

10-213

FILED/ACCEPTED

SEP 1 1 2012

Federal Communications Commission
Office of the Secretary

From: Tony Swartz [mailto:tbswartz@ptd.net]
Sent: Wednesday, August 29, 2012 11:04 AM
Subject: accessibility of gaming technologies

It has come to my recent attention that lobbyists representing the highly lucrative gaming technology industry filed a petition with the FCC seeking a formal waiver from requirements stemming from the Twenty-First Century Communications and Video Accessibility Act. As a blind game player, I strongly urge you and the FCC not to grant such a waiver. While I understand the video components will remain inaccessible, other communication components such as text chat and other forms of electronic messaging should be made accessible.

I thank you for your consideration of my request.

Tony B. Swartz

-----Original Message-----

From: Eleanor Robinson [mailto:eleanor@7128.com]
Sent: Wednesday, August 29, 2012 9:15 AM
Subject: Formal waiver of CVAA

Please do not grant the petition for waiver of the CVAA. As a game developer who makes accessible computer games for gamers who are blind, VI, deaf, and some motion impaired individuals, I know how important accessible games are for their well being.

I have been involved in the Games for Health conference for the last four years and have seen the effect that technologies such as the Wii and Kinect have on improved mobility. Any action that reduces the accessibility of these games will have a negative effect on many people.

In addition to the 20% of younger people who have one or more disabilities, the number doubles for people over 65. Forty percent of seniors have vision problems, hearing problems, or loss of mobility. The baby boomers are now in their 60's. They now increasingly need MORE accessibility features in gaming technologies, NOT LESS. Please DO NOT grant the waiver.

Eleanor Robinson
7-128 Software

From: Daugherty, Kaye - DPES [mailto:kaye.daugherty@daviess.kyschools.us]
Sent: Wednesday, August 29, 2012 9:10 AM
Subject: gaming accessibility

It is important that people with low vision or blind be able to access anything that their sighted peers can access. Put yourself in their disability and ask yourself if you would not want access. As a teacher of the visually impaired, I am continually trying to find ways for my students to access what their sighted peers take for granted. I am busy helping teachers find ways to help their vision impaired or blind students access the curriculum. Please do not let FCC sign the waiver.

0

Kaye Daugherty TVI
DCPS
270-852-7270 ext. 173
The Future Starts Today,
Not Tomorrow.
John Paul II

From: chet smalley [mailto:chet_smalley@neo.rr.com]
Sent: Wednesday, August 29, 2012 8:57 AM
Subject: it's not important

The online gaming industry wants to be excused from "accessibility" rules pertinent to the "disabled" in the arena of online games. This is not an important matter to the blind. Don't assign it a high priority. If the industry wants to be excused from the regulations, so be it; there are much larger "fish to fry."

C. Smalley, Erie PA
(signature):

"Would that "this business of religion were left alone."
(John Locke, in his letter concerning tolleration, 1689).

From: Nancy Feldkamp [mailto:nfeldkamp@lighthouseofmanasota.org]
Sent: Wednesday, August 29, 2012 7:56 AM
Subject: Please don't grant the waiver

As a professional working with people of all ages who have vision loss, I strongly request that a waiver for CVAA not be granted for gaming technologies. People with vision loss are still left out of some activities unjustly and, if granted, this waiver would only further increase the crevasse between the sighted and those with low vision/blindness. Gaming encourages body movement, increases coordination, and can begin/further advance friendships online and in real life.

I believe it would be a true injustice to grant this waiver which would allow for larger profits for these companies at the expense of people who already have limited accessibility in many areas. Please do not grant this waiver.

Thank you,

Nancy Feldkamp, RN, BSN, MA, MS RT, CVRT
Lighthouse of Manasota
7318 N Tamiami Tr.
Sarasota, FL 34243
973-359-1404

-----Original Message-----

From: Norma A. Boge [mailto:naboge@mchsi.com]
Sent: Wednesday, August 29, 2012 2:47 AM
cc: MRichert@afb.net
Subject: Gaming industry waiver request (CVAA)

I understand the gaming industry has filed for a waiver regarding the rules

associated with the 21st Century Communications and Video Accessibility Act (CVAA). I strongly urge the FCC deny this waiver request for the following reasons:

I became blind about 20 years ago. While sighted, I enjoyed video gaming quite a lot. Since becoming blind, the choices of video gaming are very limited. I am kept out of this activity with my sighted family and friends. This should not happen simply because I am an American with a disability. Nor do I feel this was the intent of Congress and President Obama when the CVAA was passed and signed into law. Video gaming is not just for gaming geeks. Seniors are using and enjoying the WE Fit, and video gaming has found a place in the K-12 curriculum.

Please, please do not grant the requested waiver. This request is nothing but a stall tactic, and it has nothing to do with innovation. As the United States continues to lead the world in terms of equal access for all, I do hope the FCC will not allow the gaming industry to keep us from all that is beneficial and entertaining about video gaming.

Sincerely,
Norma A. Boge
Member, American Council of the Blind
Des Moines, Iowa

Sent: Wednesday, August 29, 2012 1:34 AM
Subject: letter from a blind parent

I am writing you today to ask that the FCC does not turn a blind eye to people who are blind or have low vision. As a blind parent I want the FCC to say a loud "NO!" to inaccessible gaming and communications technologies. You may think that a totally blind person such as myself would have no interest in the accessibility of gaming technologies but that couldn't be further from the truth. I would like to have the opportunity to play video games with my sighted children.

It has come to my attention that lobbyists representing the gaming technology industry filed a petition with the FCC seeking a formal waiver from any requirement stemming from the landmark Twenty-First Century Communications and Video Accessibility Act.

I would like to request that the FCC refuse to grant this waiver.

I as a blind person do not have access to a lobbyist but I still want my voice to be heard. Blind people should not live in the dark any longer and that's why I'm advocating for the interests of people with disabilities in accessible gaming technologies.

People who are blind or visually impaired should be able to fully use the most popular gaming technologies on the market today including any communication features, such as text chat and other forms of electronic messaging.

Gaming technologies should be fully accessible to blind children & their parents. I look forward to a day when true technological innovation will allow people who are blind to play video games with their sighted children and not routinely leave us in the dark.

If you have any questions or if I can supply any more information, I would be happy to share more of my experiences with inaccessible gaming technology,

Respectfully submitted,
Frank M. Hernandez.
August 28, 2012.

-----Original Message-----

From: Mark Barlet [<mailto:mark@ablegamers.com>]
Sent: Tuesday, August 28, 2012 10:46 PM
Subject: I am Mark Barlet, President of the AbleGamers Foundation.

My name is Mark Barlet, I am the President of the AbleGamers Foundation, we are the largest nonprofit that advocates on behalf of people with disabilities.

It may shock you, but we are NOT for the inclusion of the Video Game space when you are making rules in the "Twenty-First Century Communications and Video Accessibility Act". Would love to know how we can offer a formal "opinion" option, or given that I am local to DC would like a chance to testify at the FCC.

-----Original Message-----

From: Keith S [<mailto:hear2c@mchsi.com>]
Sent: Tuesday, August 28, 2012 10:09 PM
Subject: Accessibility technology for blind gamers

Hello,

I was informed that the FCC may be under the impression that the blind/visually impaired community may not be that interested in playing games, whether online or on smart phones or the like. I for one, am one of those people who have always loved games, visual video games when I still had sight, and now text based and audio games since losing my sight in 2003.

