



PUBLIC NOTICE

Federal Communications Commission
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DA 16-1137

Released: October 5, 2016

MEDIA BUREAU ACTION

MEDIA BUREAU SEEKS COMMENT ON JOINT PETITION FOR EXTENSION OF WAIVER OF ACCESSIBLE EMERGENCY INFORMATION REQUIREMENTS OF THE AMERICAN COUNCIL OF THE BLIND, THE AMERICAN FOUNDATION FOR THE BLIND, AND THE NATIONAL ASSOCIATION OF BROADCASTERS

MB Docket No. 12-107

Comment Date: October 17, 2016

Reply Comment Date: October 27, 2016

The American Council of the Blind (ACB), the American Foundation for the Blind (AFB), and the National Association of Broadcasters (NAB) have filed a joint petition¹ requesting that the Commission grant a limited extension of the Commission's rules requiring broadcasters to provide an aural representation of visual, non-textual emergency information, such as radar maps or other graphics, on a secondary audio stream. Section 79.2(b)(2)(ii) of the Commission's rules requires video programming providers to ensure that emergency information provided visually during non-newscast programming is made accessible to individuals who are blind or visually impaired through the use of a secondary audio stream to provide such information aurally.² In the *Emergency Information/Video Description Order*, the Commission found that if visual but non-textual emergency information is shown during non-newscast programming (e.g., maps or other graphic displays), the aural description of this information must accurately and effectively convey the critical details regarding the emergency and how to respond to the emergency.³ The rule sets a compliance deadline of May 26, 2015.⁴

¹ American Council of the Blind, American Foundation for the Blind, National Association of Broadcasters, Joint Petition for Extension of Limited Waiver, MB Docket No. 12-107 (filed Sept. 2, 2016) ("Petition").

² 47 CFR § 79.2(b)(2)(ii). In particular, the rule provides that the video programming provider or video programming distributor that creates the visual emergency information content and adds it to the programming stream is responsible for providing an aural representation of the information on a secondary audio stream, accompanied by an aural tone. *Id.* See also *Accessible Emergency Information, and Apparatus Requirements for Emergency Information and Video Description: Implementation of the Twenty-First Century Communications and Video Accessibility Act of 2010; Video Description: Implementation of the Twenty-First Century Communications and Video Accessibility Act of 2010*, Report and Order and Further Notice of Proposed Rulemaking, 28 FCC Rcd 4871, 4899, para. 36 (2013) (*Emergency Information/Video Description Order*).

³ See *Emergency Information/Video Description Order*, 28 FCC Rcd at 4891-92, para. 24.

On May 26, 2015, the Media Bureau granted NAB an 18-month waiver of the requirement to aurally describe visual but non-textual emergency information to provide the broadcast industry time to develop a technical solution for compliance.⁵ At the time, NAB explained that an automated text-to-speech solution cannot be used to aurally describe maps and other graphics because they do not contain text files that can be converted to speech, and it noted that further work is needed to develop reliable automated solutions.⁶ ACB, AFB, and NAB jointly request that the Commission grant a limited extension of this waiver for an additional 18 months.⁷ The Petition indicates that broadcasters remain unable to aurally describe visual, non-textual information in emergency crawls because still no automated technical solution exists.⁸ ACB, AFB, and NAB seek additional time to allow the Commission, broadcasters, accessibility advocates, and other stakeholders to work with third-party vendors on the development of a viable solution.⁹ We seek comment on this request.

Pursuant to sections 1.415 and 1.419 of the Commission's rules, 47 CFR §§ 1.415, 1.419, interested parties may file comments and reply comments on or before the dates indicated on the first page of this document. Comments may be filed using the Commission's Electronic Comment Filing System (ECFS). *See Electronic Filing of Documents in Rulemaking Proceedings*, 63 FR 24121 (1998).

- Electronic Filers: Comments may be filed electronically using the Internet by accessing the ECFS: <http://fjallfoss.fcc.gov/ecfs2/>.
- Paper Filers: Parties who choose to file by paper must file an original and one copy of each filing. If more than one docket or rulemaking number appears in the caption of this proceeding, filers must submit two additional copies for each additional docket or rulemaking number.

Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail. All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission.

- All hand-delivered or messenger-delivered paper filings for the Commission's Secretary must be delivered to FCC Headquarters at 445 12th Street, SW, Room TW-A325, Washington, DC 20554. The filing hours are 8:00 a.m. to 7:00 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes and boxes must be disposed of before entering the building.

⁴ 47 CFR § 79.2(b)(2)(ii). *See also Emergency Information/Video Description Order*, 28 FCC Rcd at 4900-01, para. 37.

⁵ *See Accessible Emergency Information, and Apparatus Requirements for Emergency Information and Video Description: Implementation of the Twenty-First Century Communications and Video Accessibility Act of 2010; Video Description: Implementation of the Twenty-First Century Communications and Video Accessibility Act of 2010*, Memorandum Opinion and Order, 30 FCC Rcd 5012, 5022-23, para. 17 (2015). This waiver is set to expire on November 26, 2016.

⁶ *See id.* at 5022, para. 17.

⁷ *See* Petition at 2.

⁸ *Id.* at 2, 5-6.

⁹ *Id.* at 2.

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Filings are also available for public inspection and copying during regular business hours at the FCC Reference Information Center, Portals II, 445 12th Street, SW, Room CY-A257, Washington, DC 20554, telephone (202) 418-0270.

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