forward. I know -- you haven't seen the results. But I do think a continued dialogue, especially with Karen, would be wonderful.

>> KAREN PELTZ STRAUSS: One other thing that I want to mention is that we are proud to have announced, not all that long ago, that Greg Hlibok became the Chief of our Disability Rights Office. He is the first person with a disability to hold that distinction. So we made that headway. We have a number of people in our Disability Rights Office, or who have children with disabilities as well. We also call upon people outside of the Disability Rights Office, such as Jamal, and various others experts throughout the agency, to assist us with the various proceedings that we're working on. Jamal wanted to take one more second to talk about something that's coming up. It's still in the planning stages. It's still not formally announced. But we're pretty sure it's going to go forward. So go ahead.

>> JAMAL MAZRUI: Sure. With the Accessibility and Innovation Initiative, one thing we try to do is launch challenges to the public to try to contribute to solutions that are related to accessible technology. So Pam and I will discuss some specific challenges that are already under way at our session tomorrow morning. But related to a topic that recently came up here, we are convinced at the FCC that there's a need for innovation in the area of communications technology for people who are deaf-blind.

The number of choices in accessible communications technology is few. And they tend to be quite expensive. It's often hard to get training and maintenance of equipment. Often the equipment, such as that involved in refreshable Braille displays, is decades old, while all kinds of other technology has been proceeding at a fast clip. Much of this hasn't been developing at nearly the same pace. So we are discussing internally how we can launch a challenge to the developer community to develop apps, and possibly also research papers focused on deaf-blind communications so that we can move forward more quickly.

I did want to also address just one other point related to the individual who brought up the issue about communications technology not working reliably through the blue tooth or whatever it was as the connection.

Section 255 does require compatibility of devices with assistive technology when built-in access is not readily achievable. I'm not commenting on this specific case. But be aware that these laws are generally not self enforcing. We do our best to try to convince everybody to do the right thing and implement the law. But it also helps, sometimes, when people come to us with specific complaints where they think some aspect of the law isn't being upheld. And we will try to faithfully investigate that.

>> KAREN PELTZ STRAUSS: Question back there? .

>> CLAYTON LEWIS: My name is Clayton Lewis, I'm with the Coleman Institute for Cognitive Disabilities. I wanted to pick up one of your sample questions, one about a company's efforts in accessibility. Can you comment on your thinking about the role in any, the user testing of accessibility, by companies?

>> JAMAL MAZRUI: Can I ask you to state the question one more time?

>> CLAYTON LEWIS: Could a company's failure to do user testing of accessibility play a role in an enforcement determination that might be made of the adequacy of that company's effort?

>> JAMAL MAZRUI: I think the short answer is yes, that under Section 255 now, and under the advanced services requirements that we're developing regulations for -- we do look at readily achievable efforts or achievable efforts, depending on the standard, throughout the life cycle of a product's development. And that would include looking at such things as has the company involved users with disabilities in testing? I don't think we have any specific metrics for that. But I think that's something we would take into consideration.

>> KAREN PELTZ STRAUSS: You know, first of all, user testing is listed as one of the ways that companies can meet their obligations, along with consultation and communication with users and advocates and representatives of the disability communities, in our Section 255 rules. So there are proposals to mirror those rules in the advanced communications service in the same context. It just makes sense. Talking to the people who are going to be affected by the products makes sense. I remember when I worked on the Americans with Disabilities Act (ADA), right after the ADA came out, and there was a provision to make movie theatres accessible via assistive listening devices. And a whole slew of theaters installed these devices of a particular kind that were totally unusable by the people that they were intended for. They hadn't consulted anybody. They hadn't done any user testing, and they wasted their money.

So it's just a matter of common sense for the industry. You're going get better results, and we highly encourage user testing. There's a question, I'm sorry, right behind Mark.

>> JEFF DAHLEM: Hi Thank you very much, my name is Jeff Dahlem, DAHLEM. I represent quite a few companies here at the show through a special interest group. And I want to mention three populations that you should make sure you include in all of your rulemakings, specifically those people with speech disabilities. Plus, those with multiple impairments. And just to make sure you know who I'm talking about, the speech impaired might be somebody who has use of their limbs but not use of their voice. So you might be talking about someone who is older or has ALS. In their mobility area, it might be the opposite. Somebody who can use their voice but can't use their hands, so somebody with cerebral palsy (CP), affecting their hands. In the area of multiple disability, it will combinations of those previous two, but also combinations such as mobility impairments, or low vision, somebody with severe cerebral palsy who can't use their hands to access a communication device but also can't see the display on the advanced communication device. And I just want to make sure that all three are included in everything that you do. This is leading to a question.

I want to also make sure that those people are able to use these devices in two different ways. One is that when it's possible, the device should be directly usable by those people. And the second way, when it's necessary, the device should be usable through a piece of technology that they require in their daily lives anyway for communication. Okay? So maybe that's already clear. If a person has advanced ALS, and is only using eye gaze, for instance, that person may still be out in the community and want to use a cellphone. That might be a case where you're not going to get an eye gaze on the cellphone, you're not going

to be able to gaze at the phone and make a phone call. But they may have a device on their wheelchair that watches their eyes, sees where they're looking, and converts that into commands to control the cellphone. And those people -- these three populations, by the way are very hidden. So you won't find many of them out in the halls today, despite the fact that half of the companies in the hall make products for these people. It's just that those people often require a caregiver and it's very expensive for them to come to these conferences. So even though they're not here, please take them seriously. They're big populations, and they're growing as the population ages and such. So those three populations are considered, and two methods, such as the two methods being directly on the device and indirectly through a piece of technology that gives them access to the world in general.