I have enjoyed the games called Entombed, a dungeon crawler type game that is both text based and audio effected, Grizzly Gulch and Chillingham, which are audio based games, and text based trivia games such as the ones made and designed by Jim Kitchen.

Please do not let the "video game" lobbies pull the laws into a way that prohibits blind gamers from enjoying games as much as the sighted community.

In my opinion, it is hard enough to assimilate into a world that simply does not care if we survive. Fashion, art, movies...they are all, for the most part, visually based. The average person relies on their sight for 80% of their sensory input. We blind have to settle for doing things in a different way, and not get all the details the sighted community does. But enjoying a game should not be a "sighted" privilege.

Sincerely,

Keith Steinbach
Leland, IL
Blind since 2003

From: Ann Foxworth [mailto:annfoxworth@austin.rr.com]

Sent: Tuesday, August 28, 2012 10:07 PM

Subject: Gaming Technology must be accessible to ALL!

I am a blind person.

Please tell the FCC that the ability of people who are blind or visually impaired to fully use the most popular gaming technologies on the market today. Please remind the FCC that the growing popularity of gaming technologies in K-12 education to foster learning, use of gaming technologies to increase movement and exercise, and the overall impact of gaming technologies to bring people together, means that the accessibility of such technologies must not be thrown under the bus. Indeed, if the communications features of such technologies are allowed to continue to be inaccessible, kids, adults and seniors with vision loss will continue to be shut out of full participation in school and community and will not be able to enjoy the full benefits afforded by such technologies. Thank you for your support.

From: Fred Olver [mailto:goodfolks@charter.net]

Sent: Tuesday, August 28, 2012 10:03 PM

Subject: game expansion for blind and visually impaired.

Several years ago, I endeavored to participate in a national tournament for Monopoly players. I was unable to, because the site was not accessible to me, a blind person. No text-to-speech interpreter, and no way to transfer the necessary information to my screen reader.

Also, the growing popularity of gaming technologies in K-12 education to foster learning, use of gaming technologies to increase movement and exercise, and the overall impact of gaming technologies to bring people together, means that the accessibility of such technologies must not be thrown under the bus. Indeed, if the communications features of such technologies are allowed to continue to be inaccessible, kids, adults and seniors with vision loss will continue to be shut out of full participation in school and community and

will not be able to enjoy the full benefits afforded by such technologies.

Fred Olver

<http://www.dealingwithvisionloss.com>

From: Jon Avila [mailto:mraccess@verizon.net]
Sent: Tuesday, August 28, 2012 8:54 PM
Subject: Accessible Gaming

I am writing to ask that the FCC not accept the gaming technology industry's petition to obtain a waiver from the CVAA for making gaming content and systems accessible to people with disabilities. As a visually impaired person, parent, and advocate I believe that right to educational and recreational gaming content is important right of people with disabilities. Many people with disabilities face social isolation as well as difficult traveling – accessible gaming would open up many opportunities for these people. Virtual reality gaming has also become the catalyst for virtual reality simulators used by the federal government including those proposed by the Veterans Health Administration and the Department of Homeland Security.. Ensuring gaming content and systems are accessible will have benefits for content that the US Federal government will deploy in the future to employees, contractors, and the public. Many of these simulators are used to train people for emergencies situations – something that people with disabilities now have the right to be aware of thanks to the CVAA.

Once again, please consider the benefits to accessible gaming and ensure we are not left out from this communication medium.

Best Regards,

From: Michael Tisdale [mailto:mtisdale52@cox.net]
Sent: Tuesday, August 28, 2012 8:02 PM
Subject: Accessibility

I am a 60-year old blind individual and I would like to share some thought with you about the accessibility of video games for blind and visually impaired people.

I am a realist and I know that money talks and bullhockey walks. The video gaming industry is very rich and I am sure they have the lobbyist needed to try to get exceptions made for the accessibility of their games to blind folks. Let us just ponder for a moment what the right thing to do is, not the cost of doing it, but the price of not doing it.

Blindness is one of the worst types of disabilities one can have. The reason is that we are a society built on visual everything. In my opinion the worst thing that ever happened to the blind was mainstreaming into the public school system. Now you have a poorly educated population of blind people and it is no wonder there is a 75% unemployment in that population.

What, you might ask, does this have to do with gaming? You probably already know, using computers is critical in today's job market and even more important in the future. Anything that gets blind children to become more comfortable with computers can only help. This is important and vital for everyone, not just the blind, but to completely eliminate the opportunity to participate in what every other kid can do segregates blind kids even more from their peers. Blind kids don't get a fair shake at anything so the more technology we give them access to, the better.

Plus it is just the right thing to do. Our society should be inclusive in its approach to things that are "normal" for all kids.

Why are the gaming folks so opposed to having to create access for blind folks? Because it would cut their profit. Come on!!! The reality is that this issue is not about the money, it is about giving blind kids a way to play with their peers on a level playing field. That NEVER happens for blind kids much and it needs to happen a lot more.

OK, I am going to quit my ramblings and just ask you to search your heart for what is right. When we start using our hearts to make decisions instead of our pocketbooks, we will become a much better society.

Michael A. Tisdale
mtisdale52@cox.net
 225-975-2674

PS I can't even figure out what to do with facebook, much less a video game. LOL

From: Raymond Lombardi [mailto:ray214@gmail.com]
Sent: Tuesday, August 28, 2012 7:39 PM
Subject: accessibility in online games

My name is Raymond Lombardi and I live in georgia in the united states.

The reason I would like you to have a law made where online games have to be accessible is because I, being blind myself like to play those types of games just like my sighted peers.

Please have this law and any other law having to do with people who are blind fully mandated.

Also, will you please try to contact the cable companies and satellite providers to get them to put a screen reading feature on their cable boxes and satellite receivers?

The reason I ask for this is because I have a direct tv satellite receiver and I would like to be able to read the guide just like my sighted peers.

Please reply to me at ray214@gmail.com.

Thank you for all that you do, and I'm thankful for your help.

Please reply to me at ray214@gmail.com

From: Steve Trussoni [mailto:Steve_Trussoni@apsea.ca]
Sent: Tuesday, August 28, 2012 7:33 PM
Subject: Blind gaming

Please ensure your support for access to media of all kinds for the blind and visually impaired. Please, no waivers.

Steve Trussoni
Itinerant/Music Teacher for Students who are
Blind or Visually Impaired
APSEA
%Fairview Junior High
155 Rosedale Ave.
Halifax, NS B3N 2K2
Telephone: (902) 428-2176
Fax: (902) 428-2213

-----Original Message-----
From: Thomas J Heinl [mailto:heinl@juno.com]
Sent: Tuesday, August 28, 2012 7:27 PM
Subject: Gaming Accessibility

I believe all forms of electronic gaming should be accessible to visually impaired people.

-----Original Message-----
From: Kenneth Semien, Sr. [mailto:semien@sbcglobal.net]
Sent: Tuesday, August 28, 2012 6:33 PM
Subject: Say NO to Inaccessible Gaming and Communications Technologies!

