



WORLD

Technology News and Commentary for the Deaf and Hard of Hearing

NETWORKING



Highlights



RECOGNITION

... from the 17th Biennial
TDI Conference



PROGRAM

ALSO INSIDE:

An Introduction
to COAT
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
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TDI'S MISSION:

"TDI provides leadership in achieving equal access to telecommunications, media, and information technologies for deaf and hard of hearing people."

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We Left Our Hearts in San Mateo

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Highlights of the 17th Biennial TDI Conference in San Mateo, California August 23-25, 2007. For the first time, TDI hosts a Consumer and Family Day to encourage more grassroots involvement.

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TDI honors six individuals and companies for their ground breaking work in making telecommunications accessible. The new Karen Peltz Strauss Policy Award is given for the first time to recognize visionary policies that bring about access.



Panel on TV Captioning by Lise Hamlinpg 24

Has television captioning improved? What is the status of TDI's Captioning Quality Petition filed with the Federal Communications Commission in July 2004?

The Coalition of Organizations for Accessible Technology by Karen Peltz Strausspg 30

A new coalition of disability rights organizations charts its explosive growth. Goals are outlined for accessible technology in the Internet Age and many common questions were answered.

In Memoriam: Dr. Frank G. Bowe by Dr. Judy Harkinspg 36

TDI and other advocates mourn the passing of a great pioneer who left behind a legacy in many areas from disability rights to accessible broadband legislation.



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Selected articles of TDI WORLD are available in PDF format on TDI's website at www.tdi-online.org. You will need to download a free Adobe Acrobat Reader to read a PDF file on your computer. For more information, please contact TDI.

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Board Views



BY DR. ROY MILLER
TDI President

Why Have TDI Conferences?

I was recently thinking about the TDI conference that was held in San Mateo, California this past summer. From my perspective, it was a great conference, and I received a lot of positive feedback about that conference after it was over. And then I was totally taken aback when one person suggested to me that the conference was so good we ought to stop while we were ahead. I was asked "Why does TDI continue to host biennial conferences; Why don't we shift to a completely Internet focused program? Haven't face-to-face conferences outlived their usefulness?" At first I was completely surprised by the suggestion that TDI conferences were no longer of any value. Then I decided to think about the suggestion a little more to see if it had any merit. Before one can render a judgment concerning the utility of TDI conferences, it may be helpful to first examine some of the history to those conferences.

Way back in the days of dinosaurs (smile), when TDI first appeared on the face of the earth, its mission was to receive, repair, modify, and distribute used teletypewriters to give deaf people access to the public telephone network. And its early conferences quite naturally were mostly gatherings of the men (agents) who worked as volunteers in pursuit of that mission. It provided opportunities for some to teach and others to learn about how the equipment could be altered to meet the needs of deaf people. So the early TDI conferences were attended mainly by deaf and hard of hearing consumers.

Later, it became clear that TDI needed to broaden its mission to include advocating for laws and regulations that would provide telecommunications access for consumers with hearing loss. And so representatives of relevant government agencies were invited to

attend and speak at TDI conferences. And with the involvement of government representatives, the conferences offered new opportunities for sharing information and opinions regarding the telecommunication needs of deaf and hard of hearing people.

But those needs could only be met through the development of new technologies. The plain old telephone system (POTS) was designed for hearing people, and until the telecommunications industry became involved in the active search for technological solutions access for people with hearing loss would forever remain nonexistent. Thus TDI recognized the need to involve industry representatives in the TDI conferences.

As the role of each of these stakeholders was recognized, and they became active participants in TDI conferences, those conferences became the premier venue where deaf and hard of hearing consumers, representatives from government agencies, and members of the telecommunications industry could informally interact, share ideas, discuss the telecommunication needs of people with hearing loss, consider different possible solutions to satisfy those needs, voice concerns, and learn about current and emergent technologies for providing telecommunications access to deaf and hard of hearing people. TDI conferences presented many wonderful opportunities for productive dialogue among all interested parties, and many opportunities for creative discourse concerning the telecommunications problems of people with hearing loss.

Since the early TDI conferences a new world of telecommunication technologies has evolved. In the past thirty years there has been an explosion of telecommunications



Pat Graves with her CART equipment is a common fixture at TDI Conferences and other events.

“We want our conferences to help ensure that tomorrow’s telecommunications technologies are accessible to everyone, regardless of their ability to hear!”

Continued from page 2

technology affecting deaf and hard of hearing people. What would our world be like without pagers, video relay services (VRS), video remote interpreting (VRI) services, captions on television and home movies, instant messaging, Internet relay services, Rear View captioning in movie theaters, remote Communication Access Real-time Translation (CART) services, traditional relay services (TRS), and captioned telephones (none of which existed in the early years of TDI)? It is primarily this expanding telecommunications access that enables people with hearing loss to work in most occupations, keep in touch with family regardless of where they live, enjoy television and home movies, make doctor and dentist appointments without leaving their house, and generally participate in the social and political life of the world about them. In the shrinking world of

cyberspace telecommunications access is a vital feature of the lives of most people with hearing loss.

And that is precisely why TDI conferences must continue! We now live with and enjoy the access provided by telecommunication technologies that were largely unimaginable in the early years of TDI. In much the same way, we cannot possibly imagine the changes that will occur in the next quarter of a century. And in order to ensure that the emergent technologies meet the access needs of deaf and hard of hearing people TDI must continue to host conferences where those needs are discussed and possible solutions to those needs are offered. Without the opportunities for dialog offered by TDI conferences, people with hearing loss run the risk that emergent technologies will again leave them as “second class citizens” as happened when “talking” movies replaced

“silent” films. In fact, with the ever increasing speed of technological innovation, it can be argued that the need for TDI conferences is perhaps even greater now than it ever has been.

No, TDI conferences have certainly not “outlived their usefulness.” But like all things they must continually be reviewed and evolve to be sure that they are structured so as to provide the greatest benefit possible. We want our conferences to help ensure that tomorrow’s telecommunications technologies are accessible to everyone, regardless of their ability to hear! With that in mind, we look back at the recent San Mateo conference not as a “grand finale” but rather as a threshold of excellence that the “New TDI” must strive to equal or exceed at all future conferences. Only by doing so can we hope to meet the future telecommunications access needs of all deaf and hard of hearing people.

Capitol Commentary



BY CLAUDE STOUT
TDI Executive Director

TDI Values Partnerships with Industry Groups and Trade Associations

San Mateo Conference Demonstrates Collaboration Between Consumers and Businesses

You may have noticed a few more changes to the *TDI World* magazine. We are returning somewhat to the format we have used in the past with our *GA-SK* magazine, although under different names. Dr. Roy Miller's column will remain as *Board Views*. The editor's column by Jim House, *Accessible Tech* will show TDI's hands-on work with new and emerging technologies and review new trends in accessible technology. Also, TDI may revisit some long-standing technologies to see how its use by consumers evolved over time. My column, *Capitol Commentary* conveys TDI's work in shaping an accessible world of technology through legislative and regulatory changes.

The success of TDI depends on three things. All of our readers belong to at least one or sometimes two of these groups – consumer, industry and government. Like a three-legged stool, TDI needs all three of these stakeholder groups in order to stand and survive. Without consumers, industry and government would not exist. Our government is of the people, by the people and for the people – so it operates at the wish of the citizenry. Industry powers the economy that supports consumer demand and government priorities. Without industry, our quality of life would not be as it is today. It is TDI's ongoing consultations with companies and industry trade associations that we acknowledge in this column. Our work with industry has resulted in greater access that our four constituency groups

“Promoting access and making it happen from within the corporate structure, can at times be relatively easy, and other times, not necessarily so.”

enjoy with products and services that are already on the market, or “in the works.” Let me give you a few examples.

Even before and since its merger with Cingular Wireless, AT&T has invited us to represent our constituents on its Advisory Panel on Access and Aging four times a year. In addition, TDI had also advised AT&T and Apple on the reaction from users to its iPhone issues. Last Feb. we worked with AT&T on a focus group where we asked a panel of deaf and hard of hearing consumers about their experiences with cell phones, pagers and other wireless devices. We explored issues regarding TTY and Hearing Aid compatibility, billing parity issues and 9-1-1 access. During the course of our discussions, we discovered that when we were talking about video access, the participants responded by providing their thoughts about captioning on downloaded videos. But a TDI staff



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Thanks for Making a Difference ...



Mary Brooner (Motorola)



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Susan Mazrui (AT&T)



Colin Petheram (AT&T)

Continued from page 4

member observing the focus group grabbed the opportunity by educating the Cingular people about new uses for video – such as being able to sign or speechread. So a new question was inserted into the focus group session dealing with the possibility of wireless videophone communications.

Other collaborative efforts involve Starbucks inviting TDI to Seattle for to participate in it's Understanding the Disability Community as Consumers event. TDI attends Microsoft's Roundtable luncheon in downtown DC once or twice a year to review new products in assistive technology. America Online also invites TDI to its Accessibility Advisory Committee once a year. We coordinate focus group meetings and beta testing for various industry manufacturers and service providers to see if their plans sufficiently cover our needs. When Verizon announced a new videophone service at its National Center for Customers with Disabilities, we worked with them on their publicity efforts. We know they not only appreciate our honest feedback, but also the fact that TDI has a non-endorsement policy which prohibits us from publicly favoring one product or service over other similar products and services.

At the recent TDI Conference, we had many representatives from trade associations and companies participating in the activities. Brad Markwalter from the Consumer Electronics Association (CEA) served on the TV captioning panel. Mary Brooner from Motorola served on Judy Harkins' panel on pagers, cell phones, and other wireless devices. Tony Wilhelm from National Telecommunications and Internet Administration (NTIA) and Marsha MacBride from National Association of Broadcasters (NAB) both came and spoke about the digital to analog television converter box program that will begin in 2008.

Such industry-consumer partnerships/ consultations are critical to TDI's success as an organization and to simulate the future of industry as they offer new products and services:

- Their products and services would be accessible and convenient for our daily use.
- They get to know what we like to see happen as they offer new products and services in the future.
- They can try to incorporate certain features into mainstream products and services to meet our particular