So the question I'm leading up to is how do we best make sure that those people get considered in everything you do? Is there something we should do, like start a writing in campaign so you hear more from these hidden populations? Or can we try to get either a ----- or an industry representative to work with you at the Commission or at least to be talking to the Commission? What do we need to do to make sure those populations are considered?

>> PAM GREGORY: Hi, this is Pam. Thanks for your question. I think you raise an excellent point. I love to think about when the Commission wrote the March 2000 Report and Order (R&O) on TRS. In that R&O, the Commission included the requirement for speech-to-speech relay. I really congratulate Dr. Bob Segalman for really making that happen. He is completely unstoppable. All other kinds of advocates for speech disabilities are always welcome. And we do need to hear from them. In terms of multiple disabilities, we have been trying to be as sensitive as possible. For example, I have a cousin with whom I'm close, has very, very severe Cerebral Palsy, and is deaf, and I always think every time I'm working on a Report & Order or NPRM or whatever, how would Bobby use this? My cousin Bobby. And you know, those are the kinds of questions that we need to be reminded to ask ourselves. So I would encourage you to come in. Write-in campaigns are good, but sometimes they are just 100 people just copying and pasting the same thing. So it's more helpful to have at least something representing an organization that has substance in it--that we can actually use, unless the write-in campaign does have substance. But I think probably a combination of both of those efforts are welcome and needed.

>> KAREN PELTZ STRAUSS: I also want to respond, we'll take more questions in a second. I mentioned earlier that but I want to spell this out a little bit more that Title I of this legislation, and Section 255, both not only require accessibility, but where accessibility cannot be achieved, i.e., where it's not readily achievable, there has to be an effort to make the equipment compatible with mainstream or off-the-shelf equipment using assistive technology. For people with multiple disabilities, very often it may not be achievable or readily achievable to make the equipment accessible itself, but compatibility with a feature like eye gaze would be required if that's achievable. With apps, with all the software that's now available, there's a lot more potential for meeting the needs of these communities. The communities that you mention I want to say are always part of the overall general population of people with disabilities that we're considering. They're not excluded. And we are not only implementing this law, for people who are, for example, blind or deaf or speech disabled. It is for all people, including people with cognitive disabilities, we take all this into account. Having said that, generally, our rules do not prescribe specific requirements for each disability. Rather, they're much more global. We provide some guidance on that, but we don't

specifically require things. You may also want to get involved with Section 508, which are more prescriptive and do really hone in a little bit more on the individual disabilities. I want to pause here and say that we received a request, although I don't know whether she left or not to make the text a little bit bigger.

>>JEFF DAHLEM: I want you to know that the eye gaze, for instance, is really accessing cellphones. The gaps are not big, but the eye gaze only accesses certain cellphones, and we'd like partial access to only certain cellphones issue to close. It's so close. And I want to commend the cellphone makers who are involved. We have a working group going that's trying to make this work. So when you say that it has to be achievable, please keep in mind it's almost achievable right now.

>> KAREN PELTZ STRAUSS: And the achievability analysis is done on a case-by-case basis. It's not done by rules. If you in the future feel it was achievable to make a phone accessible to eye gaze, you would be able to file a complaint against that company. But again, it's not done by rules, it's done on a case-by-case basis. I think there was a question back there.

>> SALIMAH, LAFORCE, I'm from the Wireless RERC, at Georgia Tech, and you mentioned earlier the TTY phase out. I was wondering if you could talk more on this subject as it relates to the next generation 9-1-1 and access for mobile phones by people who are deaf.

>> KAREN PELTZ STRAUSS: The question is about TTY phase out--we're really actually just at the very beginning of this process. We're not even sure it's going to happen. We've received concerns by some people in low income and rural areas who still rely on TTYs, so we're not ready to phase out these devices, if they are the sole means of communication by a particular population. At the same time, I mentioned before that we all know that TTYs are antiquated. They're slow; they're half duplex mode where you have to wait for one side to finish before the other side starts. They're not compatible with more modern Internet and digital technologies. ATIS, as I mentioned, has an incubator or some kind of working group, which is going to be looking at this. So I encourage the wireless RERC to be involved in that. We are as new to this as you are. I think that you probably understand the issues just as well as we do. I think the goal is to get people that are currently relying on TTYs to a place where they can use more mainstream technologies that have more capabilities than TTYs.

So there's the next question in the middle over there. I don't know see the person anymore. I'll move over. I think in the back, and then in the front. And then I think after that, we're going to move onto video programming.

>> PATRICK TIMONY: My name is Patrick Timony, TIMONY. I work in DC, at the Washington DC Public Library, in the Adaptive Services Division, which has the library's Blindness and Handicapped Program, as well as Library Services to the deaf community, and an Adaptive Technology Program. And we owe a lot, actually, to Jamal Mazrui for our programming. A lot that he has set forward in the last 20 years of informal programming with programming software and informal programs, networking, networking programs, have provided the model for allowing us to do what we do. So that's one thing to say. One of the

programs is an Accessibility Conference. The first one was in 2009 where we held much like the Open Developers Day, that you all had at FCC, an opportunity for the developers to get together and have a conversation. It produced relationships and innovation and things like that. So I wanted to express my gratitude to Jamal, and also let people know about that kind of programming and that we hope that other places around the country and around the world can and are using that model in libraries to hold those kinds of meetings in libraries. I also wanted to invite everyone in the panel to talk at the DC Public Library's, Library for the Blind Northern Conference, which is coming up shortly, to discuss the possibilities of working together and how that programming can go forward.