Greetings FCC Officials:
Say NO to Inaccessible Gaming and Communications Technologies!
I urge you to promote the ability of people who are blind or visually impaired to fully use the most popular gaming technologies on the market today. The FCC has the power to enhance accessibility that the growing popularity of gaming technologies in K-12 education to foster learning, use of gaming technologies to increase movement and exercise, and the overall impact of gaming technologies to bring people together, means that the accessibility of such technologies must not be withheld from the blind community.
Kindly Submitted,
Kenneth Semien, Sr.
8445 Allison Way
Beaumont, Texas 77707
Phone: (409) 866-5838

From: Gretchen Maune [mailto:gmaune@socket.net]
Sent: Tuesday, August 28, 2012 6:19 PM
Subject: Gaming Accessibility for the Blind

I went blind 6 years ago when I was 24 and I miss playing multiplayer strategy games and role playing games with my friends like crazy, so please do not grant waivers to video and computer game manufacturers letting them off the hook when it comes to making functions, like communication, in their games accessible to people with visual impairments. These games provide an extremely popular way for people to socialize, play, and interact together and people with visual impairments should not be left out of this. It's hard enough to fit in when you're so different, and the more ways in which we can relate to our sighted peers, the better. Besides recreational use, there are a ton of games available now that exist to educate or to provide exercise that the blind need to have access to as well. Whether we are talking about youth, working age adults, or seniors, this common type of electronic equipment is something that everyone should be able to have access to.

Sincerely,

Gretchen Maune
 573-489-0986

From: Tom Macha [mailto:toml614@hotmail.com]
Sent: Tuesday, August 28, 2012 5:30 PM
Subject: gaming waiver

The gaming industree is very closed to myself and others like me. As I am legally blind. Why'll I'd love to utalize the games and play with my nease and nefues I can't because; I can't see well enough to play it. If there was accesable features that would allow me to do that it would make my neases and nefues as well as me very happyy. Thanks, Tom
 P.s any questions call or email 860-576-3564.

-----Original Message-----
From: John Boone [mailto:jboone77@windstream.net]
Sent: Tuesday, August 28, 2012 5:05 PM
Subject: Accessibility

This is how I feel about the ability of people who are blind or visually impaired to fully use the most popular gaming technologies on the market today. Remind the FCC that the growing popularity of gaming technologies in K-12 education to foster learning, use of gaming technologies to increase movement and exercise, and the overall impact of gaming technologies to bring people together, means that the accessibility of such technologies must not be thrown under the bus. Indeed, if the communications features of such technologies are allowed to continue to be inaccessible, kids, adults and seniors with vision loss will continue to be shut out of full participation in school and community and will not be able to enjoy the full benefits afforded by such technologies.
 Our greatest glory is not in never falling, but in rising every time we fall. - Confucius

John Boone

-----Original Message-----

From: Trevor TRELOAR [mailto:trevortreloar@gmail.com]
Sent: Tuesday, August 28, 2012 4:56 PM
Subject: Accessible Gaming

My name is Trevor Treloar and I wanted to tell you a bit about my life.

Three years ago I lost my eyesight from a genetic disorder. I worked full time, drove a car, had hobbies and the start of a family. I could see 20/10 and had no idea what it would be like to become visually impaired.

At this point I have gotten over the mental anguish of going blind. I am now a productive stay-at-home dad who volunteers time teaching at the Braille Institute. I can use a computer just as effectively now as I could before. I cook my family dinner just as well as I could before. I do many of the things I did before I lost my eyesight, although it is done differently.

One thing I can't do is play video games - which I have gotten over. I have a little girl now and I probably wouldn't have much time to play - but I would like my little girl to get the benefits out of these inaccessible game consoles. There are educational games and games that keep you active that I would like to be able to turn on for her and be able to help her with - considering she is only three. But I don't even have the option to do that. I can't even start up an educational game on a console because they are completely inaccessible.

I understand that the companies are saying that this will prevent creativity and decrease profits - but I would like to point out Apple. I am typing this email to you on a Apple computer. A 2011 Mac Book Pro. The computer I am using is exactly the same as someone with sight would purchase. I have no added software or features, yet Apple has taken the time to make this computer talk to me. It costs me no extra. I didn't have to install any weird software - it is all there on every Mac in the world. Apple is the most profitable company out there - yet they take the time to make their products accessible to the low vision, blind and deaf. At no extra cost.

Two other examples are my iPhone and iPad. These are the same as if you went out and bought one from Apple. There are no extras installed. I had a family member turn on Voice Over in the options in these devices and I can use a Touch Screen as well as you can. The screen is read to me and I am able to click on items. I even have several games on these devices that I can use. I can only use them because of Apples dedication to the disabled.

Another thing that I have is an Apple TV. This has very similar menus to a video game console. Strikingly so. This is completely accessible as well. I can start a movie or TV show on this. I can access Netflix on it. I can do everything on it that you could. Again, nothing extra - just Apple's commitment.

I feel that video game consoles are such an integral part of our society at this point that they need to be accessible. Please do not let them get an exemption because they are worried about profits. It is not about profits, it is about making products that do not discriminate against people for any reason. The technology is there and has been implemented by other companies already - do not let them be bigots because of money.

Thank you for taking the time to read this.

Trevor Treloar

-----Original Message-----

From: from my iphone [mailto:terrieiphone@gmail.com]
 Sent: Tuesday, August 28, 2012 4:50 PM
 Subject: gaming and the blind

i would like the FCC to make it easy for the blind to play games and other things such as these . we are interested in these things too.
 Terrie Arnold
 terrieiphone@gmail.com

From: Katie Taylor [mailto:katieltaylor81@gmail.com]
Sent: Tuesday, August 28, 2012 4:38 PM
Subject: waver dening access to popular gameing technology

While I don't use popular gaming technology I do know people who do. It is important to open the doors of opportunity to all who wish to use popular gaming technology. You need to please deny the waver of access with this technology, so that all individuals who wish to use the popular technology can do so with out a barrier holding them back. Katie

From: Deanna Noriega [mailto:DNoriega@silcolumbia.org]
Sent: Tuesday, August 28, 2012 4:36 PM
Subject: Gaming industry waiver.

The growing popularity of gaming technologies in K-12 education to foster learning, use of gaming technologies to increase movement and exercise, and the overall impact of gaming technologies to bring people together, means that the accessibility of such technologies must not be thrown under the bus. Indeed, if the communications features of such technologies are allowed to continue to be inaccessible, kids, adults and seniors with vision loss will continue to be shut out of full participation in school and community and will not be able to enjoy the full benefits afforded by such technologies. Several times a day, friends and acquaintances send me requests to participate in an inaccessible online game. When I interact with my children and grandchildren, I am told of the friends they have made in England or halfway across the world through a game they share. I know that it may seem that those of us with visual impairment aren't interested in gaming, but I think that is more due to the lack of current access than it is to a true lack of interest in participating fully in the rich opportunities that such technology would open for them.

Thank you,

Astoundingly, the industry representatives arguing for the waiver say that a waiver of the accessibility requirements of the new law is necessary to allow industry maximum opportunity

to innovate and thereby build on their alleged track record of success meeting the access needs of people with disabilities.