needs

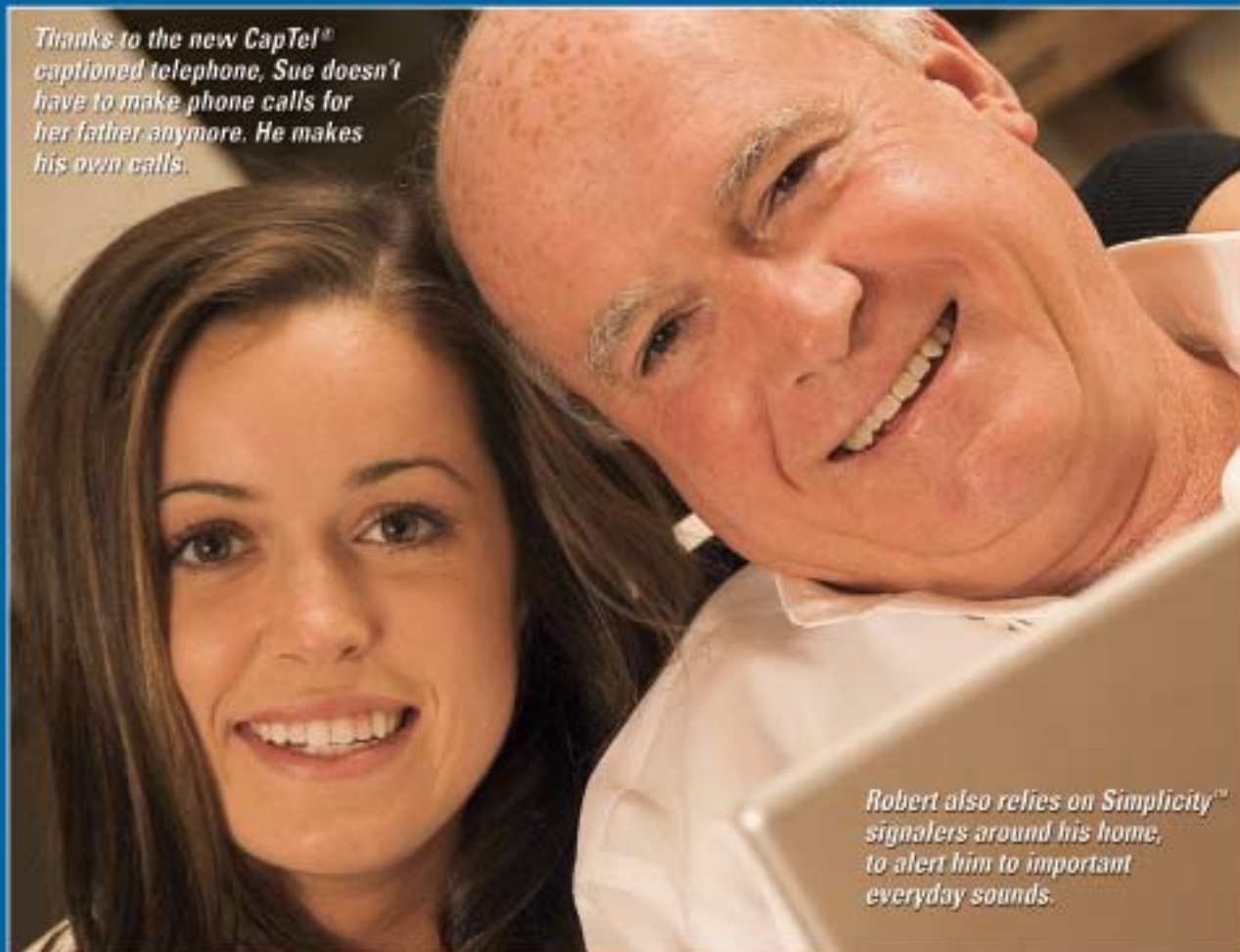
- They involve us early on in the design, development, and testing processes.
- They want to make sure we can remain in the larger community, not be further isolated from society.
- Together we develop policy with government, so that the policy meets our competing interest as well as our common goals so everyone benefits.
- We consumers make every effort to understand and support industry on meeting, and furthering our access needs with minimal expenses as possible.

Some industry players are wonderful access champions from within their respective companies, and we need to support them in their efforts.

Promoting access and making it happen from within the corporate structure, can at times be relatively easy, and other times, not necessarily so. Companies are anxious to sell as many of their products and services as possible. Yet, by exercising their social responsibilities and making their products and services accessible, they can create a win-win situation without jeopardizing their bottom line.

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Accessible Tech



BY JAMES HOUSE
TDI World Editor

TDI Conference Theme: Shaping An Accessible World

One popular Sunday night activity for the family is watching Extreme Makeover: Home Edition (EMHE). Each week, Ty Pennington and his crew visit different families throughout the country. These families had sent in their stories to the ABC television network in the hopes that the bus from the speedy home remodeling team will one day soon stop at their home.

Each episode opens with the EMHE show crew on a bus reviewing the family situation. Generally, the bus arrives at a rundown house and the family comes rushing out – full of emotions. The family gets sent away on a well-deserved vacation – usually at a resort, unless some medical treatment is needed. Back home, dozens of volunteers pitch in to raze the old house, and within one week, a new house is built to take its place. After the family returns home, the crowd chants “Move That Bus!” As the bus rolls away, the new house is unveiled and the family crosses the threshold into a home they can call their own, and be happy, healthy and safe.

One popular biennial activity for consumers and professionals alike is the TDI Biennial Conference. TDI has just completed its 17th Biennial Conference in San Mateo, California in late August. Dozens of consumers and professionals gather together for three activity-filled days of meetings, workshops and exhibits. The theme this year was “Shaping An Accessible World”

TDI Board President Dr. Roy Miller led the Opening Ceremonies with a retrospective on the organization’s numerous accomplishments for the past 39 years. TDI was formed in 1968 to help distribute discarded Teletype machines as AT&T and

other corporations made room for the modern computer. When closed captioning began, TDI installed TeleCaption decoders and became the highest ranked seller of the set-top boxes in the eighties. With the explosion of digital and Internet based communication protocols, TDI has once again expanded its mission to cover access issues with telecommunications, media and information technology.

Dr. Miller remarked in his presentation about TDI’s growth, “But with the passage of time, technology has a terrible habit of changing and, in fact, it changes pretty fast sometimes.” Electronic TTYs became portable and in many states, were distributed through statewide telecommunication equipment distribution programs. Decoders shrunk to a chip now standard in all television sets above 13” sold in the United States.

This evolution of technology set the stage for TDI to be the loud voice that grabs the ears of legislators and policymakers in the nation’s Capital as well as industry leaders around the country. But among consumers, TDI’s image no longer seemed relevant as it was 25 years ago. While most people in the deaf and hard of hearing may think of TDI as the publisher of the Blue Book directory and resource guide, they would soon learn that TDI has become one of the most formidable disability rights consumer advocacy groups. The younger generation had abandoned the TTY in favor of modern communication tools we enjoy today. Yet with the proliferation of digital, Internet and wireless technologies, the accessibility features remain a patchwork of results. For every illustration of best practices vindicating TDI’s good work over the years, there

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are many more examples of “what not to do” – proving that TDI’s expertise and good work is sorely needed today.

We are now enjoying the first fruits of TDI’s advocacy work in the past. When TDI started in the 60’s, we had only the TTY for deaf people. Today, forty years later, the tools we use to exchange and receive information have diversified. Thanks to modern technologies, access to telecommunications is as near as your desktop or even on your hip. No longer are we bound to the telephone. While deaf people enjoy video telephony, hard of hearing people are linked to the outside world through captioned telephone services such as CapTel and someday, that will also be available over the Internet. Services meeting the needs of people who are deaf-blind and taking them beyond the Braille TTYs are also around the corner. People who became deafened later in life learn to appreciate the various telecommunication options that are now available.

When we plan a long highway trip, 90 percent of the time we get on the highway using a ramp. On the information highway, our curb ramp is captioning. Captioning gives visual access to audible information. Although we have made significant strides in captioning, access to information from sources other than television has been spotty. Theatrical movie captioning remains extremely limited. The ratio of captioned screens is woefully small in proportion to the total number of screens nationwide, so viewers often prefer to wait a few months for the DVD. Most network or cable television programs that are repeated on the Internet or cell phones are not captioned. Yet we know that the benefits of captioning have touched far more than just the deaf and hard of hearing population.



TDI's New Tagline:
Shaping An Accessible World

The current state of information technology and access necessitated the need for TDI to undergo an extreme makeover of its own. The new magazine you hold in your hand has replaced the GA-SK. The old TDI “keyboard” logo is dead and buried, and now we have an abstract logo that emphasizes the individual (the red dot above the “i”).

All the different constituency groups that TDI has collaborated with over the years can agree to a certain extent that information technology has brought us together. As we continue our advocacy work, technology will also empower us to succeed in all areas of our lives for years to come. Judging from the reaction at the Conference when the new changes were unveiled, TDI’s extreme makeover will help sustain its growth for a long time to come.

“When TDI started in the 60’s, we had only the TTY for deaf people. Today, forty years later, the tools we use to exchange and receive information have diversified.”



Shaping An Accessible World

TDI 2007 Biennial Conference

San Mateo, CA

We Left Our Hearts in San Mateo A Conference Retrospective

BY JAMES HOUSE

First Day – Thursday August 23, 2007

The conference theme “Shaping An Accessible World” that became TDI’s tagline certainly had people talking. The Opening Ceremony where Dr. Roy Miller unveiled TDI’s makeover generated a high amount of buzz as the attendees proudly wore T-shirts with TDI’s new logo in the front and the conference theme – now TDI’s new tagline across the back. People were also admiring the inaugural edition of TDI World. The conference got off to a great start! As people left the room, they walked down the hall to the exhibit area for a short break. They passed by and recognized the sponsors who made this conference possible.

Following the break was the first round of three workshops. The workshop clusters are named after local tourist attractions. There were many places to choose from, but we couldn’t pick them all. However, we know that some of our conference participants did spend some time before or after the conference at some nearby attraction. The first Napa Valley workshop by Larry Goldberg, Director of the National Center on Accessible Media (NCAM) covered captioning in movie theaters, on the web and in the air. The second workshop by Janet Bailey from Sign Language Associates dealt with using video interpreters to combat the acute shortage of live interpreters on-site, and the third workshop by Andy Lange introduced the new Public Access VideoPhone by CSD.

After lunch the first plenary session moderated by Dr. Judy Harkins from Gallaudet University explored the latest in pagers, personal digital assistants

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(L-R) Lise Hamlin, Cheryl Heppner, John McCelland, Dana Mulvaney and Ron Vickery compare notes during a lunch.

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(by Douglas Tilden – a prolific deaf sculptor)

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There were 20 exhibitors who welcomed the crowds of potential customers and colleagues during breaks. Urns of coffee, bowls of soda cans in ice and piles of pastries were available for a quick pick-me-up by the participants. The other exhibitors who did not sponsor the conference were:

- Yvonne and Richard Apple (arts and crafts)
- California Telephone Access Program (state telecommunications equipment distribution)
- Cochlear Americas (cochlear implant vendor)
- CSDVRS (video relay service provider)
- Hearing Loss Association of California (Hard of Hearing consumer advocacy organization)
- Krown Manufacturing, Inc. (TTYs and assistive devices)
- SComm (Ubi-Duo personal communication system)
- Speech Communication Assistance by Telephone, Inc. (speech-to-speech relay advocacy organization)
- Verizon IP-Relay (Internet text relay provider)

Continued from previous page

(PDAs) and cell phones. The panelists, Ken Arcia from Sprint Relay, Mary Brooner from Motorola, Gunnar Hellstrom from Omnitor in Sweden and Ryan Layton, a Telecommunications Access Specialist from Arizona all made comments and answered questions from the audience.

The next round of workshops paid homage to Yosemite National Park, a popular destination for nature lovers and campers. The first workshop by Dr. Richard Ladner and Anne Cavender from Computer Science and Engineering in the University of Washington examined research into

technology that would make mobile communications through sign language feasible. Another workshop presented by Leanne West from Georgia Tech Research Institute and Nanci Linke-Ellis from Insight Cinema discussed different options for cinema captioning using wireless technologies that patrons can bring with them to their seat. The third workshop included presentations and panel discussion that reviewed telecommunication equipment distribution programs in four states moderated by Sherri Collins from Arizona. The presenters and panelists included Ed Bosson (TX), Randy Collins (AZ),

Continued on next page



Pictured left, TDI Staff Claude Stout, Neil McDevitt and Scott Recht at the Presidential Reception. Above, TDI Board members (L-R) Greg Gantt, Fred Weiner, Ted Hart, Joe Duarte and Tom Driscoll talk about the first day of the conference at the President's Reception.

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Phil Kaplan (CA), Brenda Kelly-Frey (MD), Ryan Layton (AZ) and Connie Phelps (MT).

Next, Cheryl Heppner from Virginia moderated a panel in the next plenary session covering a very timely and popular topic – TV captioning issues. The panelists brought a wide variety of perspectives to the various issues that captioning viewers are faced with each day. The panelists include Rosaline Crawford from National Association of the Deaf, Greg Hlibok from Federal Communications Commission (FCC), Marsha McBride from National Association of Broadcasters (NAB), Michael Schooler from National Cable and Telecommunications Association and Heather York from VITAC.

Evening activities on the first day included a book signing hosted by Karen Peltz Strauss on her new book, "A New Civil Right". Following the book signing, there was the traditional President's Reception outside in the courtyard. (Some TDI veterans remarked this was the first outdoor reception in recent memory.) Finally, to wrap up the day and satisfy a crowd with a sweet tooth, Sorenson Communications hosted an ice cream dessert reception.

