

TECHNOLOGY AND DISABILITY POLICY HIGHLIGHTS 10.8

October 2010

Overview

The month of October was notable for the ratification of the **Twenty-first Century Communications and Video Accessibility Act**, signed into law by President Obama on October 8, 2010. The new law addresses technology access to enable full participation and full opportunity for Americans with disabilities in this digital, information driven society. The law starts the clock on the implementation of a number of Congressional directives for the Federal Communications Commission (FCC). These mandates include, among other things, creating an advisory committee on video programming and emergency access and outlining requirements for video programming control and on screen menus/guides. The FCC has already begun work on the implementation of those mandates and is seeking public comments on many of the facets that encompass the process. As a result, there have been changes and additions to initiatives and leadership throughout various sectors involving wireless disability policy as agencies are adapting to the **Twenty-first Century Communications and Video Accessibility Act**.

Legislative Activities

Technology Access Bill Becomes Law

10.08.2010 – The **21st Century Communications & Video Accessibility Act [Pub. L. No. 111-260]** was signed into law by President Obama, marking a major step forward in advancing technology access for Americans with disabilities. The signing ceremony, organized by Kareem Dale, Associate Director of the White House Office of Public Engagement, was notable as every bill does not receive such a ceremony. President Obama's remarks underscored the importance of the law, especially when he stated, "The story of the disability rights movement is enriched because it's intertwined with the story of America's progress. Americans with disabilities are Americans first and foremost, and like all Americans are entitled to not only full participation in our society, but also full opportunity in our society."

By amending **Title VII** of the **Communications Act, 21st Century Communications & Video Accessibility Act** will help ensure access to not only current technologies, but future technologies and applications yet to be discerned. The signed legislation officially starts the clock on FCC mandates to implement rules and regulations guiding advanced communications service providers, equipment and software manufacturers on how to comply. Specifically, the FCC will (1) within one year of enactment, define regulations for the accessibility of Advanced Communications Services; (2) within 60 days, establish an advisory committee on video programming and emergency access; (3) within six months, determine a

timeline for closed caption requirement in on-line videos; (4) within one year, evaluate challenges and benefits of providing video description for on-line video content; and (5) within 18-36 months, define video programming control requirements and on-screen menus/guides requirements to facilitate access by people with visual impairments. The upcoming year will necessitate a number of FCC rulemaking proceedings and committee meetings in order to meet the requirements of the Act and to ensure greater accessibility for citizens with disabilities.

Additional Information:

[Remarks by the President at the Signing of the 21st Century Communications and Video Accessibility Act of 2010](#)

[<http://www.whitehouse.gov/the-press-office/2010/10/08/remarks-president-signing-21st-century-communications-and-video-accessib>]

S. 3304

[<http://thomas.loc.gov/cgi-bin/query/z?c111:S.3304:>]

Regulatory Activities

Updated Vehicle Standards May Include New Technology Enhancements

10.21.2010 – The U.S. Access Board is holding hearings to update the bus and van standards to make them more accessible for Americans with disabilities. Proposed measures for consideration include changing the floors on buses to make them lower, creating automatic announcements, and better utilizing recent advancements in technology to enable access to public transportation. This hearing will be held on November 8, 2010 in Washington, D.C. The public is invited to attend and submit comments on the proposed rule.

[Source: U.S. Access Board]

Additional Information:

[Board Proposes Updates to its ADA Guidelines for Buses and Vans](#)

[<http://www.access-board.gov/news/vehicle-nprm.htm>]

Advanced Communications Public Notice

10.21.2010 – The FCC’s Wireless Telecommunications Bureau and Consumer & Governmental Affairs Bureau released a *Public Notice*, [CG Docket No. 10-213] soliciting public input on some of the main tenants of the,

Twenty-first Century Communications and Video Accessibility Act, which actually amends the **Communications Act**. Comments are being sought to discern the rules and regulations necessary to implement the new provisions, specifically, **Sections 716** and **718**. **Section 716** deals primarily with advanced communications providers ensuring that their services and equipment are accessible.