DeAnna Noriega
 dnoriega@silcolumbia.org
 Independent Living Specialist/ Blind and Low Vision Services

Services for Independent Living
 1401 Hathman Place Columbia, Missouri 65201
 www.silcolumbia.org
 573-874-1646 (234)
 800-766-1968
 (Fax) 573-874-3564

-----Original Message-----

From: Rhonda Hornbacher [mailto:rhornbacher@me.com]
 Sent: Tuesday, August 28, 2012 4:20 PM
 Subject: no waivers for gaming

Hi,

I am writing to let you know that I do not believe waivers for gaming companies should be granted for their communication features. I love to play games and would love to participate in the various communication options that many gaming companies have not made accessible. This is clearly a communication access issue and needs to be protected. Please do not grant the waivers sought by these companies who do not want to meet their federal requirements.

Thank you for the opportunity to let my voice be heard, Rhonda Hornbacher

From: Steve.Kelsey@state.sd.us [mailto:Steve.Kelsey@state.sd.us]
Sent: Wednesday, August 29, 2012 12:14 PM
Subject: Gaming

Approximately two years ago our State agency had our annual Fall conference in Deadwood S.Dak. I am a rehabilitation Counselor for the Department of Human Services, Services to the Blind and Visually Impaired. I also happen to be legally blind due to Juvenile Macular Degeneration.. I was playing Blackjack at the Deadwood Lodge. Initially I informed the first Blackjack dealer that I had a visual impairment and requested her to read her cards and only her cards. She was very cooperative and I was enjoying myself. After winning a small amount I left and met up with my co-workers. They wanted to return to the table and play some more, so as we approached the table a different dealer stated I could not play. I inquired as to why and so did several co-workers. I requested to talk to the pit boss. I explained my situation and he still would not let me join the table. It was very embarrassing. Myself along with our agencies Division Director filed an informal complaint. In the letter we addressed sensitively issues and offered to provide training to their staff and to request a reasonable accommodation (read the dealers card) Basically they wrote back saying they were not interested. This situation was

totally uncalled for and I hope that this issues can be addressed so others with disabilities can enjoy the gaming industry just like other customers. bb

-----Original Message-----

From: jim [mailto:jim_east@earthlink.net]
Sent: Wednesday, August 29, 2012 12:24 PM
Subject: accessible gaming

I appreciate your attention to this matter. I am a totally blind retired professional and I am interested in accessible gaming. I would appreciate it if you would do what you can to support this inclusive cause and help those of us who use technology and are blind or visually impaired, so we can have fun with it too.

Thank you for your time and assistance.

From: Finkel, Sandy [mailto:sandy.finkel@aiu3.net]
Sent: Wednesday, August 29, 2012 2:05 PM
Subject: Accessibility for the Blind

Technology advances in every aspect of our lives, it is imperative that we always look at what we are doing through the "lens" of those with disabilities.

If we think about them up-front when we are creating these innovations we are not only doing the right thing, we are doing the smart thing.

If we make our technology universally accessible we do not have to retrofit it down the line with all of the additional headaches, time lost, and additional cost. If we do it right upfront then no one is forgotten or disenfranchised.

If the communications features are allowed to continue to be inaccessible, kids, adults and seniors with vision loss will continue to be shut out of full participation in school and community and will not be able to enjoy the full benefits afforded by such technologies, until that time when someone puts forth a lawsuit and then everyone scrambles.

Please help.

Sandy Finkel

Sandra Finkel, MS, MEd
Supervisor – Blind and Visually Impaired Support Program

Allegheny Intermediate Unit
475 E. Waterfront Drive
Homestead, PA 15120
(412) 394-5714 FAX (412) 851-1057
<http://www.aiu3.net/Level2.aspx?id=1282>

From: Katherine Schneider [mailto:SCHNEIKS@uwec.edu]
Sent: Wednesday, August 29, 2012 10:22 PM
Subject: accessibility of gaming technology

I am writing to ask that the Federal Communications Commission (FCC) deny the petition filed by the gaming industry to waive accessibility requirements of the 21st Century Communications and Video Accessibility Act. There are several reasons I ask that this petition be denied.

It is true that gaming is not necessary for life itself, but it is fun; hence why should blind people not have the same opportunities for fun as sighted. Other reasons articulated better than I could by a friend of mine follow:

"First, gaming systems offer advanced communications functionality such as text chat and other electronic messaging capabilities. By allowing this waiver, a precedent will be set for other industries who do not want to make their products accessible to request waivers. We who are blind or visually impaired have waited long enough for gaming and other technology to be made accessible so we can fully participate in society. The FCC needs to send a strong message that it sides with consumers, not industry players who simply do not want to make things accessible to us.

Secondly, accessibility can be built in off the shelf. Apple Corporation has shown, with the Mac line of Computers and all of their iDevices, that accessibility can be built in without increasing the cost of the device or thwarting innovation. All of these devices feature VoiceOver, which makes all features and functions accessible using speech output, and Zoom, which magnifies the screens on these devices for those with some usable vision. If Apple can do it, other technology producers can as well.

Thirdly, video games aren't played just for fun and entertainment. Gaming technologies are being used in education and other areas. As long as gaming technology is inaccessible to people who are blind, these individuals are shut out of the educational, and entertainment opportunities afforded by gaming. We cannot collaborate in on-line gaming like our families and friends do. There are a very limited number of accessible games out there. By making gaming technology accessible, it will open this market to us, putting more money in the industry's pockets, something they should look forward too.

Finally, industry says that by allowing this waiver, they will be able to continue to innovate and make things more accessible. This is simply not true. Gaming systems and their additional functionality are not accessible to people who are blind. Industry clearly has not made things accessible on their own, and have no intention too. It is the proper role of the FCC to tell them they must do so, as soon as possible if not sooner.

Please deny the gaming industry's petition seeking waiver of 21st Century Communications and Video Accessibility Act requirements. This landmark law promises to open many doors to people with disabilities, and the FCC needs to stand up and make sure that happens as Congress intended. Thank you for your time and consideration."

Sincerely,
Katherine Schneider, Ph.D.
schneiks@uwec.edu

From: Tim Snyder [mailto:tim@spokenwordministries.org]
Sent: Thursday, August 30, 2012 7:05 AM
Subject: gaming technologies need to be fully accessible to blind people

Please know that gaming technologies need to be fully accessible to blind people. We need the technologies for both educational and recreational and communication purposes. Please do all in your power not to exempt the gaming industry from the laws that require accessibility for blind people and other computer users.

Thank you very much for reviewing my concerns regarding accessibility for the gaming technologies.
Tim

From: Dan Dillon [mailto:dan.dillon@comcast.net]
Sent: Wednesday, August 29, 2012 8:27 PM
Cc: dan.dillon@comcast.net
Subject: Gaming Industry Petition

I urge the FCC to deny the gaming industry's petition for a waiver from the requirements of the 21st Century Communications and Video Accessibility Act.

One of my main concerns is for the gaming industry to make slot machines accessible to the blind. There are a number of blind and visually impaired individuals who enjoy gambling as well as sighted people. I have talked with many manufacturers of slot machines about producing a product that is accessible to the blind and visually impaired. They tell me that it would be too costly, and that the market is too small to manufacture an accessible slot machine for the blind and visually impaired. This is not true, but more importantly, it is not fair, it is discrimination. The technology is there to make slot machines audible, and it certainly wouldn't cost that much to label the buttons on the button deck in braille and large print.

People are living longer, and are experiencing vision loss, and in many cases, are the very people who have the money and the time to play slot machines.