>> JAMAL MAZRUI: Thank you for the kind words, Patrick. I think that when we announced the disability aspects of our National Broadband Plan, we did that in collaboration with you and the Public Library in DC. Generally, I think part of the philosophy of the Accessibility and Innovation Initiative and the open government movement, which we're kind of applying to accessibility, is to believe that a lot of solutions can really come from the bottom up, from people with disabilities themselves or developers who care about accessibility. If we could just facilitate the collaborative spaces that enable people to work together to solve these problems. So I don't know about this specific conference yet that you're talking about. Of course, we'll certainly discuss it. But the conference is something we'd want to do more of. And we appreciate your involvement, and welcome any ideas, really, with the Accessibility and Innovation Initiative about how we can promote collaborative problem solving.

>>> KAREN PELTZ STRAUSS: Patrick, I did receive your request for a speaker at your conference. We were incredibly busy trying to prepare for this event, but we will definitely follow up as I indicated in an e-mail. This question down here?

>> TONI HOWARD: Hi. My name is Tony Howard, TONI, HOWARD. And I'm from the University of Toledo, and just a couple of quick questions as to what's the implementation roll out time for the telecommunications relay service proceeding? And also, how do you see this affecting universities? And what's the relationship between TRS and enforcement with the ADA provisions, especially nondiscrimination provisions?

>> KAREN PELTZ STRAUSS: Okay. Three good questions. The roll out for the relay provision that's in this Act, which is that you have to be able to communicate from one relay service to another relay service has not yet begun. Basically, because this Act is so overwhelming, we decided to go by deadline. And so whatever we had a deadline on, we moved out first. We are, however working on TRS. We already have drafts in progress. And the Commission will be releasing a Notice for Proposed Rulemaking on that. I don't want to give you an exact date, but it should be some time probably later spring. So we are going to move on that.

Universities are covered to the extent that they provide advanced communication services, just as they were covered under Section 255 to the extent that they provided telecommunication services. So we will -- I'm pretty sure that we're going to be requiring, probably points of contact. I'm not even sure we covered that in the advanced communications services NPRM. But we will at some time have to have assurances that universities are also in compliance to the extent that they provide these services.

And the question about ADA is a very complex one. And people ask us this all the time. They get confused. They'll come to us and they'll say, you know, I'm trying to -- let's say I'm trying to call my bank, and they are not answering on TTY or something like that. That was more of an old time question. Or my bank refuses to accept a relay call. That's an ADA question. Basically, wherever you look at place of public accommodation or a local or state government and the way that they are providing services, that goes to the ADA. Wherever you look at manufacturers and service providers that provide communication, like advanced communication, electronic messaging, telecommunications, and communications by wire or radio, that's an FCC question. And again, the other difference is that web content is all ADA. So some of you may have seen the presentation the other day about what each of the agencies is doing. The Department of Justice reported that it has a Notice of Proposed Rule Making on web content to make sure that it's accessible. They are handling that. Again, we are the ramp onto the web. And right at that door, we stop. Once you go into that door, it's the Department of Justice and the ADA. It's a little confusing. If there is anybody who's confused about this, we have staff who take questions and are able to refer people.

Sorry, since you're still asking questions, we'll go ahead. We'll take two more. Shane is one and then over there. Then we'll definitely move onto the video programming. But as long as you have interest and are asking questions, go right ahead.

>> SHANE FELDMAN: Hi, my name is Shane Feldman. I'm with the National Association of the Deaf. I wanted to thank the FCC for what they have been doing thus far. And I want to thank all the partners that we have that have been involved. We have had five organizations, NAD, we have had Communication Service for the Deaf, CSD the third one is AFB, American Foundation for the Blind. And then there's ACB, American Council of the Blind. And finally, AAPD, the American Association of People with Disabilities. We have been working together at passing this law, and the FCC has passed it.

One question about advanced communication that I'm very concerned about is future video communication technology. Because today, we are able to call AT&T phone to a Verizon phone to connect without any problems but the video communications industry faces problems of compatibility of software or hardware technology. We can't call comparably as the hearing community can, or the nondisabled community can. I wanted to bring that up again, and strongly encourage the FCC to consider the compatibility of technology and the industry. We have concerns about software and technology. For example, we've been having discussions about the intent of the video conferencing, and I'm a little concerned about external technologies. We've been working with industry and the FCC and they have been moving forward, but I'm hoping that the FCC raises the bar for this technology. We need to be on par with the hearing community, the nondisabled community. We should be able to use the language communication of our choice. And I wanted to thank you for your time and your work that you've done so far but consider these things.

>> KAREN PELTZ STRAUSS: Thanks Shane. As I mentioned before, this is something we're definitely looking at. Video communications is important to us, not only because of this legislation but also because of the Video Relay Service program, which has encountered some issues with respect to fraud and abuse, and we're in the process of cleaning up that program. In conjunction with cleaning that program up, we're looking at the extent to which video relay providers should be giving out equipment, should be reimbursed

for development, whether this development should be mainstream, and again, this is a subject matter not only of our advanced communication services proceeding but also of a Public Notice that we released in February 2011.