Recommendations and insights are wanted to clarify the definition and constitution of advanced communications technology, and, among other things, what technologies fall into “devices commonly used by persons with disabilities to achieve access.” This *Public Notice* is one of many that will be released by the FCC in their activities to carry out the Congressional mandate to provide guidance on the implementation of the

Act. The initial comment period ends on November 22, 2010, and reply comments are due on December 7, 2010. [Source: Federal Communications Commission]

Additional Information:

[CGB and WTB Release Advanced Services Accessibility PN](#)

[<http://blog.broadband.gov/?entryId=904556>]

[Public Notice on Advanced Communications Provisions](#)

[http://www.fcc.gov/Daily_Releases/Daily_Business/2010/db1021/DA-10-2029A1.pdf]

ADA Regulatory Changes

10.20.2010 – The Department of Justice recently announced a series of three hearings regarding several *Advance Notices of Proposed Rulemaking* (ANPRM) in which issues of accessibility are dominant. These hearings will cover topics such as Next Generation 911, web accessibility, and the advancement of closed caption technologies and their future applications. The ANPRMs aim to set rules that create parity between people with disabilities and their non-disabled counterparts when accessing certain services, information and entertainment. Comments are welcome until January 24, 2011. [Source: Department of Justice]

Additional Information:

[Notice of Public Hearings on the Advance Notices of Proposed Rulemaking to Revise the ADA Implementing Regulations](#)

[http://www.ada.gov/anprm2010/anprm_nov-jan_2010.htm]

[Advanced Notices of Proposed Rulemaking](#)

[<http://www.ada.gov/anprm2010/anprm2010.htm>]

Federal Communications Commission Issues Call for Committee Members

10.19.2010 – An FCC *Public Notice* was released asking for nominations for the new Video Programming and Emergency Access Advisory Committee (VPEAAC), created as part of the **Twenty-first Century Communications and Video Accessibility Act of 2010**. The VPEAAC is looking for individuals or groups that specialize in video programming and related aspects. A second call for nominations was released for the Emergency Access Advisory Committee. This committee will be responsible for a national survey to determine the use technology plays in terms of emergency access. It also will implement technologies, such as closed captioning, on a broader, more impactful scale. [Source: Federal Communications Commission]

Additional Information:

[FCC Public Notice: FCC Requests Nominations for Membership on Video Programming and Emergency Access Advisory Committee in Accordance with the Twenty-first Century Communications and Video Accessibility Act](#)

[http://www.fcc.gov/Daily_Releases/Daily_Business/2010/db1019/DA-10-2002A1.pdf]

[FCC Seeks Nominations for Membership on Two Emergency Access Advisory Committees](#)

[http://www.fcc.gov/Daily_Releases/Daily_Business/2010/db1019/DOC-302254A1.pdf]

New Staff in the Accessibility and Innovation Institute

10.15.2010 – The Accessibility and Innovation Institute was recently established under the National Broadband Plan by FCC Chairman Julius Genachowski. Pam Gregory, former Chief of the FCC’s Disability Rights Office (DRO), was appointed to the position of Director. Ms. Gregory brings to the position a strong, distinguished record in disability policy, and has been the Chief of the Disability Rights Office. Jamal Mazrui a technology specialist for the FCC, was appointed to the position of Deputy Director. [Source: Federal Communications Commission]

Additional Information:

[Pam Gregory and Jamal Mazrui to Lead Accessibility and Innovation Initiative](http://blog.broadband.gov/?entryId=879923)
[<http://blog.broadband.gov/?entryId=879923>]

Potential New Fund Created to Better Facilitate Mobile Technology

10.14.2010 – The FCC has adopted and released a *Notice of Proposed Rulemaking* [FCC10-182] proposing the creation of a new monetary fund to address the lack of broadband access in rural areas. The *NPRM* recommends allocating monies from the Universal Service Fund (USF) to create a \$100 million to \$300 million Mobility Fund. The funds will be allocated to those providers demonstrated to be most cost effective in providing mobile broadband access to rural areas that currently do not have mobile or fixed broadband service. This NPRM is part of the FCC’s efforts to implement one recommendation made in the National Broadband Plan, namely to reform the USF so it can support the deployment of broadband to underserved areas. Comments will be due 45 days (75 days for reply comments) after date of publication in the *Federal Register*. [Source: Federal Communications Commission]

Additional Information:

[FCC Proposes Creation of Mobility Fund to Close Gap in Mobile Wireless Access](http://www.fcc.gov/Daily_Releases/Daily_Business/2010/db1014/DOC-302191A1.pdf)
[http://www.fcc.gov/Daily_Releases/Daily_Business/2010/db1014/DOC-302191A1.pdf]
[NPRM In the Matter of the Universal Service Mobility Fund \[WT Docket 10-208\]](http://www.fcc.gov/Daily_Releases/Daily_Business/2010/db1014/FCC-10-182A1.pdf)
[http://www.fcc.gov/Daily_Releases/Daily_Business/2010/db1014/FCC-10-182A1.pdf]