If you have any questions, please feel free to contact me. You can call me at: (615) 874-1223, or email me at: dan.dillon@comcast.net.

Thank you so much for listening.

Sincerely,
Dan Dillon
President, Tennessee Council of the Blind

-----Original Message-----

From: Ray Campbell [mailto:ray1530@wowway.com]
Sent: Wednesday, August 29, 2012 6:29 PM
Subject: Please Deny Waiver Petition for Gaming Technologies

I am writing to ask that the Federal Communications Commission (FCC) deny the petition filed by the gaming industry to waive accessibility requirements of the 21st Century Communications and Video Accessibility Act.

There are several reasons I ask that this petition be denied.

First, gaming systems offer advanced communications functionality such as text chat and other electronic messaging capabilities. By allowing this waiver, a precedent will be set for other industries who do not want to make their products accessible to request waivers. We who are blind or visually impaired have waited long enough for gaming and other technology to be made accessible so we can fully participate in society. The FCC needs to send a strong message that it sides with consumers, not industry players who simply do not want to make things accessible to us.

Secondly, accessibility can be built in off the shelf. Apple Corporation has shown, with the Mac line of Computers and all of their iDevices, that accessibility can be built in without increasing the cost of the device or thwarting innovation. All of these devices feature VoiceOver, which makes all features and functions accessible using speech output, and Zoom, which magnifies the screens on these devices for those with some usable vision. If Apple can do it, other technology producers can as well.

Thirdly, video games aren't played just for fun and entertainment. Gaming technologies are being used in education and other areas. As long as gaming technology is inaccessible to people who are blind, these individuals are shut out of the educational, and entertainment opportunities afforded by gaming. We cannot collaborate in on-line gaming like our families and friends do. There are a very limited number of accessible games out there. By making gaming technology accessible, it will open this market to us, putting more money in the industry's pockets, something they should look forward too.

Finally, industry says that by allowing this waiver, they will be able to continue to innovate and make things more accessible. This is simply not true. Gaming systems and their additional functionality are not accessible to people who are blind. Industry clearly has not made things accessible on their own, and have no intention too. It is the proper role of the FCC to tell them they must do so, as soon as possible if not sooner.

Please deny the gaming industry's petition seeking waiver of 21st Century Communications and Video Accessibility Act requirements. This landmark law promises to open many doors to people with disabilities, and the FCC needs to stand up and make sure that happens as Congress intended. Thank you for your time and consideration.

Ray Campbell
460 Raintree Ct., Unit 3K

Glen Ellyn, IL 60137
Ray1530@wowway.com

----- Original Message -----

From: Adrienne Roy [mailto:awroy@yarbroughsmusic.com]
Sent: Thursday, August 30, 2012 11:53 AM
Subject: Accessible Gaming Technology

I am a 34-year-old wife and mother of 3 who just happens to be blind. I am writing to tell you how important accessibility in gaming technology is to me and to the millions of others with vision loss. We live in an age of technology, and I am in the generation that looks at technology as a necessity. I struggle to keep up, using screen readers and other assistive aids to help me navigate the electronic world. I am so grateful for what the FCC is doing with the CVAA, and I urge you to continue to help the visually impaired community by enforcing the act with the gaming technology industry. My children are also very interested in technology, for fun and education, and I need to be able to help them and monitor their activity on the computer and the internet. My children are sighted - I can't even imagine how visually impaired children would be left behind without accessibility! Please take all of this into consideration and enforce the CVAA with the gaming technology industry.

Thank you for your time,
Adrienne Roy

From: Layfield, Terry [mailto:Terry.Layfield@redoakisd.org]
Sent: Thursday, August 30, 2012 12:59 PM
Subject: Please say NO to inaccessible gaming and communication technologies!

I am requesting that you will help to persuade the FCC to keep gaming and communication technologies accessible to people who are blind or have visual impairments. I teach students who have visual impairments and they all use technology to some extent. We have students who are brilliant "techies" and they love to play accessible games, as well as utilize various electronic communications systems. I have met many blind adults who have accomplished amazing technological goals, and it would be a shame if access were denied to them.

Thank you so much for your assistance in this matter.

Sincerely,

Terry Layfield
Teacher of the Visually Impaired

Red Oak ISD
Office-ROHS A-146
972-617-5895 Ext. 3506
214-208-3785 Cell

10-213

From: Rich Caloggero [mailto:rich_caloggero@wgbh.org]
Sent: Thursday, August 30, 2012 02:20 PM
Subject: Access to Gaming Platforms by the Blind

It has recently come to my attention that the FCC has been lobbied by the gaming industry to wave accessibility requirements pertinent to the 21st century communications act. While I agree that games are not relevant to employment and may in many circumstances be considered recreational (not covered by accessibility mandates), I would like to point out that gaming technology will be the basis for all online technologies in the future. In the next 10 to 15 years, instead of interacting via text messages, textual eMails, and web browsers, our portal to the online world will look more like a video game, complete with 3d environment and video avatars, etc. Yes the gaming companies are primarily in the business of selling games for recreational purposes, but what they are really doing is perfecting the technology that will underly the next "digital revolution".

We as blind people will again get left behind if we are not forward thinking. If accessibility is not built into this technology from the ground up, it will be orders of magnitude more difficult to build it in after the fact. The industry needs to think about this now, and avoid extremely costly and in many cases unsuccessful retrofitting down the road.

Respectfully,
Rich Caloggero, WGBH NCAM / MIT ATIC

----- Original Message -----
From: Mark Rodriguez [mailto:markrodriguez23@gmail.com]
Sent: Friday, August 31, 2012 04:13 AM
Subject: save accessible gaming

I urge you and the rest of the fcc to save accessible gaming for me as well as every disabled person in the country.

From: Ken Rodgers [mailto:kenrodgers@comcast.net]
Sent: Thursday, August 30, 2012 07:36 PM
To: Disabilities Rights Office
Cc: kenrodgers@comcast.net <kenrodgers@comcast.net>
Subject: STOP approval of INACCESSIBLE gaming technologies

My name is Ken Rodgers. I am a blind citizen and am concerned the FCC may be interested in providing a waiver for INACCESSIBLE gaming technologies. Please, please, please do not offer any technology that is not 100 percent and completely accessible to all citizens!

I currently cannot use most gaming machines or technologies as they are not accessible. This means that things like popular games including gaming equipment and popular electronic games currently marketed are not accessible to me and the thousands of others that are blind or visually impaired! Please do not allow the FCC to perpetuate inaccessible technology.

People who are blind or visually impaired WANT TO FULLY use the most popular gaming technologies on the market today however we cannot! The growing popularity of gaming technologies in K-12 education to foster learning, frequently uses gaming technologies to increase movement and exercise. The overall impact of gaming technologies to bring people together, means that the accessibility of such technologies must not be thrown under the bus. Indeed, if the communications features of such technologies are allowed to continue to be

inaccessible, kids, adults and seniors with vision loss will continue to be shut out of full participation in school and community and will not be able to enjoy the full benefits afforded by such technologies.

Please use the full power of the FCC to stop inaccessible gaming technologies from becoming a reality. I am counting on you to help me and the thousands of other blind citizens, children and adults from falling prey to technology that doesn't include the ability for us to use the very same technologies because they are inaccessible.

