TECHNOLOGY AND DISABILITY POLICY HIGHLIGHTS

September 20, 2012

OVERVIEW

In September the U.S. House of Representatives voted unanimously to pass the **FEMA Reauthorization Act of 2012** [H.R. 2903] which will codify the Integrated Public Alert and Warning System (IPAWS) as law. Once signed into law, H.R. 2903 would strengthen the body of laws related to parity of access to emergency information by people with disabilities.

The Federal Communications Commission (FCC) held a Consumer Advisory Committee meeting to hear recommendations made by working groups on topics such as broadband adoption, outreach regarding the Lifeline program, and the disability complaints process.

Though the consumer complaints process is one channel for addressing noncompliance with disability access rules, another avenue is referral by the appropriate FCC Bureau. This was the case when HTC Corporation in 2009, came under investigation for "hearing-aid compatible handset deployment violations." After years of inspections, assertions and negotiations, a consent decree was entered into by the Enforcement Bureau of the FCC and HTC in September.

Click the headings below to link directly to a particular section.

LEGISLATIVE ACTIVITIES

IPAWS BILL PASSES HOUSE

September 19, 2012 — After Representative Jeff Denham (R-CA) introduced the **FEMA Reauthorization Act of 2012** [H.R. 2903] to the U.S. House of Representatives in September, the bill passed with a unanimous vote. The bill focuses on improving the Federal Emergency Management Agency's (FEMA) assistance to state and local regions, making FEMA's Integrated Public Alert and Warning System (IPAWS) a law, and establishing an advisory committee to provide recommendations for IPAWS. Currently, IPAWS is authorized by Executive Order 13407. Under this bill, the implementation of IPAWS requires "the capability to alert and warn and provide the equivalent amount of information to individuals with disabilities and individuals with access and functional needs" [H.R. 2903]. In addition, the IPAWS system will, "to the extent technically feasible, be designed to provide alerts to the largest portion of the affected population, including nonresident visitors and tourists and individuals with disabilities and access and functional needs, and improve the ability of remote areas to receive alerts" [H.R. 2903].

The advisory committee to IPAWS will include individuals from national organizations that represent people with disabilities. The bill is currently being reviewed by the Senate Committee on Homeland Security and Governmental Affairs.

ADDITIONAL INFORMATION
PDF of Bill
[http://www.gpo.gov/fdsys/pkg/BILLS-112hr2903rfs/pdf/BILLS-112hr2903rfs.pdf]
Bill Text
[http://www.govtrack.us/congress/bills/112/hr2903/text]
Bill Status and Summary
[http://www.govtrack.us/congress/bills/112/hr2903]

REGULATORY ACTIVITIES

FCC MEETING LOOKS AT BROADBAND ACCESS, DISABILITY COMPLAINTS

September 21, 2012 – The FCC held a Consumer Advisory Committee meeting on Friday, September 21, 2012. Agenda items included broadband access, text spamming, and one on disability complaints processing presented by the Disability Rights Office (DRO). With regards to broadband access, the recommendation was for the FCC to continue to lead work on boosting broadband adoption via collaborative efforts of all agencies working in this space, including increased access to underserved populations such as people with disabilities and those with language challenges.

The DRO discussion focused on the complaints process as it related to individuals with disabilities' access to telecommunications services and equipment. A majority of complaints made in the past year were related to closed captioning on television, followed by telecommunications relay service issues, many related to video relay service equipment. According to the DRO, the volume of inquiries about captioning on the Internet has climbed, due to recent rule changes implementing the Twenty-First Century Communications and Video Accessibility Act. The meeting was open to the public and was broadcast live over the Internet.

ADDITIONAL INFORMATION
Consumer Advisory Committee Website

[http://www.fcc.gov/encyclopedia/consumer-advisory-committee]

HTC AGREES TO CONSENT DECREE WITH THE FCC

September 28, 2012 – In September a consent decree was entered into by the Enforcement Bureau of the FCC, HTC America, Inc., a subsidiary of HTC Corporation, and HTC Corporation. The Consent Decree [DA 12-1381] ends the Enforcement Bureau's investigation of HTC's possible violations of Sections 20.19(c)(1) and 20.19(d)(1) of the Commission's rules related to hearing aid-compatible handsets. In addition to HTC voluntarily contributing $515,000 to the United States Treasury the agreement outlines additional terms to ensure future compliance. They include: development and implementation of a Compliance Plan that helps certify future compliance with the Communications Laws, including the Hearing Aid Compatibility Rules; creation of a comprehensive hearing aid compatibility outreach program to gain information on the mobile handset communication needs of individuals with hearing disabilities; and filing of Compliance Reports with the Commission at regular intervals after the effective date of the Consent Decree.

