



August 22, 2018

Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

RE: CG Docket No. 10-213

Dear Madam Secretary:

The National Federation of the Blind appreciates the opportunity to comment on the Tentative Findings for the 2018 Twenty-First Century Communications and Video Accessibility Act (CVAA) Biennial Report (“Report”). In general, we agree with the Report’s findings, but feel the need to comment on a few areas where we believe greater emphasis would be a tremendous benefit.

Paragraph seven of the findings discusses the lack of accessibility in non-smartphones. The National Federation of the Blind completely agrees with the Report when it states, “little, if any, progress has been made since the *2016 CVAA Biennial Report* with respect to the accessibility of non-smartphones used for telecommunications services and ACS, particularly for people who are blind or visually impaired.” This is an area in which greater accessibility would certainly benefit a large number of blind and disabled consumers. The Census Bureau reports that more than 70 percent of Americans with a visual disability are either unemployed or underemployed.¹ With a rate that high, few blind Americans can afford the additional monthly cost of a smartphone and data plan. It is for this reason that we believe the last sentence of this paragraph should place a greater emphasis on the cost that prohibits some individuals from owning a smartphone rather than it being a simple matter of preference.

Paragraphs nine, twenty-two, and twenty-three of the findings mention the Federal Communications Commission’s (“Commission”) Lifeline program, and the lack of accessibility in the non-smartphones distributed by participating carriers in the program. This is a topic that the National Federation of the Blind is familiar with and one that we have addressed in a resolution during our 2018 National Convention just last month. This resolution has been attached at the end of these comments.

Paragraph twelve of the findings fails to acknowledge the option to have mobile browsers that are compatible with refreshable Braille displays. The National Federation of the Blind knows that the

¹ United States Census Bureau, American Community Survey, as reported by Cornell University. 2016.
www.disabilitystatistics.org.

ability to read Braille can exponentially increase opportunities for blind Americans.² With this knowledge, it is critical that the blind be given the opportunity to incorporate Braille into even the most mundane tasks of our daily lives, including browsing the internet on a smartphone. When filling out web forms via a mobile browser, it can be all but impossible to properly complete the form using audio alone, further cementing the need for compatibility with a refreshable Braille display.

Additionally, we would like to point out that this findings report does not reference Section 202 of the CVAA, which discusses the audio description of television programming. Within the last twelve months, the National Federation of the Blind worked with Comcast-NBCUniversal to create a presumptive waiver regarding a recent increase in the number of required audio described hours under this rule. The terms of the waiver were satisfactory for each side in most respects, but still did not address one important area: live programming. The television stations were hesitant to make any commitments in this area because of conflicts that would be caused with foreign language description services on the single secondary audio programming (SAP) channel. We firmly believe that the solution to this problem is a simple one. Thus, we urge the Commission to create at least one additional SAP channel so that both foreign language and descriptive services can be broadcast simultaneously. Furthermore, we urge the Commission to institute rules requiring the audio description of live programming. This topic was also addressed, via the attached resolution, by the National Federation of the Blind during our 2018 National Convention.

The tentative findings report, as a whole, is a positive indicator that the Federal Communications Commission is moving in the right direction with regard to the regulations set forth in the Twenty-First Century Communications and Video Accessibility Act. However, an increased emphasis on a few topics of critical importance will dramatically increase the effectiveness of the legislation, while at the same time improving the lives of blind Americans. The National Federation of the Blind stands ready to work with the Commission regarding specific details of any of the topics mentioned above.

Sincerely,



Mark A. Riccobono, President
National Federation of the Blind

² Stanfa, Kathleen and Johnson, Nicole. "Improving Braille Reading Fluency: The Bridge to Comprehension." *Journal of Blindness Innovation and Research* 5, no. 2.

Attachment A

Resolution 2018-03

Regarding the Lifeline Program and the Free Cellphone Service for Seniors and Those with Low Income

WHEREAS, the Federal Communications Commission (FCC) has created the Lifeline program for low-vision seniors and others with low income to provide a free cellphone with free calling, texting, and some data services; and

WHEREAS, this service is funded through the universal access fee paid by all phone subscribers; and

WHEREAS, the service providers are typically mobile virtual network operators (MVNOs), smaller third-party mobile phone service providers who resell access to the networks of the major carriers; and

WHEREAS, proof of residence and proof of disability or eligibility for other assistance (e.g., Medicaid, SSI, etc.) are required to participate in this program; and

WHEREAS, the phones provided by the MVNOs vary widely from a basic flip phone with tactile buttons which provides only calling services and possibly some limited text-to-speech functionality to a low-end Android smartphone with touchscreen that would require basic technology training for the newly blind or seniors, regardless of their level of vision; and

WHEREAS, many MVNOs require navigation of a complex list of menu options on the phone and long wait times to speak with a representative about specific needs and company options; and

WHEREAS, all companies surveyed by the National Federation of the Blind were modest operations with varying procedures, making the process of obtaining the free service complex and time consuming: Now, therefore,

BE IT RESOLVED by the National Federation of the Blind in Convention assembled this seventh day of July, 2018, in the City of Orlando, Florida, that this organization call upon the FCC to establish guidelines for the MVNOs that provide the Lifeline service to make available accessible devices and documentation and to establish a minimum standard for support to low-income citizens and seniors with vision loss.

Attachment B

Resolution 2018-17 Regarding Audio Description of Live Television Programming

WHEREAS, the Federal Communications Commission (FCC) has recently required a substantial increase in the amount of audio-described programming; and

WHEREAS, the National Federation of the Blind, in collaboration with NBC-Universal, worked to create a potential waiver for broadcasters that would establish alternative measures, satisfactory to all parties, that could be used to satisfy the requirements of the FCC's new rule; and

WHEREAS, neither the FCC rule nor the waiver requires live television programming to be audio-described because it would create a conflict on the single secondary audio programming (SAP) channel used to broadcast live events in other languages; and

WHEREAS, other accessible technology exists in the live broadcast arena, such as the Gala Pro Application for smartphone devices; and

WHEREAS, Comcast and NBC-Universal have set a precedent by providing audio description for the Olympics, Paralympics, and musical productions: Now, therefore,

BE IT RESOLVED by the National Federation of the Blind in Convention assembled this seventh day of July, 2018, in the City of Orlando, Florida, that this organization demand that the FCC and the broadcasters work together to create additional SAP channels so that both foreign language speakers and the blind are able to enjoy the same programming; and

BE IT FURTHER RESOLVED that this organization demand that the FCC require audio description on live programming of all types.