Sincerely,

Ken Rodgers
President
American Council of the Blind of Minnesota
P.O. Box 7341
Minnesota, MN 55407
kenrodgers@comcast.net
612-817-4760

----- Original Message -----

From: KRISTA L. GREEAR [<mailto:greeark@uw.edu>]
Sent: Thursday, August 30, 2012 06:41 PM
Subject: NO to Inaccessible Gaming and Communications Technologies

"Tell the FCC how you feel about the ability of people who are blind or visually impaired to fully use the most popular gaming technologies on the market today. Remind the FCC that the growing popularity of gaming technologies in K-12 education to foster learning, use of gaming technologies to increase movement and exercise, and the overall impact of gaming technologies to bring people together, means that the accessibility of such technologies must not be thrown under the bus. Indeed, if the communications features of such technologies are allowed to continue to be inaccessible, kids, adults and seniors with vision loss will continue to be shut out of full participation in school and community and will not be able to enjoy the full benefits afforded by such technologies.

Astoundingly, the industry representatives arguing for the waiver say that a waiver of the accessibility requirements of the new law is necessary to allow industry maximum opportunity to innovate and thereby build on their alleged track record of success meeting the access needs of people with disabilities. Tell the FCC what you think of the kind of technological innovation that routinely leaves people with vision loss behind; we're left behind while industry brags about their access accomplishments at the same time they seek legal maneuvers, like the proposed waiver, to shirk their responsibilities." - M. Richert, Director Public Policy, AFB

Please consider the above.

Thank you,

Krista Greear
Alternative Media/Assistive Technology Program Manager Disability
Resources for Students University of Washington
448 Schmitz Hall
Box 355839
Seattle, WA 98195-5839
V/TTY: (206) 543-8924
FAX: (206) 616-8379

From: casey354@comcast.net [mailto:casey354@comcast.net]
Sent: Thursday, August 30, 2012 03:18 PM
Subject: please deny waiver request by the gaming industry

I am writing to ask that the Federal Communications Commission (FCC) deny the petition filed by the gaming industry to waive accessibility requirements of the 21st Century Communications and Video Accessibility Act. There are several reasons I ask that this petition be denied.

First, gaming systems offer advanced communications functionality such as text chat and other electronic messaging capabilities. By allowing this waiver, a precedent will be set for other industries who do not want to make their products accessible to request waivers. We who are blind or visually impaired have waited long enough for gaming and other technology to be made accessible so we can fully participate in society. The FCC needs to send a strong message that it sides with consumers, not industry players who simply do not want to make things accessible to us.

Secondly, accessibility can be built in off the shelf. Apple Corporation has shown, with the Mac line of Computers and all of their iDevices, that accessibility can be built in without increasing the cost of the device or thwarting innovation. All of these devices feature VoiceOver, which makes all features and functions accessible using speech output, and Zoom, which magnifies the screens on these devices for those with some usable vision. If Apple can do it, other technology producers can as well.

Thirdly, video games aren't played just for fun and entertainment. Gaming technologies are being used in education and other areas. As long as gaming technology is inaccessible to people who are blind, these individuals are shut out of the educational, and entertainment opportunities afforded by gaming. We cannot collaborate in on-line gaming like our families and friends do. There are a very limited number of accessible games out there. By making gaming technology accessible, it will open this market to us, putting more money in the industry's pockets, something they should look forward too.

Finally, industry says that by allowing this waiver, they will be able to continue to innovate and make things more accessible. This is simply not

true. Gaming systems and their additional functionality are not accessible to people who are blind. Industry clearly has not made things accessible on their own, and have no intention too. It is the proper role of the FCC to tell them they must do so, as soon as possible if not sooner.

Please deny the gaming industry's petition seeking waiver of 21st Century Communications and Video Accessibility Act requirements. This landmark law promises to open many doors to people with disabilities, and the FCC needs to stand up and make sure that happens as Congress intended. Thank you for your time and consideration.

Casey Dutmer

Totally blind resident of Wyoming Michigan.

----- Original Message -----

From: Jason Lewon [<mailto:lewonjt@yahoo.com>]
Sent: Friday, August 31, 2012 10:45 AM
Subject: Accessibility

I'm a visually impaired and disabled gamer with cerebral palsy and yes I am interested in accessible technology especially video games I've been a gamer my entire life and have had trouble because game developers don't seem to care or just think that we are a niche market so they think they can just put games out games that we just can't enjoy because of our vision or disability I would like one day to be on the same level as my peers.

Thank you

Jason Lewon

Believe it

----- Original Message -----

From: Jennifer Chambers [<mailto:jennilee99@gmail.com>]
Sent: Saturday, September 01, 2012 01:03 AM
Subject: Please Say No to Waiver Sought by the Gaming Technology Industry Lobbyists

It has come to my attention that lobbyists for the gaming technology industry has filed a petition with the FCC seeking a federal waiver from any requirement stemming from the Twenty-First Century Communications and Video Accessibility Act (CVAA). This would be a major setback for many blind and vision-impaired individuals. Children have been able to learn better ear and hand coordination than ever before, and blind and vision-impaired adults have been able to join sighted peers in their communities. If accessibility in *any industry is taken away, we are back to Square One. We who are blind encourage you to say no to this proposed waiver.

Respectfully yours,

Jennifer Chambers

----- Original Message -----

From: MARYANN MURAD [mailto:m_murad@comcast.net]

Sent: Saturday, September 01, 2012 12:08 PM

Subject: gaming

Hello:

Thank you for considering this.

Blind individuals of all ages want the freedom to game too. These technologies need to be accessible and available to people of all ages; blind or not. What if you lost your sight tomorrow and needed access to everything from banking, the microwave, your phone, cable TV, etc. Think of all that you use your vision for today that you might not have it for tomorrow. The members of the blind community don't have access to vision every day. We want to game and use our phones, microwaves, cable TV, etc.

Thank you for considering this and making an informed decision.

From: Neva Fairchild [<mailto:nevafairchild@verizon.net>]

Sent: Saturday, September 01, 2012 08:28 PM

Subject: Gaming & Vision Loss

I am writing to tell you that people with little or no vision want access to gaming and the vast social opportunities that gaming systems offer. At present, it is impossible for me to use a gaming system and to offer the developers a waiver to the rules to make this technology accessible would continue to exclude me and the 25 million other Americans from this aspect of 21st century life. This would be a terrible mistake.

Be kind, always. It is the most important rule of man; be kind in all things. Anger steals your joy, fear steals your heart, worry steals your life. But, in kindness there is never a fault...Steve Carter

Neva Fairchild
972 416-7039

From: Roz Strimling [mailto:rozstrimling@aol.com]
Sent: Friday, August 31, 2012 05:38 PM
Subject: Vote No on Inaccessible Gaming & Communications

I would like to urge the FCC to vote No on Inaccessible Gaming and Communications. I am a former school teacher, and retired last year after 15 years as a Certified Activity Director in Nursing Homes and Assisted Living. I am also visually impaired. We took our seniors to the casino for a day out. The visually impaired and legally blind had many problems using the gaming machines.

I am now living in an Independent Living facility. We recently took a trip to the casino, where I found it difficult to play the simple machines. I have all kinds of technology machines to help me keep pace with the new developments. The iPhone is one of the best technologies that has been made available to the blind. We are living longer, more productive lives today, and need all of the newest technologies to keep us from being left out of the mainstream. On behalf of the many visually impaired and legally blind residents living here, I strongly urge and request you vote No on the Inaccessible Gaming and Communications Technologies.