ADDITIONAL INFORMATION
Consent Decree (DA 12-1381)

[http://fjallfoss.fcc.gov/edocs_public/attachmatch/DA-12-1381A2.pdf]

WIRELESS RERC NEWS

DEVELOPING AN APPETITE FOR ACCESS

On September 6-7, the FCC hosted a free workshop for developers, "Developing with Accessibility" (DevAcc), at its headquarters in Washington, DC. Jim Mueller, Wireless RERC project director, demonstrated "BrailleTouch" and "ReadMore," two of the apps being developed by the RERC's App Factory.

The purpose of DevAcc was to promote the development of accessible apps on various mobile platforms. DevAcc is part of FCC Chairman Genachowski's ongoing Accessibility and Innovation Initiative launched in July 2010 in commemoration of the 20th anniversary of the Americans with Disabilities Act. The event featured developer training sessions on several accessible Application Programming Interfaces (API's). Among the participants were representatives of federal agencies and industry organizations including Adobe, Apple, Benetech, Bottlerocket Apps, Code Factory, Department of Labor, Ephox Corporation, Food and Drug Administration, Google, General Services Administration, Oracle, Raising the Floor, SSB BART Group, and the Wireless RERC. The Deputy Director of the Accessibility and Innovation Initiative, Jamal Mazrui, hosted the event along with Greg Elin, the FCC's Chief Data Officer.

In addition demonstrations of emerging technologies were presented at the FCC's Technology Experience Center (TEC).

ADDITIONAL INFORMATION
Event Site (with Videos)

[http://www.fcc.gov/events/developing-accessibility]

PUBLICATIONS AND REPORTS

DEPARTMENT OF JUSTICE REPORT ON SECTION 508

September 12, 2012 – The Department of Justice released a report to the President and Congress on their findings from a 2010-2011 survey-based study evaluating the accessibility of federal government electronic and information technology (EIT) in accordance to Section 508. Section 508 of the Rehabilitation Act of 1973 (29 U.S.C. § 794d) requires federal agencies to ensure their EIT is accessible to persons with disabilities, unless an exception applies. The report found that over 90 percent of agency components integrated Section 508 requirements into their attainment of EIT and 70 percent had implemented accessibility policies for websites. Recommendations made in the report included, but were not limited to: federal agencies creating and publishing Section 508 policies and funded programs, increasing Section 508 training, and thoroughly testing EIT products and web pages for accessibility.

ADDITIONAL INFORMATION
Press Release
[http://www.justice.gov/opa/pr/2012/September/12-crt-1103.html]
Report and Additional Information on Study
[http://www.ada.gov/508/]

INCREASING DIGITAL ACCESSIBILITY FOR PERSONS WITH DISABILITIES

September 12, 2012 –   A report was jointly released by the International Telecommunication Union (ITU) and The Global Initiative for Inclusive ICTs (G3ict) entitled Making Mobile Phones and Services Accessible for Persons with Disabilities. The report highlights and promotes applications that focus on new ways to communicate, access information, and control their environment for persons with disabilities. Technologies discussed in the report include: text-only billing plans for the deaf and hard of hearing; SMS-to-Avatar translation system developed by the University of Tunis; and new GPS-based devices with Braille readers over Bluetooth that help people who are blind or partially sighted navigate streets. In order to promote accessible mobile phones and services, the report aims to also serve as a guide to all stakeholders, including policy makers that work with mobile operators to identify gaps in digital accessibility and develop the means to better serve persons with disabilities.

ADDITIONAL INFORMATION
Press Release
[http://www.itu.int/net/pressoffice/press_releases/2012/56.aspx]
The Report
[http://www.itu.int/ITU-D/sis/PwDs/Documents/Mobile_Report.pdf]

FEDERAL DISABILITY POLICY: WHERE ARE WE NOW?