Second Day Friday August 24, 2007

Deborah Kaplan, a renowned disability activist set the tone of the conference with her keynote speech that outlined several suggested advocacy strategies. Kaplan said for example, "Friendship



Deborah Kaplan

is a strategy. Friendship is my shorthand for working in a friendly fashion with companies instead of using government regulation or litigation as a way to get their attention." Other factors to look into include market forces, possible allies and structured negotiation where you attempt to negotiate with a company to improve its accessibility before you take court action.

The next plenary session covered a hot topic – High Definition Television Issues. In what some people liken to the Y2K scare, the transition to digital television on February 17, 2009 is real and it is coming faster than you can expect. This panel, moderated by Larry Goldberg sorts the facts from the hype with an unusual mix of consumers and professionals including: Pam Holmes, a consumer from Wisconsin; Francine Jefferson from the DTV Converter Box Coupon Program at the US Department of Commerce; Brad Markwater, Vice President of Technology and Standards at the Consumer Electronics Association; Billy Mauldin, another consumer from Wisconsin; Marsha McBride from NAB and Dana Mulvany, a third consumer who divides her time between Maryland and California. As expected, the audience had many questions and more horror stories about buying an HDTV at the store, only to spend hours and days at home trying to get the captioning configured correctly.

As a result, the Telecommunications and Media Professionals Luncheon was slightly delayed. Alan Hurwitz, former TDI Board member and current Vice President of Rochester Institute of Technology and President of National Technical Institute of the Deaf (NTID) took it all in stride. After we ate our lunch – chicken cooked with an interesting California twist, all eyes turned to Dr. Hurwitz as he shared his experiences growing up in the days before we had TTYs

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(pre-digital text communication devices) that came in the size of mailboxes and even before we had closed captioning on television. From there, he drew several parallels between the issues he faces as he leads NTID into the 21st Century and the challenges TDI faces in its growth as an advocacy organization.

The afternoon had two plenary sessions. In the first one, Robert Engelke and Pamela Holmes from Ultratec shared their plan to make the CapTel service available to anyone who has a computer with an Internet connection and a headset with a microphone. This plan hinged on receiving FCC approval for reimbursement, which has since passed but not yet implemented.

The other afternoon session served as an introduction to a new Coalition of Organizations for Accessible Technology, or COAT. Karen Peltz Strauss and Rosaline Crawford laid out broad ambitions for COAT to achieve equality as new digital technologies are rolled out. Since its inception in March, COAT has more than 150 national, state and local affiliates.

Looking up northward to the giant forests of tall and mighty sequoias, this set of workshops looked to the future. The first Sequoia Workshop had Mike Starling from National Public Radio giving a presentation about a new service called, captioned radio. Not only does it open up a new arena for people to receive captioned information, but also opens up a new channel of information for emergency alerts. For the "kid" in heart, Norman Williams from Gallaudet University shares his findings about new toys (and websites) that bring about unusual applications in accessible technologies. Jay Wyant and John Mazza talk about CaptionMax's new federal grant to make educational DVDs with captions and descriptive video.

In the evening, many participants either took in a baseball game or took a night out on the town. Two busloads of people left the hotel. One bus took its riders to the new AT&T Park for a baseball game between the San Francisco Giants vs the Milwaukee Brewers. These all-American fans were treated to a bit of history as they watched Barry Bonds continue his record setting home-run streak.

The other bus took the participants all the way to downtown San Francisco on Pier 39 for a night of dinner and sightseeing. It was still light enough to see the sights such as Alcatraz Island and dozens of sea lions napping on the docks. As the famous singer Tony Bennett crooned, some people left their hearts in San Francisco.



Dr. T. Alan Hurwitz, Vice President National Technical Institute for the Deaf Rochester Institute of Technology gives a presentation at the Telecommunications & Media Professionals Luncheon.

Third Day Saturday August 25, 2007

In a bid to draw more consumers to the Biennial Conference, TDI hosted a Consumer and Family Day where the conference registration fee was waived for the day. This brought in new people – many who learned about TDI for the first time. They had the opportunity to view the exhibits and participate in consumer-friendly sessions and workshops. Different companies and exhibitors used the day to give product demonstrations so consumers can have a close-up first hand look at the different products and services that are familiar to long-time TDI members.

The first plenary session of the day took on an urgency of importance as Sheri Farinha-Mutti, Chair of TDI's E9-1-1 Stakeholder Council and Jenny Hansen, Coordinator of the Next Generation 9-1-1 Project under the U.S. Department of Transportation shared the progress of their work in making 9-1-1 services accessible to new technologies. Within the next few years, people using cell phones and pagers will be able to call 911 and receive help. No longer will they have to dust off the old TTY and hunt for a landline phone.

The next major event of the day was the Telecommunication Relay Service (TRS) Forum, co-hosted by Judy Viera of Mission Consulting and David Weiss from California Relay Services. This three hour session was broken down into three panels that looked at all aspects of telecommunications relay services and its various service offerings. The first

Continued on next page

Continued from page 14

two panels allowed consumers and government officials to spell out a “wish list” of sorts on what they would like to see in relay services of the future. Local consumers include Kathleen Barrett, Margie Cooper, Sheila Conlon-Mentkowski, Dana Mulvany, Nora Sinclair and Charlotte Whitacre. The government panel included Ed Bosson, Greg Hlibok, Brenda Kelly-Frey, Richard Ray from the City of Los Angeles and Linda Gustafson from the California Public Utilities Commission. The third panel was composed of representatives from different TRS providers such as Mike Baer, Sprint; Ron Burdett, Sorenson Communications; Anne Girard, Hamilton; Bill McClelland, UrRelay, Inc.; Ron O’Bray Hands On VRS and Mark Stern, GoAmerica. These visionaries responded to concerns from the earlier consumer and government panels and added a few hints of the future as they strive to make all relay calls more functionally equivalent.

After the highlight of the TDI Conference – the Awards Luncheon, we go to the Death Valley workshops – not because things are “dead” at the conference, it is very much alive! An elite group of TDI Award winners are now back in the trenches, doing what they have always been doing well. In this group of workshops, participants, especially consumers had a choice of a presentation on emergency preparedness by Lise Hamlin from Northern Virginia Resource Center, technologies used by people who are deaf blind by Anindya “Bapin” Bhattacharyya from the Helen Keller National Center in New York. A third option had a more interactive panel and forum where consumers shared their experiences and frustrations in accessibility – moderated by Diana Herron from Deaf Counseling, Advocacy and Referral Agency. Panelists included several local consumers such as Ken Arcia, Emily Vera and Buddy Singleton.

After the break, Board President, Dr. Roy Miller led the TDI Association Business Meeting where he gave a report on TDI’s activities since the New Orleans Conference. He also announced two new Board members that were elected. Phil Jacob from New Jersey replaces Tom Driscoll representing the Northeastern Region. Judy Viera from California replaces Ted Hart serving the Western Region. We will miss Driscoll and Hart for their great insights and look forward to working with Jacob and Viera.

The final set of workshops was named for Big Sur, a scenic stretch of coastal highway south of San Francisco. Neil McDevitt presented an update on TDI’s Community Emergency Preparedness Information Network and presented some tips on how to protect the lives of loved ones during a disaster. Dr. Roy Miller gave a presentation



Top, Greg Gantt, the emcee for the Entertainment night. Left, The Wild Zappers and right, Simon Carmel, the ExtraOrdinary Magician shows off his card tricks.

about advocacy and Greg Hlibok collected comments from consumers in sign language on videotape to present to the FCC on several outstanding issues that in front of the Commission.

The conference ended with a bang – our Greg Gantt from Indiana was decked out in a patriotic tuxedo as he was the master of ceremonies for a night of access to fun and magic. Simon Carmel presented an extraordinary magic show and The Wild Zappers performed to the amusement of the audience in a roaring finale to TDI’s 17th Biennial Conference. The theme – “Shaping An Accessible World” – now TDI’s new tagline continues to show a work in progress.

Note: This edition is the second issue of TDI World. We hope you like the new design, but if you have comments or suggestions, please send to the editor at info@tdi-online.org.

2007 AWARDS LUNCHEON

BY CHERYL HEPPNER

A highlight of the final day of the TDI conference was the Awards Luncheon. After stuffing ourselves with more of the Marriott's wonderful food, we celebrated the recognition of some very special people. Fred Weiner, the TDI Board member representing the southeast region, served as Emcee of the luncheon.

Board Member Recognition

TDI's Board has five regional representatives and four at-large representatives. The regional representatives are voted on by the people in their regions. TDI President Roy Miller recognized two outgoing members of the Board of Directors, Ted Hart and Tom Driscoll. Hart, from the west region, is TDI's first Board member from Microsoft. He has served on the Board for 4 years. Driscoll is from the northeast region and has served on the Board for 8 years, the last four as its secretary.



Plaques recognizing their service were given to both Hart and Driscoll.

Hart said his service on the Board has been a great experience and that he had made some good friends. He also remarked "I've been amazed at the tireless energy and organizational talent that Roy Miller brings to TDI."

Said Driscoll, "It's been a great opportunity to stay involved in telecommunications." He also complimented Miller for "driving a nice ship" and Claude Stout – "the most wonderful Executive Director" – noting that Stout has roots throughout the nation's capital and the rest of the country.

Award Program Introduction

Fred Weiner set the tone for the award presentations by talking about how they reflect TDI's legacy. The awards are named for pioneers in the technology

and telecommunications movement, representing the successes of present leaders who are working to make changes and fighting for access.

"I think it also reflects hope and optimism for the future, because technology continues to change and evolve. With holographic technology and colonization of the moon, we could be seeing VRS interpreters coming from the moon. You never know. But you'll still see TDI being a part of the plan."

Robert H. Weitbrecht Telecommunications Access Award

BRENDA BATTAT

*Presented by Joe Duarte,
At-Large Board Member*



This award is named for Robert Weitbrecht, the father of TTYs. "That's where it all began," Duarte noted. "TDI celebrates his achievement; all our access today started with this gentleman. We give this award to an outstanding person who has contributed to our lives in terms of accessibility."

Duarte called Brenda Battat "one of my heroes" for her hard work on behalf of people who are hard of hearing at the Hearing Loss Association of America (HLAA).

"I feel like I have a link to this award, not just because it's for telecommunications, but also because Robert Weitbrecht was an astronomer," Battat said. "My son is also an astronomer."



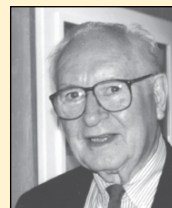
She thanked the many members of HLAA chapters and state association who came to the luncheon to support her, and lauded Claude Stout for being "a wonderful bridge between deaf and hard of hearing people and groups." Battat said that she treasures her time working with him.

H. Latham Breunig Humanitarian Award

SHERI FARINHA-MUTTI

*Presented by Claude Stout,
TDI Executive Director*

This award is named for TDI's first



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Executive Director, who founded the teletypewriter distribution committee, along with his wife, Nancy, and Jess Smith in the city of Indianapolis. "His office really started in his basement at home," Stout noted.

Sheri Farinha-Mutti, the Executive Director of NorCal Center in Sacramento, first got her exposure to 9-1-1 issues when her son fell and hurt himself and she could not get help by calling 9-1-1. After Farinha-Mutti ended up taking him to the hospital on her own, her outrage led her to a 14-year quest for access to 9-1-1 for all people who are deaf and hard of hearing.



"She will not take no for an answer," Stout said. "As a result, TDI asked her to set up an E9-1-1 Stakeholder Council and she serves as the Chair. Her dogged persistence and passion brought us to where we are today. Her leadership and persistence [resulted in a petition] of 5,500 signatures to make video relay services mandatory. We also honor her for being a role model for consumer advocates...she always keeps consumer interests at heart."

In accepting the award, Farinha-Mutti thanked the TDI team for its support in her advocacy work. "I don't know everything I need to know about Video Relay Service or E9-1-1. I only know what I do know by all of your expertise; each and every one of you have taught me. And what you teach me is simply to run with it. Thank you, Claude, for your endless, tireless effort and leadership."