Thank you for your consideration.

Sincerely,

Rosalyn Strimling

From: Robin Williams [mailto:rcw1952@gmail.com]
Sent: Sunday, September 02, 2012 1:19 PM
Subject: FCC - CVAA - Accessible Gaming Technologies

Some time ago, lobbyists representing the highly lucrative gaming technology industry filed a petition with the Federal Communications Commission (FCC) seeking a formal waiver from any requirement stemming from the landmark Twenty-First Century Communications and Video Accessibility Act (CVAA) ensuring that key communications features, such as text chat and other forms of electronic messaging included with their gaming technologies, will be accessible. While the CVAA does permit the FCC to grant waivers in those instances where specific technologies may be both designed and marketed for primary purposes other than the kinds of communication contemplated in the new law, the FCC is nevertheless completely within its authority to refuse to grant waivers for such technologies.

There are signs that the FCC may be generally sympathetic to the interest of people with disabilities in accessible gaming technologies that incorporate various kinds of communication. However, it has recently come to our attention that the FCC may be under the impression that people with vision loss themselves are not particularly interested in the accessibility of gaming technologies. Advocates should set them straight. This message is to inform and remind the FCC:

People who are blind or visually impaired need the ability to fully use the most popular gaming technologies on the market today. The growing popularity of gaming

technologies in K-12 education to foster learning, use of gaming technologies to increase movement and exercise, and the overall impact of gaming technologies to bring people together, means that the accessibility of such technologies must not be thrown under the bus. Indeed, if the communications features of such technologies are allowed to continue to be inaccessible, kids, adults and seniors with vision loss will continue to be shut out of full participation in school and community and will not be able to enjoy the full benefits afforded by such technologies.

Astoundingly, the industry representatives arguing for the waiver say that a waiver of the accessibility requirements of the new law is necessary to allow the industry maximum opportunity to innovate and thereby build on their alleged track record of success meeting the access needs of people with disabilities. An industry which brags about their access accomplishments, at the same time seeking legal maneuvers, like the proposed waiver, to shirk their responsibilities, routinely leaving people with vision loss behind in the technological innovations.

Kindest Reagrds,
Robin Williams
rcw1952@gmail.com

-----Original Message-----

From: Phyllis Slater [<mailto:concierge@samobile.net>]
Sent: Sunday, September 02, 2012 12:19 PM
Subject: Games Online MUST be accessible

As a visually impaired individual, checkout the RS Games and Quentin C Playroom. For many of us across the world, this is a way to have fun together.

There are up to 15 friends that play on these websites nightly. Imagine turning off your monitor and with a screen reading program being able to play. How great is this.

Many of us are homebound more than desired and these programs allow for us to feel outside of the home more.

That does not mean are lives are shallow and revolve only on these games. However to unwind after a busy day and enjoy from our homes, is a must.

Say no to any company taking this from us.

Phyllis Slater

From: Rene Latorre [mailto:rlatorre@abvi-goodwill.com]

Sent: Friday, August 31, 2012 1:45 PM

Subject: Say No to Waiver on Gaming Technologies Accessibility Requirements

My name is Rene Latorre. I am the Director of Advocacy and Consumer Affairs at the Association for the Blind and visually Impaired-Goodwill Industries of Greater Rochester, Inc. (ABVI-Goodwill). I am writing to you today regarding the waiver on accessible gaming technologies for persons who are blind or who have low vision. As an advocate of the organization and a representative of the individuals we serve, I need to let you know that we do care about the accessibility of gaming technologies!

It has come to our attention that lobbyists representing the gaming technology industry filed a petition seeking a formal waiver from any requirement stemming from the landmark Twenty-First Century Communications and Video Accessibility Act (CVAA) which ensures that key communications features, such as text chat and other forms of electronic messaging included with their gaming technologies, will be accessible. While the CVAA does permit the FCC to grant waivers in those instances where specific technologies may be both designed and marketed for primary purposes other than the kinds of communication contemplated in the new law, the FCC is nevertheless completely within its authority to refuse to grant waivers for such technologies.

Gaming systems offer advanced communications functionality such as text chat and other electronic messaging capabilities. Individuals who are blind or visually impaired have the right to be able to fully use the most popular gaming technologies on the market today. The growing popularity of gaming technologies in K-12 education to foster learning and the overall impact of gaming technologies to bring people together means that the accessibility of these gaming technologies must not be forgotten.

By allowing this waiver, a precedent could be set for other industries who do not want to make their products accessible to follow suit. The FCC needs to send a strong message that accessibility of gaming technologies is essential to persons with disabilities to be able to fully participate in society just as others have a right to.

The technology already exists and to incorporate them into the software is readily achievable. Apple products such as the IOS devices are shining examples of this achievable accessibility. These technologies contain built in software called VoiceOver, which creates accessibility to all features and functions of the devices. It is important to mention that the built in accessibility should not and does not create any extra cost to the consumer.

It is also important to point out that video games are not played just for fun and entertainment. Gaming technologies are being used for educational and therapeutic purposes. In addition to being an advocate for ABVI-Goodwill, I also happen to be a blind parent of a young child with autism. I cannot tell you the challenge that exists to parent a non verbal child when you rely on verbal communication. It is these gaming technologies that serve as a communication device, promote social interaction, and enable the blind or visually impaired parent to use it as an educational tool. The voice over technology not only augments his learning but also enables me to interact with and teach my son in a meaningful way.

This is just one example of how beneficial accessibility of gaming technologies is for not only individuals with visual disabilities but also other disabilities.

Finally, the industry representatives arguing for the waiver say that a waiver of the accessibility requirements of the new law is necessary to allow industry maximum opportunity to innovate and thereby build on their ability to meet the access needs of people with disabilities. This is simply not true. Gaming systems and their additional functionality are not accessible to people who are blind. Industry clearly has not made accessibility a priority, and will continue to let accessibility fall by the waist side unless otherwise required.

We urge you to please deny the gaming industry's petition seeking waiver of 21st Century Communications and Video Accessibility Act requirements. This landmark law promises to open many doors to people with disabilities, and the FCC needs to stand up and make sure that happens as the law had originally intended.

Thank you for your time and consideration.

Rene Iatorre

Director of Advocacy and Consumer Affairs
 Association for the blind and Visually Impaired-Goodwill Industries of Greater Rochester, Inc.
 422 S. Clinton Avenue
 Rochester, New York 14620
 Tel: (585) 697-5721
 rlatorre@abvi-goodwill.com

From: Mason, Earlene X. [mailto:EarleneM@health.ok.gov]

Sent: Tuesday, September 04, 2012 12:56 PM

Hello,

I feel it is very important that technology be available for all people, even those with visual impairments in all areas of life even gaming technologies for those who choose to use them.

