

Before the  
**FEDERAL COMMUNICATIONS COMMISSION**  
Washington, D.C. 20554

In the Matter of )  
 )  
Public Notice Regarding Equipment and ) EB Docket No. 04-296  
Operational Issues Identified Following the )  
First Nationwide Test of the Emergency )  
Alert System )

**REPLY COMMENTS OF CONSUMER GROUPS IN RESPONSE TO PUBLIC NOTICE**

**National Association of the Deaf  
Telecommunications for the Deaf and Hard of Hearing, Inc.  
Deaf and Hard of Hearing Consumer Advocacy Network  
Association of Late-Deafened Adults, Inc.  
California Coalition of Agencies Serving the Deaf and Hard of Hearing  
Rehabilitation Engineering Research Center on Telecommunications Access**

The National Association of the Deaf (NAD), Telecommunications for the Deaf and Hard of Hearing, Inc. (TDI), Deaf and Hard of Hearing Consumer Advocacy Network (DHHCAN), Association of Late-Deafened Adults, Inc. (ALDA), California Coalition of Agencies Serving the Deaf and Hard of Hearing (CCASDHH), and the Rehabilitation Engineering Research Center on Telecommunications Access (RERC-TA) (collectively, the “Consumer Groups and RERC-TA”), respectfully submit these comments in response to the Federal Communications Commission’s (“FCC” or “Commission”) September 23, 2013 Public Notice in the above-referenced proceedings.<sup>1</sup>

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<sup>1</sup> *In the Matter of Public Notice Regarding Equipment and Operational Issues Identified Following the First Nationwide Test of the Emergency Alert System*, EB Dkt. No. 04-296, Public Notice, DA 13-1969 (rel. Sept. 13, 2013) (“Public Notice ” or “PN”).

The Emergency Alert System (EAS) needs to be accessible to all people with disabilities, and especially those who are deaf or hard of hearing. It is during emergencies and natural disasters where getting timely information about how to evacuate and avoid dangers can determine whether one survives the emergency/disaster or not. It is often difficult for deaf and hard of hearing people to get timely information during these situations since their usual sources of information often are “down” or not working. Therefore it's critical that the EAS be accessible to 48 million deaf and hard of hearing Americans.

The Consumer Groups and RERC-TA fully support the comments of the Wireless RERC<sup>2</sup> and implore the FCC and Federal Emergency Management Agency (FEMA) to ensure that the EAS is accessible to deaf and hard of hearing people, a population that long has faced barriers to information and communication. We recommend a simple rule: that all auditory information in alerts must be provided visually and vice versa. As the Wireless RERC explains, visual access is not merely providing visual information but providing visual information that is clear and easily understandable.

Following the November 9, 2011 Nationwide EAS Test, many deaf and hard of hearing Americans contacted the our organizations letting us know that alerts in their area were not visually accessible. We are not surprised that the Wireless RERC's survey found that 53.8% of those who surveyed did not receive text crawl.<sup>3</sup> Moreover, similar to the Wireless RERC's survey, we received complaints about the text crawl being too fast or too small to read.<sup>4</sup> Thus we support the Wireless RERC's recommendation that text crawls have specifications that will ensure access for deaf and hard of hearing people.<sup>5</sup>

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<sup>2</sup> Wireless RERC Comment, Oct. 23, 2013, <http://apps.fcc.gov/ecfs/document/view?id=7520950223>.

<sup>3</sup> *Id.* at 5.

<sup>4</sup> *Id.*

<sup>5</sup> *Id.* at 7.

We support the following recommendations from the Wireless RERC with minor revisions:

- Standardize the appearance of EAS messages.
- Reduce the speed of the text crawl.
- Increase the size of the text crawl.
- Improve audio quality to be clearly understandable for those who have some hearing ability.
- Always provide both audio and visual formats of alert content for all types of alerts.<sup>6</sup>

We also recommend that the FCC and FEMA utilize closed captioning standards developed by the Described and Captioned Media Program ([www.dcmp.org/captioningkey](http://www.dcmp.org/captioningkey)) when creating text crawl standards.

The Consumer Groups and RERC-TA wholly and completely support the Wireless RERC's recommendation that EAS also provide messages in American Sign Language (ASL).<sup>7</sup> ASL is the primary language used by many deaf and hard of hearing people and some ASL users are not as proficient in English. In order to make these alerts fully accessible, providing access in ASL is critical. This will ensure that deaf and hard of hearing people who primarily use ASL will have full access to alerts.

The EAS messages also need to be accessible by people who are both deaf and blind such as being able to work with Braille displays. This probably requires providing EAS messages in the closed captions too and not only as text on the screen since captions and not visual images can be transcribed through Braille displays. Additionally, some deaf and visually impaired

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<sup>6</sup> *Id.* at 7-8.

<sup>7</sup> *Id.* at 7.

people need larger text in order to understand what is on television and thus use large-sized closed captions. By providing EAS messages in captions, deaf people with low-vision will be able to read the alerts on their specially sized or color-selected closed captions.

The Consumer Groups and RERC-TA fully disagree with Trilithic's suggestion that any standards for text crawls merely be recommended and not required because of cost.<sup>8</sup> We fail to see how this will ensure access for 48 million deaf and hard of hearing people in times of emergency and natural disasters. There is no use in sending out a text crawl that is not accessible. Anything less than a requirement will preserve the status quo of text crawls that are unreadable and endanger lives.

Respectfully submitted,



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<sup>8</sup> Trilithic Comment, Oct. 23, 2013, page 5, <http://apps.fcc.gov/ecfs/document/view?id=7520950460>.

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