James C. Marsters Promotion Award

NANCI LINKE-ELLIS

*Presented by Lori Breslow,
TDI Treasurer*



James Marsters is still alive but was unable to attend the luncheon. "He started out as an orthodontist and became a key player helping Robert Weitbrecht to set up and find ways to use the TTY," Breslow said. "This award is given to an individual who has focused on improving accessibility to telecommunications and media in the United States through promotion, marketing, or public relations."

Nanci Linke-Ellis set up Tripod in 1982 for the purpose of distributing open captioned movies around the country.

She later developed InSight Cinema, where she serves as Executive Director, and continues to promote access to open captioned films. She and her husband live in southern California.

"I am a newcomer to the deaf and hard of hearing community," Linke-Ellis said. "I never met another person with hearing loss until 1993, and it was then that I realized I wasn't alone in this world."

She saw her first captioned movie at a Tripod premiere. Then technology led to her first cochlear implant. "It allowed me to be able to decide what I wanted to do with the rest of my life, and that was to put deaf and hard of hearing people into movie theaters."



Linke-Ellis found her family through her involvement in TDI, ALDA, AG Bell, NAD and HLAA and thanked them for their support, with particular thanks to her husband, "the love of my life". She expressed hope that with the advent of digital we will see no barrier thanks to captioning and other forms of technology.

Andrew Saks Engineering Award

*Presented by Greg Gantt,
Midwest Region Board Member*



Andrew Saks was the third member of the group that included Robert Weitbrecht and James Marsters. They put up their own money to get that first TTY project off the ground. Saks and his colleagues also fought successfully for an IRS tax deduction that recognized the TTY as a medical expense.

This award is given for outstanding contributions to improve accessibility in telecommunication and media inside the U.S. through the design, electronics and engineering. There were two recipients this year.

SORENSEN COMMUNICATIONS

Sorenson Communication was recognized with the first Andrew Saks Engineering Award for its outstanding contributions in the development of the videophone VP-200 technology, which provides a consumer-friendly menu, navigation, and superior video quality for telecommunications relay calls and for peer-to-peer chats for Americans who are deaf or hard of hearing and use

2007 AWARDS LUNCHEON

sign language.

Pat Nola, CEO of Sorenson, accepted the award on behalf of Sorenson Communications. He had been practicing his sign language and showed his growing vocabulary.

"Thank you, TDI, for this award," Nola signed.

"Sorenson Communication is very proud of our development efforts," Nola recognized Joe Romriell, Sorenson's Vice President for Engineering, who was in the audience. "Joe and his team have been working on video technology for about ten years. The VP-200 is about the fourth generation of videophone that we developed, but the first one designed exclusively for the deaf community."

Nola explained that the VP-200 is used only for Video Relay Service, and it can be used both with or without voice carryover (VCO). He noted that the company has been finding a great attraction for VCO over the past few months. The biggest difficulty Sorenson faced in developing the VP-200 videophone is that, unlike videoconferencing, there is a challenge to capture a lot of signing and fast fingerspelling as well as facial expression. Nola hinted that there are a number of new video product features coming down the road.

HANDS ON VRS

Hands On VRS (HOVRS) was recognized with the second award for the creativity of the widget and other features available only on the Macintosh system platform. HOVRS also provides Video Relay Service on other platforms.

HOVRS would clearly win any prize for the most creative acceptance of an award. They ran a short film clip about HOVRS that was slickly produced, well acted, had a great script, and at my table it scored a direct hit on our funny bones. You can view it at: www.hovrs.com/studio/hovrswidget.aspx.

You will need to log in, and then find "HOVRS with Style".

Ronald Obray, CEO of HOVRS, thanked TDI for the honor



and then told the true story of the engineer responsible for the widget and Mac features being recognized. "His name is Chad Taylor. This person and others in the deaf community were bugging me — 'where's the Mac, where's the Mac?' — so I asked the engineering team how hard it would be to set up a Mac platform, and how much time. And Chad said, 'I did that a week ago.'"

"We are very proud he developed it all by himself," Obray said. "I would also like to thank Apple computers for their support. They have been very involved and gave us feedback on their project team for the iChat that is used in this interface."

Karen Peltz Strauss Public Policy Award

SENATOR TOM HARKIN (D-IA)

Introduction by Roy Miller, TDI President

"We give awards for engineering prowess, for people who actually develop the technologies that we use," Miller said.

"We give an award for people who promote, advertise, and try to hustle these products and get them out in the community so we can benefit from them. We give an award to people who help in our mission of putting us all in a room together to solve problems with accessible technology. The area that we really miss is that we don't give an award for a person who is responsible for really developing and implementing and advocating for public policies that make us use these technologies that benefit the community."

That has changed. TDI has created a new award, to be called the Karen Peltz Strauss Public Policy Award.

Peltz Strauss has law degrees from University of Pennsylvania and Georgetown University as well as a master's degree. She began her career at Gallaudet University's National Center on Law and the Deaf, and then moved to the Law Center at the National Association of the Deaf. Next she headed the Consumer and Governmental Affairs Bureau at the Federal Communications Commission. Recently she completed the book, "A New Civil Right," which documents the struggle for telecommunications equality for deaf and hard of hearing Americans.

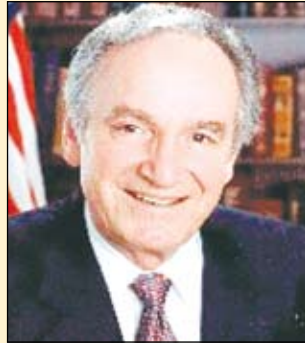
"But she's not finished yet," Miller said. "She did a workshop here describing her efforts with COAT, the Coalition of Organizations for Accessible Technology. It's appropriate that we name this award after a lady who has been struggling for over two decades to help our community in the area of public policy."



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Award Presentation by Karen Peltz Strauss

"This award is being presented to Senator Tom Harkin, who grew up on a farm with his deaf brother, Frank. He has special insight because of his relationship with his brother. Senator Harkin was the son of a coal miner dad and immigrant mom. He authored the ADA in 1990. He was elected to Congress in Iowa's 5th district in 1974 and served there for 10 years before moving to the Senate, where he has been ever since.



"He is the first Iowan to have worked in the Senate for this long. One of the things that I found really interesting about him, and that shows you how human he is, is something he created called 'work days' where he spent days alongside other Iowans to get practical experience and better understand their kind of work. One day he was a construction worker, one day a teacher, one day a bricklayer, a cop, a nurse's aide. He also has a mobile office, a van, that he drives around the 99 counties of Iowa to get to know the people and teach them about Congress.

"I was lucky enough to work on his staff on the ADA. He was absolutely amazing in his championing the ADA, and has been amazing since. Every time we need a friend in Congress, he is the one that we go to.

"He is not here today. I'll be giving him the award at his office. It's for his exemplary legislative leadership in the passage of the Americans with Disabilities Act in 1990 and other key legislation in subsequent years that provides civil rights and equal access in the community for 54 million disabled Americans, including the 31 million people who are deaf and hard of hearing."

I. Lee Brody Lifetime Achievement Award

LARRY GOLDBERG

*Presented by Ted Hart,
TDI Board Member*

"I. Lee Brody made telecommunications access affordable to the masses through his company, Phone TTY," said Hart. "He was one of the forward thinkers. He provided TTY news service for New York City. Perhaps his greatest contribution was PC hardware and software that has been widely used in



Remarks by Karen Peltz Strauss

"When Claude told me about this, I was overwhelmed. The first thing I said was, 'but I'm not dead', and then I said 'but I'm not retired', and I said 'I want to continue what I do'. But he said 'No, we want you to continue; we just want to honor you'. And I said, 'But I'm not alone. There are so many other people who have also done this kind of work and accomplished so much, and changed the landscape of telecommunications access.'

"But then I realized that this award made me proud because so many other people have contributed to that effort. I realized that my name will be associated with an award that might inspire other people to do this kind of work, to advocate for equal communication access, and inspire other young leaders to take on the struggles.



"So much more needs to be done in the future; more laws are needed. The FCC has to implement those laws. If this award can encourage other people to push for social change, that would make me very, very pleased. So I thank you for giving me this high honor, for giving me this legacy, for allowing me to be part of your community, your family. You're my family.

"I worked with TDI since 1984, first with Al Sonnenstrahl and then with Claude and with all of you. I admire and appreciate you so much. I feel so lucky to have worked with you and to love the work I do, but more importantly to love the people that I work with.

"I would like to give my thanks to my husband, Scott, who is here today. He has given me the support and love for 25 years, and he often sacrificed his own needs to help me and allow me to do this advocacy work."

2007 AWARDS LUNCHEON

telecommunications relay services in the U.S."

"This award is given to an individual who devoted significant time and energy over an extended number of years to improving accessibility to telecommunications and media in the United States. Our 2007 recipient, Larry Goldberg, is a pioneer, a recognized expert in technology, policy and business aspects of making media and technology accessible to all. He has traveled to Israel, England, Brazil, Japan and Mexico to advise businesses, governments, academics, and nongovernment organizations on how to improve the communications technologies."

Goldberg is the director of the Media Access Group at WGBH, which includes the Carl and Ruth Shapiro National Center for Accessible Media, Caption Center and descriptive video service. He is a key contributor to many federal committees, has served on FCC councils, and is a board member of the Alliance for Public Technology. The



award was presented "in recognition of his outstanding vision, leadership, and public policy expertise during his career at WGBH Boston, that has resulted in vastly improving the television viewing experience for more than 31 million Americans who are deaf and hard of hearing.

In accepting the award, Goldberg said, "When I found out that I was receiving a Lifetime Achievement Award in northern California, I told everyone back home that since I'm done, I'll be moving to Berkeley now and becoming the hippie I've always been."

"It's amazing to be recognized for an award like this. It really is more thanks to you and my friends back home who do all the hard work that I've been able to work in this field for much of my life and do the things that I just love to do. So the recognition goes to all of you, the people here at TDI and Claude and Karen. If you saw my presentation earlier this week, bringing captions to every possible corner of the world and your lives and every piece of technology is what we want to do. So let's consider this a Mid-Lifetime Achievement Award."

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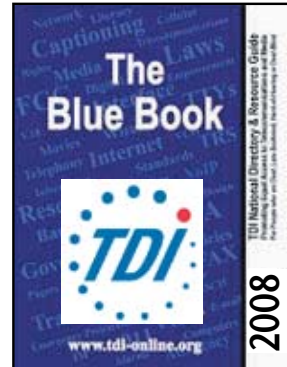
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Joe Duarte and Gerald "Bummy" Berstein



Members from the Telecommunications Equipment Distribution Program - Brenda Kelly-Frey (MD), Stephen Johnson (MT), Connie Phelps ((MT) and Kelby Brick from HOVRS (MD).



Past presidents of Association of Late-Deafened Adults: Ken Arcia (CA), Mary Clark (IL), Marilyn Howe (MA), Cheryl Heppner (VA) and Dr. Roy Miller (MD).



Praveen Goyal, Dr. Judy Harkins and Gunnar Helstrom at the President's Reception



Ultratec Exhibit Booth - Barbara Dreyfus, Pam Holmes, Kevin Colwell, Jayne Turner



Snap!VRS Exhibit Booth - Brenda Stansbury, Richard Schatzberg and Colby Tecklin



Hamilton Relay Exhibit Booth - Jenny Gember talks with customer, Dawnell Douthit, a former TDI volunteer from Washington State

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Panel on TV Captioning



TV Captioning Issues Panel - L-R: Cheryl Heppner (NVRC) Moderator, Rosaline Crawford (NAD), Heather York (VITAC), Marsha McBride (NAB), Michael Schooler (NCTA) & Greg Hlibok (FCC).

Panel Discussion: TV Captioning Issues

- Moderator: Cheryl Heppner, Executive Director, NVRC
- Rosaline Crawford, Director, Law & Advocacy Center, National Association of the Deaf
- Greg Hlibok, Senior Attorney, Disability Rights Office, Federal Communications Commission
- Michael Schooler, Deputy General Counsel, National Cable & Telecommunications Association
- Heather York, Account Executive/Marketing Manager, VITAC
- Marsha McBride, Executive Vice President, Legal & Regulatory Affairs, National Association of Broadcasters

REPORTED BY LISE HAMLIN

One of the sessions that packed in the audience at the TDI Conference in San Mateo was a panel discussion of TV captioning issues. Cheryl Heppner moderated this discussion. She introduced the panel, and then launched into a description of the state of captioning for emergency broadcasts.