September 19, 2012— The National Council on Disability (NCD) released its annual report on U.S. disability policy titled the 2012 NCD Progress Report. The report presents NCD's assessment of federal disability policy, the impact that emerging trends and policies had on quality of life and provides recommendations to the legislative and executive branches, including: the U.S. Bureau of Engraving and Printing to formulate a plan to distribute and/or subsidize affordable hand-held currency readers; and the Department of Justice and Federal Communications Commission to collaborate on enforcement actions to encourage more accessible and effective emergency communications. NDC chairman Jonathan Young noted "In the current era of fiscal restraint, our nation's long-term fiscal stability depends, in part, on creating meaningful opportunities for Americans with disabilities to contribute to our nation's collective well-being and eliminating policies that trap people with disabilities in cycles of poverty and dependence."

ADDITIONAL INFORMATION
Press Release

[http://www.ncd.gov/newsroom/09182012]

2012 NCD Progress Report

[http://www.ncd.gov/progress_reports/Aug202012]

OTHER ITEMS OF INTEREST

AT&T AND STATE OF TENNESSEE PARTNER ON TEXT TO 911

September 5, 2012 –   AT&T has secured the state of Tennessee's approval to use the state's new Emergency Service IP Network (ESInet) in a statewide Text to 9-1-1 trial. In this trial, AT&T will collaborate with the Tennessee Emergency Communications Board (TECB) to provide a Text to 9-1-1 service using the existing ESInet and statewide IP network backbone (NetTN). This will enable AT&T wireless subscribers to send emergency 9-1-1 text messages to Tennessee 9-1-1 centers, referred to as public safety answering points (PSAPs). According to AT&T, through the trial, PSAPs in Tennessee can develop best practices and procedures for receiving and integrating the 9-1-1 SMS text messages with regards to the National Emergency Number Association's (NENA) i3 standards and recommendations. This trial provides an opportunity for Tennessee to enhance their emergency communications network and ensure the safety of their citizens, including persons with hearing loss or speech disabilities. Brian Fontes, NENA CEO, noted:

"For those in the hearing and speech disabilities community, access to 9-1-1 via text messaging enables the immediate connection to emergency services that every citizen deserves. While NENA strongly recommends contacting 9-1-1 via traditional voice communications whenever possible, we are truly excited by this development and look forward to the day when text to 9-1-1 can be made available nationwide."

ADDITIONAL INFORMATION

Press Release

[http://www.att.com/gen/press-room?pid=23260&cdvn=news&newsarticleid=35317&mapcode=enterprise|mk-att-business-customer-]

NENA News

[http://www.nena.org/news/102051/Tennessee-to-Launch-Text-to-9-1-1-Trial.htm]

SHAPING RESNA

September 10, 2012— Alex Mihailidis, the new president of Rehabilitation Engineering and Assistive Technology Society of North America (RESNA), recently announced new board appointees and committee assignments. The board appointees include: Paul J. Schwartz, MSIE, ATP, RET, a RESNA board member, as Treasurer and also chair of the Finance Committee; R. Lee Kirby, MD, FRCPC as a

new board member; and Roger O. Smith, PhD, a RESNA board member as the Board Member at Large to the Executive Committee.

The three new committee assignments include: Glenn Hedman, PE, ATP, RET as chair of the Assistive Technology Standards Board; Nathan Moon, PhD, as chair of the RESNA Government Affairs Committee; and Alan Cantor, MA, as chair of the Special Interest Groups Committees.

In addition, Ray Grott, ATP, RET is now chair of the Bylaws Committee and Long-Range Planning Committee, as part of his duties as President-Elect and Jerry Weisman, MSME, ATP, RET, is chair of the Nominating Committee, as part of his duties as Immediate Past President.

ADDITIONAL INFORMATION
Press Release
[http://www.resna.org/news/detail.dot?id=70253]

COMPUTER/ELECTRONIC ACCOMMODATIONS PROGRAM RELEASES A MOBILE APP

September 11, 2012 –   The Computer/Electronic Accommodations Program (CAP) announced the release of their free mobile application that is available now through the iTunes App Store. An Android version is coming soon. The app provides information about CAP and the disability community. Examples of app features include: news, tips and videos on assistive technology; information on events in the disability community; and the ability to send questions to CAP and download CAP presentations and materials.