Wireless Telecommunications Bureau Video Accessibility Act

10.12.2010 – The FCC’s Wireless Telecommunications Bureau is requesting comments on a recently released **Public Notice on the 21st Century Communications and Video Programming Accessibility Act [07-250]**. The FCC seeks comment on whether current and proposed hearing aid compatibility rules are affected by the new law. [Source: Federal Communications Commission]

Additional Information:

[Wireless Telecommunications Bureau Requests that Comments in Hearing Aid Compatibility Proceeding Address Effects of New Legislation](http://www.fcc.gov/Daily_Releases/Daily_Business/2010/db1012/DA-10-1936A1.pdf)
[http://www.fcc.gov/Daily_Releases/Daily_Business/2010/db1012/DA-10-1936A1.pdf]

National Council on Disability Leadership Modifications

10.4.2010 & 10.20.2010 – The National Council on Disability (NCD) recently announced new appointees. The Executive Director position was recently filled by Aaron Bishop who has experience in disability policy and has most recently worked on Capitol Hill as a policy advisor. His previous work encompasses working for the Association of University Centers on Disabilities and as a researcher in health and disability policy. Pamela Young-Holmes is the most recent addition to the NCD Board. Her specialization is communications policy. Ms. Young-Holmes made considerable contributions to the U.S. Access Board’s accessibility guidelines for telecommunications equipment and federal electronic and information technology. Her previous service includes Ultratec, Inc., which provides telephone accessibility to the disabled, and the Atlanta Area School for the Deaf and schools in Wisconsin, where she served in an advisement capacity. [Source: National Council on Disability News Release]

Additional Information:

[National Council on Disability Welcomes New Executive Director Aaron Bishop](http://www.ncd.gov/newsroom/news/2010/r10-607.htm)

[<http://www.ncd.gov/newsroom/news/2010/r10-607.htm>]

[National Council on Disability Welcomes New Board Member from Wisconsin and Announces Agency Leadership Changes](http://www.ncd.gov/newsroom/news/2010/r10-605.htm)

[<http://www.ncd.gov/newsroom/news/2010/r10-605.htm>]

Other Items of Interest

Tongue Drive Technology

10.11.2010 – The Georgia Institute of Technology’s Bionics Lab has created a system to assist wheelchair users by creating a system of movement called the Tongue Drive System. This research project recently won the People’s Choice Honors at the 2010 Da Vinci Awards. The system utilizes components from various fields, including biomedicine, orthotics, and prosthetics. An individual’s slight tongue movements, coupled with magnetic sensing technology, can control a wheelchair’s movements and the cursor of a mouse. This research has the potential to help people with severe spine related injuries gain greater independence and access to computers for entertainment and employment activities. This technology will undergo a series of clinical trials at the Shepherd Center in Atlanta.

[Source: Georgia Institute of Technology]

Additional Information:

[Tongue Drive System Team Wins People’s Choice Honors at 2010 Da Vinci Awards](http://www.gatech.edu/newsroom/release.html?nid=62072)

[<http://www.gatech.edu/newsroom/release.html?nid=62072>]

Tongue Drive System Video

[<http://www.youtube.com/davinciawards#p/c/5EA83C1563B1E3A7/9/PJOTBj1gLzk>]

Wireless RERC Updates

WiRERC Enlightens an Audience at the VIC 2010 Conference

WiRERC researcher Jim Mueller presented "Inclusive Wireless Design" at the [Visions of an Inclusive Community Conference](#) in Tampa, Florida. The majority of registrants were from an environmental access background with extensive knowledge and experience in designing for access to the built environment. Mr. Mueller's presentation focused on design to enhance technology access. He shared findings of the RERC's user research activities to date, including focus groups, products testing, and data from the Survey of User Needs on how and why people with disabilities use wireless products and services, as well as the barriers they face. Mueller also shared examples of how wireless manufacturers, carriers, and industry associations are addressing these issues through handset design, service plan options, and consumer information. After his presentation many registrants sought out the WiRERC brochures at the information table and discussed how technology could be incorporated into the environment to enable greater independence. The general impression among conference attendees seemed to be a new awareness that access to technology and the physical environment are not mutually exclusive; kudos to Jim, for expanding the dialog across disciplines. View his PowerPoint slides at: http://www.wirelessrerc.org/VIC2010_UniversalDesign_JMueller.ppt/view.