Visual Information in Emergencies

Cheryl told us that in August of 2006, the FCC issued a clarification that wasn't clear to most consumers. That notice permitted captions to be absent if critical information was visually provided some other way and allowed TV stations to provide visual information some other way if the failure was "reasonable" without defining "reasonable." Consumers viewed this "clarification" as rule change - but without a public notice to allow consumers the opportunity to comment.

After consumers raised their concerns with the FCC, in December 29, 2006, there was a public notice to clarify the clarification notice they had issued. This notice was an important advancement because for the first time it provided the types of steps that could be taken by stations to obtain closed captioning quickly that would be considered reasonable.

Cheryl concluded her remarks with a discussion about some continuing issues in getting visual information in emergencies:

1. The FCC has created a Catch 22: when you send a complaint to the FCC about not having visual information in an emergency, you have to tell them what information is missing. However, if consumers knew that, we wouldn't be complaining in the first place.
2. People who have submitted complaints find that they often have no idea what happens to that complaint.
3. Broadcasters in the less populous areas are not required to provide realtime captioning.

Caption Quality Petition

Cheryl introduced Rosaline Crawford, the director of the Law and Advocacy Center for the National Association of the Deaf (NAD). Rosaline was there to provide the consumer perspective on closed captioning rule making.

Rosaline spoke first about a petition that was filed in 2004 requesting the Federal

Continued on next page

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Communications Commission (FCC) make changes to the closed captioning rules. That petition was filed by TDI and joined by the NAD, Hearing Loss Association of America, Association of Late-Deafened Adults and the Deaf and Hard of Hearing Consumer Advocacy Network.

The petition was filed to:

1. Establish additional enforcement mechanisms to ensure closed captioning rules were implemented fully, to increase accountability of distributors of programming, and to ensure that technical problems identified would be rectified quickly; and

2. Establish quality standards for captioning.

The petition gave the FCC a number of different recommendations:

- To have a database of video distributors contact information so consumers could contact them directly when there was a problem.
- To create an easier way for consumers to file complaints with the FCC.
- To require responses to complaints to be within 30 days.
- To require programmers to continue reporting their level of compliance.
- To require the FCC to provide compliance audits.
- To establish some penalties for noncompliance.
- To require continuous monitoring of captioning by programmers.
- To require distributors to reformat captioned programming that has been edited or compressed.
- To extend the prohibition of counting as captions live programming using the electronic newsroom (ENR) technique.
- To adopt some non-technical quality standards for captioning.

That petition was filed in 2004. The FCC issued a proposed rule making process in 2005. The response and reply periods have ended. Petitioners would like to see a response to that rule-making request.

Exemptions from Closed Captioning: the Consumer Perspective

Rosaline noted that currently, 100 % of all new English programming (produced after 1998) that is not nonexempt should be captioned. Automatic exemptions include:

programming broadcast during late night hours (2-6 am local time); primarily textual programs; musical programs with no lyrics.

One special exemption is undue burden. To qualify for this exemption, programmers must show the FCC that providing captions will be such a significant difficulty and expense that they cannot do it. FCC reviews these applications and they post them on public notice for comment. After the comment period is completed, the FCC determines whether the undue burden exemption applies.

During a six-year period from 1999 to 2005, a total of 67 programs requested an exemption. Of those 67, the FCC denied 50 of them. And it only granted three of them, and granted the exemption to those three for only a short period of time.

By 2006, 100% of non-exempt programming is required to be captioned. Suddenly, by August of 2006 there were 99 petitions posted on public notice. In response, the FCC posted a decision on two petitions. One of the programs was "Anglers for Christ." The FCC granted these two programs exemptions from ever being closed-captioned. With this action, the FCC granted permanent exemptions for the first time in the history of TV captioning.

In addition to that, the FCC essentially created a new category. For nonprofit organizations that do not get paid for producing their programs and that claim that in order to provide captioning they may have to reduce or stop their TV programming, or may have to take resources away from other activities that are important to them, the FCC would be inclined favorably to grant an exemption.

And then the FCC did just that. The agency granted over 200 programs exemptions, without even making those petitions available for the public to comment on them.

NAD, TDI, and others objected and requested a review and rescission of that order. The consumer organizations let the FCC know that they had not followed their own procedures. There was enough pressure put on by people from Congress, and by hundreds and hundreds of consumers who wrote in saying, "You've got to be kidding!" that the FCC decided to suspend their decision. Then they posted for public notice 494 programs that requested exemption.

TDI, NAD, several other consumer organizations, volunteers, put in hundreds of hours and read each one of these petitions, evaluate them, write responses, and make recommendations as to what they thought should happen with each and every single one of these 494 petitions. In 2007, there have been 100 more petitions posted and answered by consumer organizations, who are waiting for

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the FCC to actually decide on all these petitions.

Consumer organizations have reiterated again and again that they want cancellation of that September 12th “Anglers” order that created that new category of exempt programs. As Rosaline said, “Let’s go back to the way the rules are. They are already there, let’s just follow the rules as they’re written.”

VITAC, A Captioning Provider

Heather York is the marketing manager for VITAC, a captioning provider. Heather was there to talk about common types of viewer issues received by a captioning provider and strategies to resolve them.

VITAC captions about 150,000 hours of programming every year for NBC, ABC, and most of the cable networks. While their customers are the networks and the programmers, their goal is to please the people who see the captions. One of the things Heather does at VITAC is respond to questions and complaints from people who are having trouble with captioning.

Heather reported that at VITAC receives about 250 emails a year from consumers who are having trouble with their captions in one way or another. One of the customers told her that for every one complaint they receive, they assume they have a thousand other people who haven’t taken the time to comment but were bothered similarly by the problem. So, approximately 250,000 households are affected by captioning problems she has received. And VITAC is just one company receiving these captioning complaints.

The most common complaints she hears about are:

- No captions — on the entire TV show, at the start of the show, at the end of the show, and on a whole network.
- Bad captions: garbled captions, captions that jump up and down on the screen, misspellings, or captions that don’t reference proper names or places so you have no idea what they’re talking about.
- Spanish caption problems from people who don’t know how to turn Spanish captions off their TV when they pop up.

Heather does share these complaints with her customers, the networks and programmers. She says, “If the screen went black, millions of people would have a problem. Captions should be treated the same way. In short, we tell them captions should say what they’re saying, no matter what the problem is.”

There are three places where captioning problems occur:

- At the production of the actual captions. This results in getting bad captions because of sloppy captioning, poor training, equipment failure or technical difficulties.
- In the distribution of captioning. This presents a lot of problems: problems with the network airing the program or at the cable or satellite end.
- A problem with the television set.

VITAC finds most consumers who have a problem end up getting bounced around between three people. The cable company says it’s the TV, the network says it’s the cable company, the cable company says it’s the network.

Four steps that VITAC recommends to resolve captioning complaints:

- Check your TV. If the same problem shows up on more than one set, it’s not the TV at fault. If the problem is on one TV and not other, it’s probably your TV is to blame.
- Contact your local cable or satellite provider. Be very detailed with what you tell them. Name, channel you were watching, program you were watching, date and time of the problem. Description of the problem and indicate that you confirmed the problem is not your television. Give them 24 hours. Contact the network on which you experienced the problem.
- Contact the FCC

Apparently, emailing one party and copying the others — such as the network, the cable company and the FCC — works well and helps the people get responses. It doesn’t always work. Sometimes consumers need to go to their elected officials. But it has worked well in several cases.

National Association of Broadcasters (NAB)

Marsha McBride is the executive Vice President of the Legal Department for the National Association of Broadcasters (NAB). She was at the conference to talk about broadcaster issues with closed captioning and how they’re being resolved.

Marsha noted that NAB has been participating in the rule making process on behalf of the broadcasters of the United States. She said the one place where consumers and broadcasters totally agreed was the issue of notice about complaints and how they should be handled. NAB would like to be in a position where if they did get an e-mail, that broadcasters would know immediately whether it was their problem or the cable system, and that they would be able to respond to that quickly.

NAB believes there should be an easy way to know who to call or email at the broadcast station. All of those things would facilitate not only consumers getting better treatment

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and better captioning, but also give broadcasters a better understanding of what kinds of problems they could anticipate.

NAB also agrees that 30 days for a turn around is absolutely the maximum that there should be for a response. NAB has polled their broadcasters and found they would actually like to be able to fix problems immediately when it can be done.

Marsha indicated the biggest frustration that broadcasters face is that there is a limited number of realtime captioners and voice recognition technology is not as good as they had anticipated it would be by now.

Most of the members of NAB are small individual stations or group owners in areas from Idaho to Kansas. The smaller broadcaster aren't able to purchase captioning for 15 stations the way the bigger broadcasters can, so they can't get as good a rate for captioning. In some cases, those broadcasters end up buying captioning from a service that perhaps isn't as good as the service could be.

NAB is working with the captioning community to try to figure out what to do until voice recognition technology finally catches up.

Marsha indicated NAB is concerned that a very high captioning standard would be a problem because new technologies don't have a good performance record yet. NAB would like to be able to continue to adopt some of the new technologies.

"I think not enough has changed at this point that I think that we would agree that all of the changes that have been recommended by TDI should be adopted," Marsha said. "I think we are willing to sit down and work with both the captioners and the community, the hearing-impaired, to see are there things that we can do? There will be things that we can't agree on. That's for sure. But if there are a series of things that we can agree on and we can take that as a solution, at least an interim solution for a three or four-year period, then I think maybe we could sit down and get some of the other problems fixed."

Marsha also suggested she'd like to see more federal grants to develop voice recognition and other new technologies to support captioning.

National Cable and Telecommunications Association (NCTA)

Michael Schooler, vice president and deputy general counsel of the National Cable and Telecommunications Association (NCTA) spoke next about cable and satellite issues with closed captioning and how they're being resolved.

Michael reported he'd been with the cable industry for 25

years. He noted that throughout those 25 years they have been prodded by consumer organizations to do better in adapting technological developments to meet the needs of the community. From his perspective, there has been enormous progress during the last quarter century so that now, as required by the FCC's rule, virtually all cable networks are captioned.

According to Michael, the problems are no longer that networks aren't captioned, rather that:

- The quality of the captioning may not be perfect;
- Certain types of live and emergency programming can't always be captioned in the optimal and most useful way;
- The equipment used to watch captioned programs on cable systems, especially with digital boxes that are now being deployed, sometimes makes it difficult to navigate to the captioning.

Quality in captioning

The quality issue is largely an issue of accuracy, but includes issues of format, misspelling, type fonts and the like. He indicated that cable operator members of NCTA couldn't do much about that because they generally pass through whatever captioning is provided by the program networks. However, program network members of NCTA do enter into contracts that include quality and accuracy provisions, and do monitor and review the performance of the captioning services that they use. In addition, captioners compete with each other to perform accurately and keep their clients. It was Michael's contention, and he asked to be corrected if he was wrong, that the accuracy problem mostly occurs with live programming.

Emergency captioning

With respect to live news and emergency programming, Michael said he understood that information conveyed via captioning does not always match what is being provided in the audio content of the programming. He indicated that the provision of live unscripted programming has often been most difficult and expensive to ensure. For many systems, the costs of retaining a live captioner 24 hours a day to provide for the eventuality of remote or on the spot news could be cost prohibitive and would make it impossible to have such channels this some of the smaller systems around the country.

For now, for these purposes, cable systems will rely on the emergency alert system for emergencies for those services. But, he said, his organization understands the frustration of that and hopes that that is a problem they can begin to solve at some point.

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Equipment

NCTA is aware and sympathetic to the difficulties of how to access closed captioning on our digital set top boxes. NCTA is trying to play an education role with their companies, helping them to train their customer service representatives and technicians to explain to customers how to use the equipment and prodding them to work with equipment suppliers to make their equipment easier to use for closed captioning.