ADDITIONAL INFORMATION
Press Release
[http://cap.mil/NewsEvents/News.aspx?id=405Meeting Agenda]
[http://hraunfoss.fcc.gov/edocs_public/index.do?document=316302]
iTunes App Store—CAP Mobile App
[http://itunes.apple.com/us/app/cap-mobile-app/id543280345?mt=8]
About CAP
[http://cap.mil/AboutCAP/AboutCAP.aspx]

HELPING STATES ELIMINATE DISCRIMINATORY PRACTICES

September 25, 2012—The Consortium for Citizens with Disabilities (CCD), the Habilitation Benefits (HAB) Coalition, the Coalition to Preserve Rehabilitation (CPR), and the Independence Through Enhancement of Medicare and Medicaid (ITEM) Coalition, released a technical assistance document to states that aims to be a resource for designing essential health benefits (EHB) packages for "rehabilitative and habilitative services and devices", as defined by Patient Protection and Affordable Care Act (ACA) [Pub. L. 111-148]. The purpose of the technical assistance document is to assist states

in taking appropriate measures to implement the ACA reforms in a manner that "eliminate[es] decision-making based on health status in the individual and small group markets, which disproportionately impacts people with disabilities and chronic conditions."

The document includes: explanations and definitions of rehabilitative and habilitative services and devices; recommendations on enhancing state benchmark plans to meet essential health benefits and requirements; information on incorporating state mandates and establishing limits on rehabilitative and habilitative services and devices; and an evaluation chart to assist states in their assessment of benchmark plan coverage for rehabilitative and habilitative services and devices. Nathan Moon, PhD, Associate Director for Research at the Center for Advanced Communications Policy (CACP) at the Georgia Institute of Technology led the Rehabilitation Engineering and Assistive Technology Society of North America (RESNA) Government Affairs Committee that contributed expertise in revising the final document.

ADDITIONAL INFORMATION
Consortium for Citizens with Disabilities Website
[http://c-c-d.org/index.htm]

2012 NATIONAL FORUM ON DISABILITY ISSUES

September 28, 2012 –   The National Forum on Disability Issues was held at the Hyatt Regency in Columbus, Ohio. The forum is the only national event that provides presidential candidates, President Barack Obama and former Massachusetts Governor Mitt Romney, an opportunity to present their policy positions on disability issues. Candidates for the U.S. Senate from Ohio, Sen. Sherrod Brown and Republican nominee Treasurer Josh Mandel were also invited to participate at the forum. It was an opportunity for candidates to present their positions directly to the disability community, with a maximum capacity crowd of 500 Americans living with disabilities and unlimited access via a planned live webcast. Each candidate was given 10 minutes to present their positions, followed by 20 minutes of questions developed by the disability community and presented by the forum moderator, Frank Sesno, director of the School of Media and Public Affairs at the George Washington University, and former CNN White House correspondent, anchor and Washington bureau chief. Topics included employment, health care, long-term community-based services and supports, education, transportation, housing and research.

ADDITIONAL INFORMATION
Press Release
[http://www.nfdi.org/wp-content/uploads/2012/09/Moderator-Announcement.pdf]
Forum Details and Webcast Registration
[http://www.nfdi.org/]

PROMOTING EXERCISE FOR PEOPLE WITH DISABILITIES

September 28, 2012 –   The U.S. Department of Education announced a $950,000 grant to the University of Alabama at Birmingham for the Rehabilitation Engineering Research Center on Recreational Technologies and Exercise Physiology Benefiting Persons with Disabilities (RERC RecTech). The award is funded by the U.S. Department of Education's Office of Special Education and Rehabilitative Services through the National Institute on Disability and Rehabilitation Research (NIDRR). The center will focus on research and development projects that utilize technology to help people with disabilities improve access to recreation and exercise venues and equipment and increase opportunities to promote and participate in regular exercise. The importance of promoting healthy, active lifestyles for people with disabilities was noted by U.S. Secretary of Education, Arne Duncan:

"Exercise makes for happier, healthier, more attentive and more productive people. The research in this area will help individuals with disabilities become more physically active, contributing to better health and overall well-being."