I want to mention that Shane is also one of the people on our Video Programming Accessibility Advisory Committee, and Richard Ray, if you want to stand up as well, Richard is the Co-Chair of our Emergency Access Advisory Committee on next generation technologies. The individual in the back that asked about TTY phase out, you may want to talk to Richard at some time. It's definitely one of the issues that that Emergency Access Advisory Committee is looking at. I also want to mention before I forget, just in case we run out of time, that we received some accolades today on the work that we're doing. And I want to say that the FCC Chairman, Chairman Genachowski has been incredibly supportive on these issues. And this community definitely has his ear; he is very concerned as well about preserving the ability for the industry to innovate. I think that he takes a very balanced approach to these issues.

I also want to mention AccessInfo was initiated at the Commission. You have fliers for it over here. Not that we're closing up, I'm just mentioning it, this is the middle of our session and I see some people coming and going. This is an E-mail list that we are encouraging everybody at this conference to sign up on. It's to get ongoing information about what we're doing at the Commission, including comment dates. There are little blurbs of information-- you're not bombarded with information. We only send it out every so often, just when we do something. It will help to keep you informed. I think there was one more question over here. Keep your hand up until the microphone comes over.

>>> JACQUELINE JACKSON: My name is Jacqueline, JACQUELINE, JACKSON. My question was about your advisory committees, and your working teams. The composition of your consumer advisory committees, what type of skill sets are you looking for, and if there's people that want to get involved, what's the process?

>>> KAREN PELTZ STRAUSS: That's a good question. The advisory committees that I mentioned today with respect to this legislation are closed. The composition is already filled. The Consumer Advisory Committee (CAC) I believe they put out a Public Notice as well for nominations, and I believe that those nominations are also closed. However, the CAC gets renewed every two years. So if you aren't on it this next round, those two years pass fast. Generally we look for anyone who has expertise in these issues. Of course, we do get a lot of nominations. We try to get people who we think are going to be representative of a specific group and develop and create cross-industry, cross-consumer representation.

But by all means if you're interested, apply. Very often we will have people from the grass-roots community, as well as professionals. So really, it's a very, very wide range of individuals.

So let me move on now to video programming. And we'll see how many questions we get. And if we don't get a lot, we can go back to the first issue. I'm just going to read again some of the suggested questions. These are shorter than the last ones. What are the Act's requirements on Internet captioning? By the way, not all the answers to these are yes. Some of them are trick questions. Will I be able to watch personal videos on YouTube? Does

the Act require live Spanish captioning on the Internet? How will the FCC implement the Act's requirement to make emergency information on TV accessible to people with disabilities? Will the Act require captions or video descriptions on small TV transmitters such as my portable TV or cellphone? Will the Act require programs on the Internet to have video description and how will the Act address problems with accessing captions on digital TV or through my DVR? How will the Act make it easier to activate captioning and video description features? Does the Act require programming guides and navigational menus provided by cable and satellite providers to be accessible? Do I have the right to ask the TV manufacturer for instructions in Braille? How can I tell the FCC what I want in the new rules on this act?

We open up the floor for questions on this second title of the legislation. June?

>> JUNE ISAACSON KAILES: Only a question, not a comment. Following up on the last question, and the advisory committees, is there a way to listen in on those meetings? Are they open? I understand a lot of it's by phone. Is that correct? And how does one listen in, if they choose or want to?

>> PAM GREGORY: Hi June. This is Pam. And I happen to be a FCC Co-Chair of the Video Programming Accessibility Advisory Committee. This year, 2011, we're having three open meetings at the FCC. Our next meeting is May 5th. There are, like Karen mentioned, there are four different Working Groups with a lot of different tasks that we've divided up. And because of the volume of the work that must be completed, they do have conference calls. If you wanted to participate in a conference call, you can. It will probably be most effective if you sent me an E-mail or you could send an E-mail to [AccessInfo@FCC.GOV](mailto:AccessInfo@FCC.GOV). There are a lot of people that are on the VPAAC that are here at this meeting, and at the conference. And what I have heard and learned from the members is that they are going to start ramping up in the frequency of the meetings. And probably have an ongoing weekly meeting, within each Working Group.

>> KAREN PELTZ STRAUSS: Other questions? Yes, in the back. You need an interpreter? No questions. Okay. Other questions? One of the things that I could do is to share with you more specifics on the video description rules. I think that that might be helpful: These rules do not require video description on all television, unlike the captioning requirements. Rather they only require video description on approximately four prime time hours per week, in the top 25 markets. One thing that we've asked, just to throw out a point, we've asked in our Notice of Proposed Rulemaking is what is 'live' versus 'non-live' video programming. The top 25 markets and top five cable networks are covered under video description. We need to determine what those are, those networks have to provide a certain amount of 'non-live' programming. So we really encourage you to give feedback on this when you submit comments. The comments, by the way, are not due for another month, so you have a lot of time for both video description and advanced communication services. I think the Federal Register just published the advanced communication services NPRM, Then you have another 30 days after that for the reply comments. It's on our AccessInfo list. We'll probably send it out a couple more times. Are there any other questions about video programming or about the Title I? Okay question over there.