From: ROSEMARIE FACILLA [mailto:rosemarie.facilla@frontier.com]

Sent: Tuesday, September 04, 2012 7:25 PM

Subject: Accessible Gaming

I wanted to write to tell you that I'm upset that the FCC won't hold gaming creators to the fire to create accessible games. I have been frustrated as inaccessible games prevent me from participating in social networking for example. My sighted friends play games such as Farmville and Frontierville and I am unable to participate. I no longer attend casinos for fun as their gaming machines at many of the casinos no longer use coins or tokens and there is no way to be able to know how many credits are available to you for playing and the paper slips have no easy way of reading them. My sighted friends who would accompany me would have to sit right by my side to assist me to play and this interferes with their ability to play without having to take me with them to play side by side. I see this as an imposition. By not creating learning games as well as other games people may use to either entertain or learn is not acceptable. For example there is a web site advertised to help one to improve their memory etc., but as a blind person I am unable to access it. If I want to play Scrabble or Monopoly on line with friends it's almost impossible. I am not in favor of waiving the ruling of accessibility for those who create games. Your attention to this matter is greatly appreciated.

Rosemarie Facilla
Muskegon, MI

From: Djinn Crimsora [mailto:djinn.crimson@gmail.com]
Sent: Friday, September 07, 2012 12:07 AM
Subject: Regarding the Issuance of Waivers of the CVAA

I have recently become aware of the possibility that the Federal Communications Commission may be convinced to provide waivers that approve the development of communication (particularly in video gaming) technology that is otherwise inaccessible to individuals with disabilities, especially those who suffer from lack of vision. This proposal stands directly against the literal meaning behind Title IV of the Americans with Disabilities Act of 1990: while the purpose of the technology in question is by and large used in a recreational fashion, the fact still remains that the population of gamers who have vision problems is small is a grave misconception. We have relied on video game technology as a means to communicate with other people not just around our community or country but from across the globe without fear of coddling or prejudice at first glance. Then there comes into play that video games provide us with real-life experiences that we otherwise have incredibly slim chances of having in our lifetimes - including but not limited to the ability to see what it is truly like behind the wheel of a car or the stick of a fighter jet in a simulation game.

I myself am a 25-year old, legally blind student from Western Washington University who has been relying on video games to experience real-life situations for going on 20 years now. Aside from what I have already mentioned, there is also the bond that we are able to experience through meeting other people via our video games that get to encounter us without the immediate presumption that we have a problem or otherwise need assistance. I have sufficiently been subscribing to Blizzard Entertainment's "World of Warcraft" franchise since February 2006 and have been able to make connections inside as well as outside of the game based on my performance first with the added bonus of achieving respect and admiration from these connections after revealing that I play with a disability.

To allow technology developers the chance to overlook my community would represent a devastating insult to those of us that game with vision problems in that the government does not feel it imperative to continue enforcing fair and equal access to game. Standing by while companies ignore us is not what the government is supposed to do; making every possible effort to ensure our continued ability to fully interact with our peers is however. If waivers are issued to forgo the development of accessible technology for gaming, there is surely going to be an eventual trickle-down effect that will gradually increase in size until we see situations similar to the time before the ADA where employers will not have to provide reasonable accommodations for anyone with a disability. Waivers for games will lead to waivers for phones, then waivers for computer programs, then computer operating systems and then by that time, there will be a total collapse of the foundation for which President Bush created the ADA in the first place that will then lead into a restructuring that would inevitably collapse against as people would yet again seek waivers, thus creating a cycle.

Please, bear in mind that even a minority community needs to be easily communicate with others. Without that ability, those in the community go unheard and overlooked.

-Darrell Borchardt

-----Original Message-----

From: paras shah [<mailto:parashah23@gmail.com>]
Sent: Friday, September 07, 2012 1:15 PM
Subject: comment on accessible gaming technology

Hi, my name is Paras.

I am blind. I understand soon u will act on a decision to allow or not request by gaming industry to make games accessible.

I am blind. I have many brothers and sisters. When ever there playing games, I am just left watching. Some of the games that do come out are verry fun to play. I love games and u should support the access to them. With out games, society is dull. also, with some games education can be improved. People with disabilities are routinely left behind the rest of the world. What did apple do, they made the comsept of universal design. Please support people with disabilities and support accessibility. Thanks

-----Original Message-----

From: Frank Welte [<mailto:frank-welte@sbcglobal.net>]
Sent: Tuesday, September 11, 2012 9:17 AM
To: Disabilities Rights Office
Subject: CVAA waiver for video game manufacturers

It has come to my attention that representatives of video game manufacturers have requested a waiver of the regulations of the Communications and Video Access Act, CVAA, for communications technologies incorporated into their products. I am writing in opposition to the granting of such a waiver.

Many blind and visually impaired individuals are avid participants in computer and online games, so it is important that the communication features of these games are accessible to people who are blind. I believe that a failure to make such channels of communication accessible to people who are blind or visually impaired constitutes a violation of CVAA.

Making online communications accessible to blind and visually impaired individuals is readily achievable. Email, instant messaging systems, online meeting platforms and telephone texting technologies have all been made accessible without imposing an undue burden on the manufacturers of such systems. This shows that game manufacturers can also make their communications features accessible.

Online game technologies are being deployed for educational purposes, so it is important that such educational applications of gaming technology be accessible to students who are blind or visually impaired. Blind students need the same access to educational materials, including educational games, as their sighted classmates.

Thank you for your consideration.

10-213

Frank Welte
105 Harlan Street
San Leandro, CA 94577
Phone: 510-541-1442
Email: frank-welte@sbcglobal.net

SEP 11 2012

Federal Communications Commission
Office of the Secretary

Dear Ms. Peltz Strauss,

I am blind, and have been all my life. Often, I have found it difficult to fully participate in social aspects of society, such as sports because most mainstream games are inaccessible. You are now considering whether to allow designers of video game technology to waive accessibility mandates in their game design. Please do not. Many of my sighted friends in college enjoy playing video games. I am completely unable to join them due to the inaccessibility of the games they are playing. Most people who are blind, who play on-line games at all, play games that are card-based or dice-based. They do so, and are happy to do so, because that is all that is available on-line for people who are blind. People who are blind or visually impaired do not have access to massively multiplayer games. We can't learn about how societies, worlds, and theme parks are created and maintained because none of the mainstream simulators are accessible. People who are blind and visually impaired, like their sighted counterparts, would love to fly planes, but there are no mainstream accessible flight simulators.

Physical exercise, education, and business are all activities which incorporate technology found in videogames. Please don't shut blind people out of this important social media. Ensure that video game manufacturers are held to a level of accessibility that will allow blind people to interact meaningfully and accessibly within this important social sphere.

Sincerely,
Michael Malver

10-213

FILED/ACCEPTED

SEP 10 2012

Federal Communications Commission
Office of the Secretary

Dear FCC

Accessible issues:

- 1) Since I am Deaf and legally blind (Vision Impaired) the captions on TV are small and limited choices of colors. It is harder for me to read captions on TV these days.
- 2) Local News on TV – since technology has greatly enhanced the TV news programs to broadcast live news, that part is growing inaccessible. No captions during live news broadcast from remotely sites. I believe the current regulations are outdated and it is time to re-visit the regulations and enhanced to meet today's technologies. Also the top 25 "scale" to use to enforce captions should be expanding.
- 3) Video Relay Services, for Deaf-Blind there is pressing needs to offer accessible video relay services immediately. Technology for Deaf-Blind such as Braille TTYs, large print TTYs, NexTalk and several other devices are not being produce anymore. Our accessible options are getting very thin. We need research and development grants to explore more options for us, Deaf-Blind population.

Thank you for this opportunity to comment.

René Pellerin