Finally, Michael says that the NCTA realizes that even in cases where programming is captioned by the program network things can and do go wrong. Something may be wrong at the network, something may be wrong at the system, or something may be wrong in a particular customer's set top box or television equipment. In these cases, NCTA companies want to remedy problems and would like their customer service representatives to help find the source of the problem as quickly as possible.

Michael believes the best way to make that happen is to encourage viewers to let the cable system know about a problem as quickly as possible. If consumers find there is a problem that's not being seriously addressed and dealt with, let us know about it at NCTA. He concluded, "I want you to know that we as an industry do take these issues seriously and we want to continue making progress to ensure customer satisfaction for all of our customers."

Federal Communication Commission (FCC)

Greg Hlibok, an attorney advisor from the Disability Rights Office (DRO) of the Federal Communications Commission (FCC), opened his comments by saying the FCC appreciated TDI's commitment and dedication to the cause of captioning. Greg said, "TDI, NAD, and other organizations keep the FCC on their toes, making sure the FCC pays attention to this issue."

Digital TV

Greg focused first on the FCC's efforts regarding the transition to digital TV. A little over two years from now, by February 17th, 2009 there will be no transmission of analog signals to televisions in the U.S. Congress required the changeover to digital television to free up the airwaves for other purposes, primarily so that first responders will be able to be able to better use the airwaves to communicate during an emergency.

People who get their television signals using rabbit ears on top of their TV's or by antennas on top of their homes will go dark unless they have their own set top converter box. Roughly 23 million Americans still receive their TV signals

through the air. The FCC has created educational materials to help people with the transition which Greg urged people to review www.dtv.gov.

Caption Quality

Greg noted that all programs must be captioned with some exceptions. He reiterated that there was a petition filed by TDI and others asking the FCC to revisit the captioning rule, improving the monitoring, the enforcement of quality and standard. Currently, quality of captions is reported on annual basis, and he said more could be done to monitor standards. He indicated that baseline standards should be set, that whether penalties should be assessed for lack of captioning should be looked at and ENR captioning should be studied

Undue Burden Exemptions

Greg noted that programmers have the option to choose from a list of exemptions that are self imposed to see which ones apply. If the programmer believes the "undue burden" exemption applies, they must file with the FCC. Greg noted that the definition of "undue burden" is "difficulty to provide captioning." It could be either financial or lack of resources, but it is vague. Lawyers can't agree what it means.

Greg indicated that the FCC has 700 petitions that have been filed and that are pending. The FCC has not taken action on those, but will be taking action soon.

Complaint Process

The FCC formally receives many informal complaints about captioning as well as many other types of complaints other than captioning issues. The FCC is required to give a reply to complaints, and people who file complaints want a resolution. The FCC is changing its procedure so that every time they receive a complaint, and when the complaint is closed, the FCC will notify the person who made the complaint. That will be the procedure for the many, many, many thousands of complaints the FCC receives, not just captioning.

Also, they are aware that the complaint process is very complicated. Consumers must first contact the programmer. And the programmer is responsible to reply within 45 days. And if they don't get a response, the consumer should contact the FCC. The FCC is trying to streamline that process. They want to make the complaint process much easier and get the contact information available, so that people will be able to contact a broadcaster right away if the captions are missing. FCC recognizes this issue, and is working on the issue of getting contact information for the consumer and for broadcasters as well, so consumers can have a way to contact the right people. The FCC is encouraging a streamlined process for information and resolution of complaints.

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Making a Difference ...

“COAT now has 55 national organizations, and 57 state and regional and local organizations representing 24 states. We’re hoping to eventually get representation in all 50 states. It’s just a matter of getting the word out, because as soon as the word goes out, we get contacted.”

The Coalition of Organizations for Accessible Technology

Karen Peltz Strauss has been one of the nation’s leading advocates on legal and policy issues concerning the rights of people with disabilities for well over two decades. She has spearheaded federal legislation and regulatory policy on telecommunications access issues, first at Gallaudet University’s National Center for Law and Deafness, then at the National Association of the Deaf, and later as Deputy Bureau Chief of the FCC’s Consumer Information Bureau. She holds a JD from University of Pennsylvania Law School and an LLM from Georgetown University Law Center.

Rosaline Crawford is the Director of the NAD Law and Advocacy Center. She provides information and technical assistance to individuals and service providers on a wide range of disability-related laws. She also educates and advocates on behalf of, and seeks to empower, deaf and hard of hearing people. In addition, she represents deaf and hard of hearing people in select cases covering a broad range of disability discrimination issues. She earned her Juris Doctor degree from the Columbus School of Law and was admitted to the Maryland Bar in 2002.

— Cheryl Heppner

An Introduction to COAT

BY KAREN PELTZ STRAUSS

During the conference captioning has probably been the biggest topic so far. We’ve also learned about how new technologies are changing everything, and how it’s so difficult to keep up with them, making sure that the laws provide the same kind of safeguards that we got in the past.

We have seen huge changes come about. Interestingly from my perspective, when I started writing my book, which was actually in 2001, these changes weren’t really here. Over the last five or six years they have snowballed.

In the middle of this last year, Rosaline and I and some people from AAPD, the American Association of People with Disabilities, and various blind organizations, including the American Foundation for the Blind and American Council of the Blind, were talking about how we really need a new type of entity to address emerging technologies. We needed the ability to organize. We needed strength and we needed power to make sure that we have protections in place to continue providing the access that existing laws provide us. And so we decided to form a new coalition.

We had the feeling that there would be interest in this coalition, but we had no idea of how much interest there would be. Around March of this year, we



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put out an e-mail to a few national organizations, such as the NAD, TDI, and HLAA to ask if they were interested in joining the Coalition of Organizations for Accessible Technology. Literally overnight, 30 organizations signed on basically saying yes, we need this. We're going to sign up. In around 48 hours, we had around 50 organizations. Our website says we have 112, but on my computer I have at least 8 to 15 more that have not yet been added to the list. We cannot even keep up with the number of organizations that have had an interest in joining on.

COAT now has 55 national organizations, and 57 state and regional and local organizations representing 24 states. We're hoping to eventually get representation in all 50 states. It's just a matter of getting the word out, because as soon as the word goes out, we get contacted.

Our first meeting was in April, and we have meetings every month. They're about 3 hours each. They have been incredibly well attended. Our meetings are long because we have been making huge progress. We have already achieved some of our goals.

Expanding Section 255

Section 255 was a law passed in 1996. It requires all telecommunications products and services to be accessible to people with disabilities. I emphasize the word "telecommunications," which has come to have a very specific meaning at the Federal Communications Commission (FCC) and in the courts. It's basically the transfer of information between one point and another point, without any change in the middle in form, content, structure, etc. Once you have any kind of a change in the middle, it becomes an information service.

All Internet-based services are considered to be information services. Why is that a problem? The FCC and the courts have made a very sharp

line between telecommunications and information services.

Section 255 is basically a universal design law, designing a product at the start with accessibility built in, so that as many people can use it as possible. Well, that concept, incorporated into Section 255, says, for example, that telecommunication products like cell phones have to have hearing aid compatibility in them or volume control. So all the newer products, such as voice over IP (VoIP), or Skype products that are used to communicate over the Internet, even though they seem to have the same function as a telephone, they walk and talk and sound like a telephone, they're not covered by Section 255. That's one of the things that we would change under our COAT agenda.

The FCC has been considering the extension of the 255 obligations to voice over IP communication devices and services since around 1997 or 1998. Almost as soon as our coalition started to form, the FCC decided to go ahead and begin to cover VoIP equipment under 255. We have been told that the strength of our coalition caused them to take action. There is now a rule in place that will go into effect, I believe, in October of this year.

Let me explain what VoIP equipment is. It has to have a connection on one end to the telephone system that we all use in a phone call. The new FCC rule doesn't cover Internet-to-Internet calls, like those using Skype. So we still want to extend 255 just a bit further to all communication products and services, including Skype.

The goal here is to ensure that there is no second-class status as our nation migrates to the next generation of electronic communications. The digital abilities of Internet-based communications are many. You can select from among text, video or voice conversational modes. You

THE COAT AGENDA:

1. Expand Section 255-type accessibility provisions to Internet-enabled communication products and services.
2. Expand relay obligations to Internet-enabled services.
3. Allow the use of Lifeline and Link-up universal service funds for broadband use.
4. Allocate a portion of the universal service funds for equipment used by deaf-blind people.
5. Expand the Television Decoder Circuitry Act to include all video programming devices. Right now it's limited to only televisions that have screens that are 13 inches or greater.
6. Extend closed captioning obligations to video programming distributed over the Internet. We are not talking about the YouTube videos that people prepare in their home, but NBC and CNN and all the other programming that is ending up on the Internet.
7. Require easy access to accessibility features. This has to do with how you navigate to access captions on your television. It also deals with how blind people can access onscreen menus.
8. Restore video description rules.

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can have realtime text. The goal is to be able to get back realtime text, just the way TTYs had realtime — as you typed, the conversation flowed through. Well, TTYs are being discarded, but we still need a form of realtime communication that is in text not just video.

A lot of people may not use video, and/or there are certain circumstances in which you don't have access to video. Let's say you're in an airport and you don't have access to a portable videophone. There still needs to be a way to communicate in realtime text. This section would cover it. It would also cover basically anything that has to do with communicating over the Internet. And the nice thing is that software is much less expensive now than before and has much more capability — increased power, memory, capacity, disk storage, and longer battery life. This can facilitate access in the Internet age, but only if it's required by Congress. So we are going to Congress and asking them to do this.

Hearing Aid Compatibility

The second thing that we're asking for is hearing aid compatibility in the IP and digital world. There already are many current laws — Telecommunications for the Disabled Act of 1982, the Hearing Aid Compatibility Act of 1988 and various FCC regulations — that already require hearing and compatibility. Hearing aid compatibility is inductive coupling where telephones emit enough electromagnetic energy to allow the hearing aid to couple with the telephone and block out background noise when you use a hearing aid's T-switch. It's also acoustic coupling and amplification. It has come to have two meanings.

In the 1970s, the telephone industry, not realizing that this was an issue, started changing their telephones. They were using big telephones with something called the "U" type receiver and they wanted lighter phones. They switched to an "L" type receiver. When they did, the electromagnetic energy was eliminated or reduced too much to allow for

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Next Steps for COAT

BY KAREN PELTZ STRAUSS:

We have told you about the agenda, so what are we doing about it? Well, we have already done a lot. For one thing, we have already gotten a little bit of what we wanted. One of the items that I didn't expand upon was extension of relay obligations to Internet providers. The FCC, at the same time it extended Section 255 to VoIP providers, also extended it to relay providers for relay services. What that means is that Internet-based providers that provide voice communication, this VoIP category, are going to have to contribute to the relay fund to help support it. That accomplishment and the extension of 255 to VoIP are our two major accomplishments at this point.

Our next step is to draft legislation, which is already in process. We have very strong support in both the House and the Senate. We are working on actual language with the House, with representatives ready to co-sponsor this legislation. We have been living on Capitol Hill, meeting with as many representatives as we can from two different committees in the House and Senate that are responsible for these issues. We're hoping to get a bill introduced on all of these topics. We're considering this sort of like the Americans with Disabilities Act for communications access, something that has been long overdue.

We're hoping to get a bill introduced this fall. Typically, with legislation like this, it takes a very, very long-time to get it passed. Those of us who have worked on these issues know that we have to be patient. We're probably going to have to compromise along the way, but we're going for broke. And we're very lucky that our lead sponsor is Congressman Ed Markey from Massachusetts in the House. On the Senate side, we have

support from Senators Inouye, Harkin and McCain. They seem very willing to start with us at the highest level, putting in the kitchen sink.

If you want to learn more about what we're doing, the best thing to do is visit our website, at www.COATaccess.org. You'll see on that site all the organizations that are already members. See if there is one from your state. If there isn't, please try to get one to sign on. We want to be able to go to the Hill and say we are represented across the country. We can say that anyway, because we have national organizations, but it will look better if we have state and local organizations.