>> TONY HOWARD: As I understand it, this only applies to programs that are on television, it doesn't apply to things that are posted on the Internet that were not previously on

television.

>> KAREN PELTZ STRAUSS: That's correct for the captioning section.

>> TONY HOWARD: Okay. Does the captioning requirement apply also to movies?

>> KAREN PELTZ STRAUSS: If it was on television. And it had captions on television. Our captioning rules are very comprehensive for television. It's basically 24/7. There's a gap in the middle of the night--there's a four-hour gap in the middle of the night. But other than that, everything has to be captioned, unless it's locally produced, for example, a high school parade, or music that doesn't have lyrics. The exceptions are extremely narrow. So virtually everything on television has to be captioned. Also if it's shown during the day and reshown in the middle of the night, it still has to be captioned when it's reshown. So almost everything that's on television is going to have to go over to the Internet with captions. Whether it's a movie, whether it's a prime time show, whether it's a soap opera.

However, what this law will not capture, this was a compromise during the end, are, for example, sometimes you'll watch a television program and you'll see at the end there are have extra clips. For example, I understand that *The Office* has a whole bunch of skits that they put on the Internet that they don't put on TV. They are not obligated to caption those. If you feel strongly that you think they should be captioned, you should notify the company. You know, captioning is an area where the industry did a lot more before there was a law that led the way -- that made the law easier.

In the 1990s when we were working on legislation to get companies, to get the TV industry to caption everything, one of the things that the community had going for it was that so much was already captioned on broadcast television. Even when the law was passed, 100 percent of prime time TV was already captioned, and 75 percent of the major stations on broadcast TV. So this is an industry that I think has been susceptible to public pressure, is my point. And in fact there is, already, a considerable amount televised programming from some of the major stations that's already captioned on the Internet, when there is no law. So my suggestion would be to go to them and talk to them about it.

One of the issues that came up a lot during the negotiations was NetFlix. It is not captioned. It's not required to be captioned. It's frustrating for me as well because I use captions for other reasons, and my children use captions. It's not captioned. However, pay-per-view movies are supposed to be captioned. So if it's on TV and it's a pay-per-view program, it is supposed to be captioned under our rules.

>> TONY HOWARD: Are there any requirements for movies in theaters? Is there any consideration for those?

>> KAREN PELTZ STRAUSS: That is being taken under consideration by the Department of Justice, yes. They have an Advanced Notice of Proposed Rulemaking that went out, I'd say about 6 to 8 months ago. And they are looking at requirements for imposing obligations on movie theaters, yes. So I encourage you to follow that. That's not under our jurisdiction. Other questions? If you don't have question, I'm just going keep talking.

>> JAMAL MAZRUI: I wanted to make sure that people know how they can get more information from the FCC. As mentioned we have an E-mail distribution list, if you want to get on that list – it's not an automated thing where you send a message to a machine and it comes back. AccessInfo@Fcc.GOV, is answered by a person, and all you do is send an E-mail to that address, and just ask to be added to the AccessInfo list.

With respect to committee meetings, a lot of them are broadcast live, and we try to make those accessible as well, through a technology called Accessible Event. So one place you can go is [fcc.gov/live](http://fcc.gov/live). To get Notices of these Proposed Rulemakings, I'm pretty sure you could search for the word 'disability' on the front page of FCC.GOV. But if you have difficulty finding anything, feel free to write to that [AccessInfo@FCC.GOV](mailto:AccessInfo@FCC.GOV) address. And it will be routed to the right person at the FCC.

>> KAREN PELTZ STRAUSS: What I'm going to do now is fill in the blanks. I'm just going to give you some answers. One of the questions is whether you will ever have to pay anything for accessibility features. This is actually an area of the law that's different than any other accessibility law. There actually is a provision in the CVAA that says that a company may decide to use, as I said, apps or software or some other kind of hardware to make their product accessible, and they can charge a nominal cost for doing that. So then the question becomes what is a 'nominal cost' and that's one of the things that we're looking at. So again, we encourage comment on that. I can't say very much more about it, just that there may be a small cost associated with receiving access.

One of the questions was can the FCC require apps to be accessible? That's a question we have teed up in our Notice of Proposed Rulemaking. Are telecommunication apps covered by the law? Can the FCC require apps accessibility to achieve compliance with the Act? Mostly definitely. No question about it. One of the wonderful things about a conference like this is that you can see all the different ways that technology can be achieved. And I think that all three of us -- we've been talking about how we are just marveling at what are in the exhibits. And what can be done these days, unlike when the Telecommunications Act that passed in 1996, which required complete incorporation of all accessibility features and made the task of achieving accessibility sometimes more challenging. Right now, the world is wide open to solutions. And not a day goes by, it seems, that another app is created. One of the challenges that we issued back in July to the Wireless Association, CTIA, was to provide an easy means for consumers to find accessible apps. And CTIA has actually risen to that challenge, and at their up-coming conference in a couple of weeks, they're going to be announcing their efforts to develop a website to allow people to explore different apps that can meet their accessibility needs for mobile devices.

So it's a very exciting time to be this in industry and to be part of this whole, really, there is a revolution of ways of achieving access for people with disabilities.