Emergency Communication Technologies for the Deaf

Wireless RERC partner, the Center for Advanced Communication Policy (CACP) at Georgia Tech was interviewed by the Integrated Public Alert and Warning System (IPAWS) contractor, Galain Solutions. IPAWS has contracted Galain to assist with outreach and awareness efforts and sought expertise on how to "engage communities of interest." CACP Executive Director, Helena Mitchell, explained the different notification needs of people who are deaf and hard of hearing, noting that people whose primary language is American Sign Language, prefer to communicate in ASL, as opposed to text. Sign language does not translate directly into words, but leans more towards capturing the general conception of the meaning. As such, information can be 'lost in translation', especially when idiomatic expressions are used. Two resources that can potentially be utilized to send ASL alerts are DeafLink and Signtel. Signtel offers direct translation of text into sign language almost automatically, whereas DeafLink offers sign language support. Galain Solutions reported on the interview in their Emergency Notification Blog (October 11, 2010) in Emergency Management Magazine. [Source: Emergency Management]

Additional Information:

[Emergency Notification and the Deaf Community](#)

[<http://www.emergencymgmt.com/emergency-blogs/alerts/Emergency-Notification-and-the.html>]

SUNspot - Preliminary Data Analysis for People with Vision Loss

A preliminary analysis of the 2010 Survey of User Needs response data for people with visual impairment is available for download on the WiRERC website. This SUNspot helped to inform separate comments filed by CTIA – The Wireless Association and the WiRERC in last month's FCC Public Notice concerning accessible mobile phones options. The SUNspot was created to disaggregate SUN data to illuminate responses based on demographic selections. Read the SUNspot on Vision Loss at:

http://www.wirelessrerc.org/publications/publication_files/SUNspot_Blind-LowVision_2010-09-10.doc/view.

HAC Survey Continues

The Wireless RERC is continuing to collect data for the Hearing Aid Compatibility survey. The current survey runs through October 31, 2010. This is the 5th year we have run the survey. Results from the previous two years show a jump in overall cellphone satisfaction by people who use hearing aids and cochlear implants over previous years. Nevertheless, continuing high percentages of respondents report difficulty finding a compatible phone. The 2010 Hearing Aid Compatibility Survey can be found at:

<http://www.wirelessrerc.org/news/take-the-2010-hac-survey>. The 2006-2008 HAC Survey report can be found at: http://www.wirelessrerc.org/publications/HAC-Report_2008_2009-06-10.docx/view.

Upcoming Events

2010 NCTI Technology Innovators Conference

The 2010 NCTI Technology Innovators Conference will be held in **Washington, DC** on **November 15-16, 2010**. The theme is Breakthrough Learning – Transform the Future, focusing on emerging ideas, solutions, and public policy initiatives in inclusive technology to enable and empower all students to reach their potential.

Additional Information:

[Conference Website](#)

[<http://www.nationaltechcenter.org/index.php/conf10-registration/>]

Accessing Higher Ground: Accessible Media, Web, and Technology Conference

The 13th Annual Accessing Higher Ground: Accessible Media, Web, and Technology Conference will cover topics such as disability policy issues, technology accessibility, and legal issues. The main topic areas focus on access within a campus, workplace and public context. One area of special attention will be accommodations on university campuses and how to better facilitate improved accommodation measures. The keynote speaker will be George Kerscher, PhD, the Secretary General of the DAISY Consortium. The conference will take place on **November 15 – 19, 2010** in **Westminster, Colorado**.

Additional Information:

[Conference Website](#)

[<http://www.colorado.edu/ATconference/registration2010.html>]

CSUN Conference on Technology & Persons with Disabilities

The 26th Annual California State University, Northridge (CSUN) Conference on Technology & Persons with Disabilities will be held March 14-19, 2011 at the Manchester Grand Hyatt in San Diego, CA. For more information about the conference, including details on how to register, please visit the conference website provided below. CSUN 2011 continues its social networking presence, as well. You can become a fan of the

Center on Disabilities on Facebook and follow CSUNCOD on Twitter for news from the Center on Disabilities about the CSUN Conference.

Additional Information:

2011 CSUN Conference

[<http://www.csunconference.org/index.cfm?EID=80000300&p=378&page=Text&ECTID=714>]

Technology and Disability Policy Highlights reports on national and local public policy events and recent wireless technological advances and political activities; and tracks emerging issues of interest to individuals with disabilities. *Technology and Disability Policy Highlights* is published monthly by the Wireless RERC. The Wireless RERC is a research center promotes universal access to wireless technologies and explores their innovative applications in addressing the needs of people with disabilities. For more information on the Wireless RERC, please visit our web site at [<http://www.wirelessrerc.org>].

For further information on items summarized in this report, or if you have items of interest that you would like included in future editions, please contact this edition's editors, Christina McMillian [christina@cacp.gatech.edu], Salimah LaForce [salimah.laforce@cacp.gatech.edu], or Nathan Moon, Ph.D., CACP, Research Scientist [nathan@cacp.gatech.edu].

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