Confer with community groups about COAT. We have been working closely with the American Association of People with Disabilities. They have been doing a masterful job at issuing press releases, so we're getting a lot of press on this. We want even more. Once we do have legislation, keep in contact with us. We're going to need you on a grassroots level to contact your Senators and Representatives. There is nothing like having constituents contact Congress people. We can do it all we want from around the Beltway, and we will, but when they hear from local people, they respond.

A nice thing about disability access that I have found over the years is that more often than not, the people that we meet with have somebody in their family or their circle of friends that has some kind of a disability. That's one of the reasons that we have been successful in the past. Usually we find out pretty early in the conversation. In some of the Hill visits we heard over again about the difficulties of captioning on DTV.

I want to mention that there is a contest going on related to this. An organization called the Alliance for Public Technology is looking for stories on how broadband has changed people's lives. If you have a story, you should contact them. They are giving cash prizes up to a thousand dollars. They are trying to publicize the need for universal broadband access, which will only help our efforts as well. You can get more information at <http://ga3.org/campaign/contest>.

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continued hearing aid compatibility.

The consequence was that people who used hearing aids lost access to the telephone. Hearing aid compatibility is one of the longest accessibility battles ever fought. It started in the 1970s, with David Saks, who formed the organization for the use of the telephone. This battle is still going on. It's now more friendly with the industry, because at this point the fight has moved to the wireless arena. Wire line phones are all hearing aid compatible. Cordless phones are mostly hearing aid compatible, though there are some problems with newer phones. Wireless phones have to be hearing aid compatible to a certain extent. But the problem is that we are moving again to the Internet. There is no coverage of hearing aid compatibility on Internet phone, or at least it's not clear that it's covered. So COAT would require that as well.

Universal Service

The next item is universal service. We have heard so much over the last couple of days about the importance of having video relay access and video-to-video access. Well, that's a lot more expensive than picking up a telephone and making a phone call over the regular telephone network.

Why? Because you need to pay for broadband to be able to make video relay and video-to-video calls. Right now universal service laws called Lifeline and Link Up provide subsidies to low income people to connect their phone to the basic telephone network. There are also subsidies to pay for monthly service. You can only use those subsidies for regular telephone service.

People who have discarded their TTYs, as you know, are not purchasing regular telephone service anymore. We are asking Congress to direct the FCC by saying even if you do have a regular telephone service, if you're using broadband for your relay or video connection, you should have the option of using the subsidy available under these low income programs for your broadband service.

The subsidy is probably not going to be enough to cover all of broadband per month, but it's something. It varies from state to state. Usually it's around \$12. So if your monthly fee is \$40, at least it's cutting it a little bit. Congress seems very interested in this proposal.

Universal Service Reform

Another form of universal service reform is also on the COAT agenda. We heard a little bit in one of the sessions about deaf-blind technology. It's very, very expensive. It runs from \$6,000 to \$10,000 for a piece of equipment. There are a lot of questions about whether sufficient equipment even exists for people who are deaf-blind. Very few state distribution programs pay for equipment for deaf-blind people. We have asked Congress to set aside \$10 million

Q & A for COAT

Who founded the organization, who is the Executive Director, who funds it, and how is all this implemented?

Strauss: We are loosely formed. We have a five-person steering committee — Rosaline, Jennifer Simpson, Paul Schroeder, and Mark Richert and I. We work very hard, and very cooperatively. So far so good. We don't have any bylaws. We may need them at some point. For funding, we have some benefactors. We have some objective, nonpolitical entities that are contributing funds. We actually have a budget now of about \$35,000. It's mostly going for accommodations. Each of us have jobs and we're using those day jobs to work on this.

Crawford: We would love to have more funding. It's welcome.

Is there a requirement that new shows that are reformatted be captioned?

Strauss: There is a pass-through obligation. If the programming distributors like ABC, NBC, and CBS, provide captions, then the other types of technologies must pass them through. The problem is, as you point out, if they have been reformatted, then it raises all kinds of different issues.

Let me clarify something else. There are certain forms of Internet-based television that are required, even under the existing law, to provide captions. It's not so much the content producers, it's more the distribution network. IPTV, which is being provided by AT&T, and FiOS, provided by Verizon, are intending to provide captions as the programming passes through. The harder part is the programming distributors.

Comment: Something else needs to be added to your agenda. In addition to the items on your TV captioning agenda, features and interfaces that are added to TV sets need to be integrated as well. So, for example, many people pay a high price in order to receive the best picture, 1080 resolution. The only way that you can get 1080 lines is to use an interface called HDMI. HDMI does not support captioning data. So how did that get on the American market? That's not compatible with the law everywhere.

Strauss: This is something that we are actually addressing, mostly through an entity called TEITAC, the Telecommunications Electronic and Information Technology Access Committee. It is an advisory

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Q & A for COAT

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committee that is reviewing the 508 regulations, which require federal agencies to provide accessible electronic technology. That issue has come up extensively. But one of the things that Rosaline and I were talking about today is how many problems there are with existing technologies that are covered by the law. We talked to Larry Goldberg about this. After this conference, we are going to reassess and see whether there are some things that we still need to add to the agenda that deal with existing digital technology, not only IP technologies. Digital TV is supposed to be accessible, and the question is whether we still need to do something else legislatively to achieve that.

I don't know how you interpret it, abuse or taking advantage, but I understand that based on undue burden, the 400 applications for the exemptions from TV captioning were very vague on undue burden. Is there a clear explanation of what is undue burden, so that you won't have all those petitions?

Crawford: The undue burden standard is defined in the regulations as significant difficulty or expense. There is no line that we draw in the sand and say okay, well, if it costs this much compared to how much money you have or make, it will cross over. So it is meant, I think, to be an individual assessment. You have to look at each individual program provider and figure out for that provider, based on all of the information available whether that — in that particular instance it's going to be an undue burden. And that's the concept behind it.

We have been asked to try to define that in terms of dollars. I think that in the review that we provided of the 500 or 600 requests over the last year, we made recommendations. A review of our recommendations will show the FCC what we think — these are the cases that we think met that standard, and these are the cases that we think really clearly did not meet that standard. Hopefully that will help provide the FCC with some guidelines and provide program providers with some additional guidelines, too.

The Internet is a global thing. England doesn't have captioning on CNN in the UK. They don't have that law to caption. So they don't have to worry about captioning. So how are you going to enforce our federal

TDCA Continued from previous page

each year specifically to cover the costs of equipment used for communicating for deaf-blind people. It's a little unusual, because this universal service fund has only been used for services and never for equipment. It's a federal fund. It's different from the state equipment distribution programs.

We have pointed out that this funding is for a fairly defined population, not a huge one. \$10 million is not going to do everything, or reach everybody, unfortunately. But it would be an ongoing \$10 million. It wouldn't be only for one year.

Emergency Access

Right now Title II of the ADA requires 9-1-1 centers to accept emergency calls that are made with TTYs. Now, the law itself actually doesn't say anything about TTYs. In fact, the legislation doesn't even say anything about 9-1-1. It's the legislative history, which is basically the legislative reports that went with the law, which explained that state and local governments are required to provide direct access to people who are deaf and hard-of-hearing under Title II.

The Department of Justice took that language and said, for now this requires TTY access. So there is nothing limiting it to only TTY access. The concern, again, is that everybody's throwing out their TTYs, so that law doesn't do a whole lot now.

What we want is for the public safety answering points to accept calls from video and text users as well. Title IV of the ADA also requires relay service providers to handle emergency calls. Currently IP Relay providers and Video Relay Service providers are exempt. That exemption will expire at the end of this year. So there's two House and Senate bills that are pending. One is for the National Telecommunications Information Administration (NTIA) to identify solutions for what is called the Next Generation of 9-1-1. We were able to get in that law a provision to identify solutions for direct emergency access by people with disabilities and to develop a timeline for implementation of those solutions.

NTIA has a mandate to develop solutions, or to develop a timeline to develop solutions, for disability access.

The bill also mentions appropriations to help fund the transition to this Next Generation 9-1-1. There is a separate bill that talks about relay providers, and making sure that they have full access to 9-1-1 and are given immunity from liability. What that means is that right now, when you make a telephone call to an emergency center, the telephone provider that handles that call cannot be charged with any wrongdoing in completing that call. That same protection would be given to relay providers under the statute.

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Q & A for COAT

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laws in other places so the system isn't abused?

Strauss: Most of the laws that pertain to products and services apply to products and services that are sold in the United States. So what we're really talking about is communication — basically, a phone that would connect to the Internet, a service that would be provided to American citizens. We are not addressing Internet sites that are provided by anybody. That is an issue that is being taken up by other groups under the Americans with Disabilities Act. Basically, it would be an extension or a clarification that the ADA requires accessible Internet sites. It wouldn't matter if it's an international company producing a product outside of the United States. As long as they're selling it in the United States, it would have to be accessible. If they're selling it outside and only using it outside, then it wouldn't reach us anyway.

We have 100% captions this year, right? C-SPAN is not doing 100 percent captioning. Aren't they under government regulations?

Crawford: The rule is 100 percent of all new, nonexempt programming. If you see something on your TV that is not captioned, I think you should complain. Let C-SPAN tell you why they are not captioning. Let them tell you if they think that they are exempt or excused for any particular reason. And if you're not satisfied with their response, then you need to send your complaint onto the FCC.

Strauss: If a program is shown between 2 and 6 a.m. your local time, that's exempt. But other than that, Rosaline's correct, it's supposed to be captioned. The way the complaint structure is now, you have to first tell the network or the distributor, we're hoping that is eventually changed and you can go directly to the FCC.

One other thing that I wanted to mention is that COAT is trying to gather personal stories of people who cannot access the various kinds of things on the COAT agenda. We have been working up a questionnaire. If any of you do have stories that you want to share, you don't have to wait for the questionnaire, you can send them to info@coataccess.org. But you can check the website and feel free to fill out the questionnaire.

I was thinking about the issue of the top 25 markets. I live in Los Angeles and I can receive on my TV easily over the air, with cable or satellite, the Orange County PBS station which is 60 miles from my house. They have some shows that are not captioned on occasion. Would

that be considered part of the Los Angeles market? Also, sometimes you can't tell if it's new programming with PBS.

Crawford: The captioning rule that talks about the top 25 designated markets only talks about news programming and use of realtime captioning or the electronic newsroom teleprompter script that is passed through as captions. That is the only rule that talks about the top 25 markets.

The rule says 100 percent all new nonexempt programming. If you see programs that are not captioned on that PBS station, regardless of where you live, file a complaint.

Strauss: There are public education and government stations. Basically, they are your local cable stations, usually on channel 14 or 16, one of the in-between stations. They are minimally funded. Most of these tiny local stations qualify for an exemption because they earn under \$3 million in revenue annually. But everybody else is covered.

Crawford: If it's a local government program like a city council meeting that is broadcast, as far as I'm concerned, it's an obligation under the Americans with Disability Act, Title II, which requires state and local governments to make sure that their programs and services are accessible. For me, that means whenever they are broadcast over the TV.

Los Angeles has a huge school district, and they show all their proceedings on the county television station, which is a PBS station. But none of it's captioned. Does that apply to school districts as well?

Strauss: Since schools are a form of local government, locally funded, yes. If they are providing programming, then it should be captioned under Title II. It's complicated. Instructional television is limited because there is another exemption for that.

Comment: It appears to me that the caption decoder act made a mistake when it assigned the caption decoder to the tuner. Instead, the caption decoder should be attached to the display device. Then, no matter whether it comes from a tuner or DVD player or VCR, if it gets to the display device, the caption decoding would take place. It wouldn't matter what kind of display device you've got, whether it's an HDTV, monitor, or if it's a projector or a tiny screen. It will have the caption decoder built into the display device. I think the law should be changed to specify that.

Editor's Note: Since the presentation at TDI Conference, the COAT website (www.coataccess.org) now counts more than 160 national, regional, state, and community-based organizations as its affiliates.