Does the FCC regulate software used on phones? Yes, for purposes of the accessibility provisions, telecommunications access includes software access under Section 255. We've asked about it under telecommunications services. Is real-time text covered under the Act? This is the question we talked about before with the phase out of TTYs. We do not have an open proceeding on real-time text, but it's a provision that has come under

discussion with respect to the provision of our emergency services. What is 'real-time text'? When you use a TTY, it's in real-time. As you're typing, the other side is receiving the text that you're sending as you type it. If you use instant messaging, or a chat, or E-mail, you're typing and then sending, typing and sending. You have to press a send button. That's not real-time.

In an emergency, having real-time text go through as it's being typed can mean the difference between life and death. If you are typing and you don't ever get to send to the emergency center, the Public Safety Answering Point (PSAP), the 9-1-1 emergency center is not going to get your information. So this is again something that that Emergency Access Advisory Committee is looking at. And the problem is that TTYs, even if we don't formally phase them out, are being phased out by the population themselves. They're being put in closets; they're not being used. That is the only existing form, true form of real-time text that's currently fully compatible with 9-1-1 emergency centers. There are some other real-time text applications that are out there, AOL has one, BlackBerry has one. Again we have an interoperability issue because callers using one form of real-time text cannot call callers using a different carrier. That's just to layout some of the real-time text issues we are looking at in the digital environment.

What does it mean for (we talked about compatibility), accessibility with assistive technologies. 'Usability' means that you get the manuals, the brochures, the customer service agents that are willing to talk to you. If you need a document in Braille, you can get it in Braille, if you need a document in audio format, you might be able to get it in audio format. It's making sure that you have the support, the user support to be able to use the devices and services. Will the Act require retail staff to know how to respond to my accessibility needs? Well, will the Act require retail staff to respond to anybody's needs? Unfortunately no.

Retail staff is pretty much on their own. Even though we have this usability requirement right now, technically there's supposed to be somebody on staff who knows what they're talking about. If they don't have the usability resources in the store, my suggestion is to have that person in the store connect to somebody who is able to talk to a person on site or on the phone so that the other person can address the accessibility features. It's an age old problem. You go into a store, you ask for an accessibility feature, and they look at you, dumbfounded, and they have absolutely no idea what you're talking about. Again, there's a lot of turnover in retail establishments; a lot of people get jobs in the summer, etc. They're not going to know everything. And I don't know whether we can ever expect them to. But at a minimum, it would seem they should have a way to link in somebody who does know the answers in their company.

How do I know which products and services are right for me? Again we are going to be creating a clearinghouse of products and services. This is no easy task. We are again looking to especially the mobile industry to help us, and hopefully that's going to a database of information that people are going to be able to visit. All too often, we are aware of situations, such as just this week, people were telling me about it, where a company has some great accessibility features on certain phones, and no one talks about it. Or certain devices that provide access. And so this is hopefully going to bring more information to the community.

How do the Access Board's functions differ from the FCC's? We work closely with the Access Board on those issues. They are working on Section 508 rules, which are on

electronic and information technology guidelines. Actually, that will provide guidance to Federal agencies on how to make their communication systems accessible to the public, and to their own employees. Those guidelines, again they're still in the works, but we are looking to those as well, as we did with Section 255 for guidance on how -- on completing and implementing our own advanced communication services proceeding.

How will the FCC enforce the Act? Unfortunately, it's very hard to enforce it on our own. We need the help of consumers to enforce these laws and regulations. We do not have the resources to go out and do compliance reviews like the Department of Justice does sometimes. So it's really incumbent on consumers, if they see a problem, to bring it to our attention. And again, we're going to try to make that easier.

Will the Act promote or stifle innovation? We are 100 percent sure without a doubt that this Act will promote innovation. The innovation has occurred as a result of accessible technologies. I think that probably every person at every -- 4 or 5000 people at this conference would acknowledge that this innovation is unparalleled. All you have to do is look at the various "specialized technologies" that have been created, that have benefited the general public. You know what we're talking about. So there's no question that if you caption something, you make it able for somebody who can't hear in a noisy room. If you put a vibrating feature on a phone, you make it available for somebody who needs to be in a quiet room. You put a talking caller ID feature on a phone and you allow people to sit at their dinner table and ignore all the calls from marketers that come in. The list could go on and on and on. It will definitely promote innovation of new technologies.

I have worked in this field for a long time, and we always see resistance from industry until they're required to do something. Then the engineers and the technologists in the companies get all excited in meeting the challenge, in finding new and innovative ways to not only meet the needs of people with disabilities but to do it in a way that will assist the general public. Another great example that was mentioned the other day is the talk-over feature called Voice Control. I'm not sure I'm saying it right. For iPods? If any of you were watching when Apple first announced this feature, there wasn't a mention of blind people in their advertisements. It was all about how you can now hear what song is being played with this talk over feature, Voice Control, and isn't it great? And of course a whole bunch of nondisabled people, especially young students, ran to get this feature. Well, I believe it was created so that blind people could know what's going on in an Ipod. Otherwise you can't know what's going on.

How will the communications accessibility landscape over the next five-to-ten years affect implementation of the Act? All I can say is it's going keep people very busy. In the next 5 to 10 years, if it's anything like the last 5 to 10 years, we are never going to retire, Mary Brooner. I'm sorry. When we finished all the laws in the 1990s, we thought we would have an opportunity to retire, but the turn of the century brought new technologies and increased reliance on the Internet, which has kept us very busy.