In Memoriam: Dr. Frank G. Bowe

1947 - 2007

Dr. Frank G. Bowe passed away on August 21, 2007, at age 60. As a renowned advocate, author, professor, consultant, Frank was passionate about technology as a means to empower people with disabilities of all types.

Dr. Bowe received a Ph.D. in 1976 from New York University; an M.A. in 1971 from Gallaudet University; and a B.A. in 1969 from Western Maryland College. Before joining the faculty at Hofstra, Dr. Bowe served as a regional commissioner of the U.S. Department of Education's Rehabilitation Services Administration. From 1984 to 1986 he was the chairman of the U.S. Congress Commission on Education of the Deaf.

Dr. Bowe is perhaps best known for his leadership as executive director of the American Coalition of Citizens with Disabilities from 1976 to 1981. He was the organization's first executive officer, and provided crucial direction during the nationwide sit-in regarding Section 504 of the Rehabilitation Act in 1977, the world's first civil-rights provision for persons with disabilities, which eventually led to the American Disabilities Act, passed in 1990.

In 1980 Dr. Bowe, who was deaf, became the first person with a disability to represent any nation in the planning of the United Nations International Year of Disabled Persons. For more than two decades Dr. Bowe had been a consultant to the U.S. Congress on a variety of issues. In 1992 he received the Distinguished Service Award from the President for his lifetime achievement. In 1994 he was inducted into the National Hall of Fame for People with Disabilities. He is also credited as one of the architects of provisions in the 1996 Telecommunications Act that have greatly enhanced the quality of life for Americans with disabilities.

A Hofstra University professor and prolific author, Frank Bowe has in recent years become a prime mover in the push for universal design. Dr. Bowe believes that telecommunications manufacturers should consider the needs of people with and without disabilities during the design process, rather than retrofit existing products as an afterthought. His expertise in disability access is widely sought after by members of the United States Congress and various federal agencies.

— Submitted by Judy Harkins, Gallaudet University



“America is well into the so-called “Information Age.” The best-paying and some of the fastest-growing jobs and careers involve collection, analysis, and interpretation of information. All of us are bombarded daily with more information than were our parents; sifting the wheat of knowledge from the chaff or information is a crucial skill in daily life today.”

Dr. Frank Bowe
– Excerpt from TDI's
Winter 1997 GA-SK Newsletter



A memorial service at Gallaudet University on November 19, 2007 brought together people who had known and worked with Frank in relation to his public service and advocacy for civil rights. Some quotes from speakers at that service give an idea of the depth and breadth of Frank's contributions:

Robert Davila President - Gallaudet University
On Frank's tenacity and international reach:

He was always there. He was always there to fight, working and pushing. He had strong ties not only here but all over the world. We were proud to have been associated with him at this University.

Judith Heumann Director
District of Columbia Department on Disability Services
On Frank's role with the American Coalition of Citizens with Disabilities, in the 1970s:

He led the organization's work towards the successful development and implementation of the Section 504 regulations. Frank helped to open doors with legislators and policy makers to enable them to understand the critical importance of Section 504. He helped them understand the degree of discrimination that we were facing and how this law if implemented would help to ensure greater opportunities for millions of disabled people.

Yoshiko Dart Disability Advocate
Describing late husband and renowned disability advocate, Justin Dart's high regard for Frank:

*Right after [their first] meeting, Justin said to me, "I have just met a man with the qualities of FDR." Later, as he observed the profound influence, which Frank had on the emerging movement through his carefully worded speeches and the eloquent use of language in his writing, Justin began to think of Frank more like the Thomas Jefferson. Justin referred to Frank's books, *Rehabilitating America* and *Handicapping America* as the Bibles of our movement.*

Claude Stout Executive Director
Telecommunications for the Deaf and Hard of Hearing, Inc.
On Frank's contributions to television captioning:

Everyday around here in America, when you see TV captioning in homes, restaurants, public facilities, bars and spas, broadband being made available in rural areas for people with disabilities, or support services being provided adequately in public school systems, they bear Frank's imprint.

Nancy Bloch Chief Executive Officer
National Association of the Deaf
On Frank's drive and optimism:

He was a master of empowerment and attitudinal change. He was a doer, who achieved results. "It can't be done" was simply not part of his vocabulary.



October 29—November 2
 City Centre Hotel
 (Doubletree)
 Chicago, Illinois
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Association of
 Late-Deafened Adults

8038 MacIntosh Lane
 Rockford, IL 61107

TEL: 815.332.1515
 Website: www.alda.org

Lost: My Hearing Found: My Family

The mission of the Association of Late-Deafened Adults (ALDA) is to support the empowerment of deafened people through education, advocacy, role models and support.

Late Deafened Adults are people who have lost their hearing after having acquired spoken language. ALDA Members may or may not use: hearing aids, assistive listening devices, cochlear implants and/or sign language. What ALDA members DO is "whatever works". This is the philosophy that keeps the doors to ALDA wide open to anyone who is interested.



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TDI In Action

July - September 2007

TRS/VRS Issues

- TDI, Association of Late Deafened Adults (ALDA), National Association of the Deaf (NAD), California Coalition of Agencies Serving the Deaf and Hard of Hearing (CCASDHH), and Deaf and Hard of Hearing Consumer Action Network (DHHCAN) jointly filed comments to the Federal Communications Commission (FCC) supporting the petition filed by Hands On Video Relay Service (HOVRS) et al. which requested the FCC to void non-compete provisions in Video Relay Service (VRS) interpreter employment contracts as against public policy.
- TDI, NAD, DHHCAN and CCASDHH filed comments urging that the FCC mandate that VRS providers make available ten-digit numbers that are accessible from anywhere in the public switched telephone network (PSTN).
- TDI attended a lunchtime demonstration by Snap! VRS featuring the Ojo videophone device's interoperability with other devices on the market. Snap VRS also shared with us some possible new products based on the feedback that they received from users.
- In response to Hawk Relay's proposal for a relay service targeting consumers who are deaf blind, TDI assisted American Association of the Deaf-Blind (AADB) in taking the lead with a letter to the FCC encouraging that there be development of innovative approaches to providing functionally equivalent access to telephone services for people who are deaf-blind. AADB, along with TDI and other consumer groups, requested the Commission to issue a Notice of Inquiry (NOI) to assess
- The need and demand for a deaf-blind relay service,

- Existing and potential methods of providing such a service, and
- The feasibility of such services.
- TDI attended Maryland Relay Open House in Frostburg, hosted by Hamilton Relay and Telecommunications Access of Maryland.

Telecommunications

- Apple and AT&T representatives met with TDI staff on the initial reception of the deaf and hard of hearing community with Apple's newly released iPhone device. TDI invited a local iPhone customer who was deaf to join in the discussion. There was no consumer collaboration in the design phase. The features that deaf people enjoy such as backlighting, font size, and vibrations were available in some but not all applications across the board. Because this was the only phone made by Apple, the company was exempted under de-minimis rules that would have otherwise required them to make their phones compatible.



- Through a release that quoted TDI Executive Director Claude Stout, Verizon introduced a broadband video call center link for deaf or hard of hearing customers in the Mid-Atlantic Region. A video link was provided featuring Stout using

his videophone to call Verizon's Center for Customers with Disabilities to learn more about its array of services and resources.

Closed captioning

- TDI, ALDA, NAD, Hearing Loss Association of America (HLAA), American Association of People with Disabilities (AAPD), CCASDHH, and DHHCAN jointly filed comments to the FCC opposing more than 50 new petitions for exemption from the Commission's closed captioning requirements. This is in addition to TDI's pro-bono law firm Bingham McCutchen follow-up work on the approximately 500 oppositions filed in response to the Anglers Exemption Order that gave blanket waivers exempting nonprofits from captioning their shows.

Digital TV transition

- TDI issued an eNote on DHHCAN's letter to four leading consumer electronic retailers (Best Buy, Circuit City, Sears and Wal-Mart) regarding negative shopping experiences of the deaf and hard of hearing consumers in purchasing high definition television sets (HDTV's)
- TDI attended a discussion on the digital television transition converter box issues at the FCC. Analog television signals will cease to air on February 17, 2009, causing television sets that receive over-the-air signals to become inoperable unless the owner has a set-top box that will convert digital signals into analog. There was a prototype of a set top digital-to-analog converter box that will be out on the market beginning in January 2008. The National Telecommunication and Information Administration (NTIA) is an agency

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www.snapvrs.com





TDI In Action

Continued from page 38

under the US Department of Commerce that has been tasked to administer a coupon program for households receiving television programs over the air using analog televisions. Government officials and various manufacturers have assured us repeatedly that both digital and analog captions will be passed through on boxes that qualify for the coupon program. Each household receiving over-the-air signals will be eligible for up to two \$40 coupons.

- TDI, ALDA, NAD, HLA, CCASDHH, and DHHCAN jointly filed comments to the Federal Communications Commission for its *DTV Consumer Education Initiative* Notice of Proposed Rulemaking to ensure that the initiative addresses the needs of consumers that are deaf or hard of hearing.
- TDI attended the first in a series of DTV transition workshops at the FCC. Several consumer groups were represented and advocates shared their views on the progress of the DTV transition. In addition to our concerns about captioning access, other groups have likened the DTV Transition plan to the Y2K panic with computers while others complain about an unfunded federal mandate to reach out to disadvantaged population groups.

Information technology

- TDI attended America Online's Accessibility Advisory Committee meeting to discuss the critical need to develop video format standards for software such as Quick Time, Windows Media, Real Player, etc. If a program comes with captions and they are shown on Quick Time, but this doesn't necessarily mean they can be seen on other media players.

- TDI participated in numerous online conferences advising Telecommunications and Electronic and Information Technology Advisory Committee (TEITAC), under the US Access Board on appropriate standards to draft for Section 508 regulations on accessible information technologies such as audio/visual products and services.

Coalitions

- TDI signed on to the comments by Deaf and Hard of Hearing Alliance (DHHA) for the Notice of Proposed Rulemaking for Early Intervention Program for Infants and Toddlers With Disabilities. If approved, this rulemaking will speed up identification of babies born with hearing loss so that parents will be fully informed about the appropriate services that are available for the child.
- FCC Chairman Kevin Martin renewed Stout's membership as a representative of DHHCAN at the FCC's Consumer Advisory Committee for two more years.

Industry Collaboration

- TDI attended a marketing symposium: Understanding the Disability Community as Consumers at the Starbucks Support Center in Seattle, Washington. Disability advocates from around the country came together to advise the coffee chain on how to increase their sensitivity to people with different capabilities through technology and through simple but profound changes in business practices.
- TDI attended several advisory meetings between consumer advocates and AT&T corporate officials. One such meeting took place at the AT&T Innovation Center in Washington, DC where

consumers were introduced to its relay services interoperability proposal, and a numbering system for deaf and hard of hearing consumers to use for their communication needs with their peers and hearing contacts.

- TDI announced Hamilton Relay's sponsorship of a new TDI Consumer Advocacy Training Seminar on Technology Access. This news release was the first to display a new masthead featuring TDI's new logo in blue and red colors.

Emergency Access

- TDI, ALDA, NAD, HLA, CCASDHH, and DHHCAN jointly filed comments to the FCC supporting its continuing efforts to improve and expand the emergency calling system for all Americans (including people who are deaf and hard of hearing) that will utilize IP-based technologies without losing access to vital emergency services.
- TDI filed comments in the FCC's Wireless E911 Location Accuracy Requirements proceeding to ensure that the E911 system is designed to include users that are deaf or hard of hearing. TDI also filed reply comments to the second final notice of proposed rulemaking for improvements to the Emergency Alert System.
- TDI's CEPIN Excess Delivery Acquisition Program continues to deliver the *Emergency Responders and the Deaf and Hard of Hearing Community: Taking the First Steps to Disaster Preparedness* course in Reno, Nevada through its contract with Eastern Kentucky University. This helped fill a gap in our original implementation where the Southwest was underrepresented in deliveries.

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