Why did we need the CVAA? Because all of the laws that we worked on in the 1980's and the 1990's, the Hearing Aid Compatibility Act, Section 255, the telecommunications relay service requirements, the Decoder Circuitry Act, we thought we were done. We thought at the millennium, we're done, we can relax, we can go to Hawaii! I'll

take even San Diego – it's very nice here. Whenever that was, was when everything in the late 1990's started to change again. We realize that especially with apps, as time marched on, we were way behind the times. And all these laws, we always thought were so progressive, but were outdated. That's what this law responds to. It responds to bringing the laws into the 21st century. But what's to say that the next 5 to 10 years aren't going change things again?

>> PAM GREGORY: Hi, this is Pam. I did want to comment on something, because someone earlier asked about the achievable standard, and filing a complaint. Karen said that our rules were going to be global in nature. And the assessment will be made on a case-by-case basis. And the reason for that is it could be someone might have a complaint about some feature on a mobile phone, and really, it's not achievable at that time the complaint was filed. The same complaint may come back to the FCC four months later, and it would be achievable. So that's one of the reasons why our rules are going to be general. We know this landscape is moving at mach speed. And we just want to be able to keep up with the technology as best we can.

>> KAREN PELTZ STRAUSS: It's so true. I mean, that's why it's a moving target. So again, I would like to retire someday, but it's not going be any time soon.

Let me stop here. I could keep ongoing. But are there any questions about any of the material that I just covered? Yes? June?

>> JUNE ISAACSON KAILES: Karen, you said this quickly, and I didn't quite get it. You said something about a new website where they're looking at accessible products for mobile smart phones, etc.? Where was that exactly?

>> KAREN PELTZ STRAUSS: This is actually an effort by CTIA. We issued the challenge, and they met the challenge. So they are going to be announcing that in around a week and a half. It's around March 24th or 25th.

>> PAM GREGORY: Hi, there's Matt Gerst out there from CTIA. And Matt, correct me if I'm wrong, but it's going to be [www.accesswireless.org](http://www.accesswireless.org); is that correct? Do you want to comment on it.

>> MATTHEW GERST: This is Matt Gerst with the CTIA Wireless Association. The FCC did issue a challenge to industry about a year ago, asking for information in helping consumers to find information about accessible wireless products and services, including apps. We already had a website, [www.accesswireless.org](http://www.accesswireless.org), but we realized it's not good enough, and we need to sort of take it down, start over again, and start from scratch. So thankfully, we've done that. Next week at our Annual CTIA Show, March 23rd, Steve Largent, our CEO, is going to be announcing the new website from the keynote stage. Then, it'll be live for all of you. One of the really cool features we're excited about is the partnership with the Mobile Manufacturer's Forum. And we're including their Global Accessibility Reporting Initiative (GARI); it's a searchable tool for the first time. You can search for accessible, mobile phones based solely on their accessibility features. So that's a new feature that we're adding. And we also have links are for all the major app stores and suggestions for accessible apps that are going to be on that website. The website is [www.accesswireless.org](http://www.accesswireless.org). And if you go

there right now, you'll see the old site, but we are quickly moving to get the new site up. So check that next week.

>> KAREN PELTZ STRAUSS: Jamal mentioned he wanted to add something. I just want to publicly thank you, and I would like to give you a round of applause because I think it's extraordinary.  
[APPLAUSE]

>> KAREN PELTZ STRAUSS: This is a testament to the success of the Commission's Accessibility and Innovation Initiative as well as collaboration with the industry. And Jamal, do you want to mention the timing tomorrow with the Accessibility and Innovation Initiative presentation?

>> JAMAL MAZRUI: Pam, can you help me with this? The time and the place of the presentation tomorrow?

>> KAREN PELTZ STRAUSS: 1 second. We're going to tell you where this presentation is tomorrow morning. It's at 9:20 AM, and it is in America's Cup A--that's the FCC Chairman's and Accessibility and Innovation Initiative. And it really is, again, a testament to the industry responding to a challenge from the FCC. We're hoping to have other challenges in the future because it's a total success story. I'm going go on just a little bit more for the video programs and then I think we're going to wrap up.

One of the questions is: will I be able to watch personal videos on YouTube? Some of you may know the cool feature of adding accessibility on YouTube. It's a feature that goes to a certain point, in terms of its capability, to add captions, and then captions need to be rectified sometimes to make sure that they're accurate. But that is separate from the FCC. It's not an FCC enterprise. And again, the law itself will not cover that kind of consumer-generated video.

Does the Act require Spanish captioning on the Internet? Well, if it's captioned on TV, if it's shown on the Internet, it's going to have to be captioned. There's no distinction. There's a question back there. Judy Brewer.

>> JUDY BREWER: Hi. Judy Brewer, from the World Wide Web Consortium's (W3C), Web Accessibility Initiative (WAI). And thank you for this very clear walk through all of this material of it's very helpful to hear. With regard to user-generated video content on the web, I just wanted to mention that the World Wide Web Consortium (W3C) is very actively working in that area. It's somewhat related to our work on HTML five, but it's specific. There is an Accessibility Task Force of the HTML Working Group. The HTML 5 Working Group is looking at media formats available right now, and it seems that there's the possibility that there may be multiple media formats,

W3C is participating in the FCC's Video Programming Accessibility Advisory Committee and is interested in talking with and working with any people who are interested in making sure that -- if it's possible to have a unified media format that supports accessibility, that there will be one. And if it's not possible to have one unified format, that accessibility would be fully provided for in any media format that would be used on the web, and that the

material would transition smoothly from the broadcast medium to the web. And so we look forward to working with the FCC and others on that.

>> KAREN PELTZ STRAUSS: That's terrific, Judy. Thank you so much for sharing that information. I also wanted to mention in terms of video programming, this Act covers in terms of video devices, it also covers recording devices and user interface accessibility. This is the first time it has been required. And the Act also says that recording devices and interconnection mechanisms and standards for digital video source devices must also pass through the captions and the video description. Again, that's novel. I think we're going to take one more question from Bapin, then we're going to wrap up. And one more question from somebody who hadn't asked before.

>> ANINDYA BHATTACHARYYA (BAPIN): This is Bapin speaking. I wanted to ask a quick question about the video accessibility. I tried to access closed captioning for the video tape, a video that was on the Internet. I was unable to read the captioning because all of the words were graphics. And I suspect that it was made by SMI, the SMI flat form. That is accessibility. So I read the captioning via text. However it made it difficult to do it on Braille because it didn't convert. So what I'm seeing is, for example, CNN News often has videos. However, I'm unable to access those videos. I'm wondering if there's any solution to that problem.

>> KAREN PELTZ STRAUSS: Right now, there are answers under way, do you want to answer this Pam? The Video Programming Accessibility Advisory Committee (VPAAC) that we have, that is looking at the best technical means of providing Internet captioning. So hopefully these problems are going to work themselves out. There will ultimately be some standardization most likely to avoid the kinds of problems that you've been experiencing.

>> PAM GREGORY: Hi, this is Pam. Shane Feldman is in the audience. Raise your hand if you are on the VPAAC, Working Group One, as well as Judy Brewer from the W3C. Also we have Ken from Google, who actually developed the Google captioning feature. They're all working on trying to come up with the best standard, the best way for Internet captioning. And are actively looking at problems as you mentioned. I feel very confident that we have the right brain power working on it.

>> KAREN PELTZ STRAUSS: I totally agree. One last question.

>> IRVING RISA: Hello, my name is RISA, Irving. And I have four questions for you. The first one, I think has to do with video. This is all pretty new to me. How do the FCC regulations address something such as TIVO. And then, the next three questions have to do with one issue, cellphone accessibility, from text-to-speech and speech-to-text, when a blind or visually impaired person is texting. And part of my point here is, while smart phones are really beginning to take the text-to-speech/speech-to-text issue by storm, there aren't too many of the non-smart phones that appear to address this. And when they do, they seem to be half accessible. And I guess the minor segue is two of the major cellphone carriers tend to -- they're pushing some of the older phones that have marginal text-to-speech and speech-to-text capability. But we're also being charged. We have to get into two-year contracts, which is difficult. In summary of my point, how is the FCC addressing speech-to-text, text-to-speech,

and are you working on incorporating this into universal design?

The third question has to do with broadcasters, TV networks local and national. When they're giving out phone numbers or information, when they say "read the information on your screen", how does the FCC address this lack of access? And the fourth question, I forget. Thank you.

>> KAREN PELTZ STRAUSS: Those are big questions. We'll take three. TIVO is a type of digital recording system. And so I can't say definitively but it would seem to be one of the types of recording system, and devices, that would come under the section of the Act that covers accessible user interfaces and the pass through of video accessibility features such as captioning and video description. It's a long way of saying, it's probably covered under this Act, and it will probably have to be accessible. I say probably because it's one of the issues that one of the Working Groups is dealing with on this, the VPAAC, Video Programming Accessibility Advisory Committee that I mentioned a while ago. But stay tuned. . . it's probably going to be one of the issues that's covered by the Act. As it is, it was contemplated by the Act.

The second issue that you raise is a critical one. And it has to do with the fact that while some of the smart phones like the iPhone and the Android are making themselves accessible is fantastic, some of the more basic ones that cost less on a monthly basis are not accessible. We are painfully aware of this. We know there's a problem; we are overwhelmed trying to get these proceedings dealt with, we have other statutory deadlines, but we have not forgotten it. The best advice I can give you is to file complaints. We are starting to follow up on some of these complaints with respect to individual phones. Because it's a real problem. We're very aware of it. So thank you again for bringing it to our attention.

And the third problem is -- the third question that you raised is one that actually something that we do not cover. And it has to do with when you see something on a screen or when you're watching a television and they say it in a commercial, especially, it says read this on your screen. Unfortunately it's just not covered. It's not really covered by the video description rules but it's an issue I know for the National Federation for the Blind - they have been very concerned with this for many years, being able to have audio output of what is printed on the screen. It's not something that's taken up by the video description requirement. However if the text deals with emergencies, it will be covered by that section.

I think this wraps up this Town Hall Meeting. Thank you for all of you for sticking through the meeting. I'm impressed. And I see many of you have started to leave. Thank you for those hanging in the middle. Please keep giving us feedback and comments on our proceedings. If you don't know how to comment, send us comments individually. We will take whatever you can give us. We will file it for you, as long as you give us your name and address. We will be around for the next day, we encourage you again to join [AccessInfo@fcc.gov](mailto:AccessInfo@fcc.gov). Please come up and get a flier about AccessInfo if you like. But you don't need a flier. Just send an e-mail to [accessinfo@FCC.gov](mailto:accessinfo@FCC.gov). And you'll be kept informed. Thank you.