ADDITIONAL INFORMATION
- Press Release

  [http://www.ed.gov/news/press-releases/us-education-department-awards-950000-university-alabama-advanced-engineering-re]

UPCOMING EVENTS

BUILDING REHABILITATION RESEARCH CAPACITY AT THE NEXUS OF NEW TECHNOLOGIES, AGING AND DISABILITY

The Rehabilitation Engineering Research Center on Technologies for Successful Aging with a Disability (OPIT-RERC) will hold their *State of the Science Conference* in Marina del Rey, California on October 25-26, 2012. The conference will discuss perspectives on aging and disability research and advances in new technologies with an aim to "develop a strategy for responding to future needs and opportunities and strengthening the comparative effective evidence-base for policy and practice decision-making that embodies the nexus perspective."

ADDITIONAL INFORMATION
- OPIT-RERC State of Science Conference
- [http://www.isi.edu/research/rerc/coming_events/]

THE STATE OF THE STATES IN COGNITIVE DISABILITY AND TECHNOLOGY

The Coleman Institute for Cognitive Disabilities will host their 12th annual conference, *The State of the States in Cognitive Disabilities and Technology*, on November 2, 2012 at the Westin Westminster Hotel in Westminster, Colorado. The conference will "cover an annual review of the state of the economy, the state of federal disability policy and law, and the state of technology with projections for the future and explorations of impact on quality of life for people with cognitive disabilities."

The State of the States in Cognitive Disability and Technology

[http://www.colemaninstitute.org/

ACCESSING HIGHER GROUND

The University of Colorado at Boulder will host the *15th Annual Accessing Higher Ground Conference* from November 12 – 16, 2012 at the Westin Hotel in Westminster, Colorado. The conference "focuses on the implementation and benefits of accessible media, universal design and assistive technology in the university, business and public settings."

Accessing Higher Ground

[http://www.colorado.edu/ATconference/index.html

ASSISTIVE TECHNOLOGY ACROSS THE LIFESPAN CONFERENCE

WisTech in collaboration with The Stout Vocational Rehabilitation Institute, Cooperative Educational Service Agencies, and Milwaukee Public Schools will host the *Assistive Technology Across the Lifespan Conference* from December 6 – 7, 2012 at the Glacier Canyon Lodge Conference Center in Wisconsin Dells, Wisconsin. The conference will discuss "successful applications of assistive technology for persons with disabilities" and will also feature an exhibition hall with hands-on assistive technology sessions.

Assistive Technology Across the Lifespan Conference

[http://www.atacrosslifespan.org/

THE WIRELESS INNOVATION FORUM CONFERENCE

The Wireless Innovation Forum will be hosting a conference on Communications Technologies and Software Defined Radio (SDR-WInnComm) in Washington, DC from January 8-13, 2013. The conference will discuss "advancement of reconfigurable radio technologies from research through deployment."

The Wireless Innovation Forum Conference

[http://conference.wirelessinnovation.org/mc/page.do?sitePageId=102427&orgId=s1

2013 INTERNATIONAL CES

The Consumer Electronics Association (CEA) will host the *2013 International Consumer Electronics Show* (CES) from January 8 – 11, 2013 in Las Vegas, NV. Conference sessions include business insights, home entertainment, lifestyle technology, wireless communications, emerging technology, disruptive technologies, and in-vehicle technology.

Conference Website
[http://www.cesweb.org/]

INTERNATIONAL TECHNOLOGY AND PERSONS WITH DISABILITIES CONFERENCE

The Center on Disabilities in the California State University is holding the 2012 CSUN conference in San Diego, CA at the Manchester Grand Hyatt Hotel from February 25 – March 1, 2013. CSUN is "Known as a forum that showcases cutting edge technology and practical solutions that can be utilized to remove the barriers that prevent the full participation of persons with disabilities in educational, workplace and social settings, the conference is the largest of its kind in the world."

ADDITIONAL INFORMATION
CSUN Conference

[http://www.csun.edu/cod/conference/]

2013 NARRTC CONFERENCE: HIGHLIGHTING NIDRR-FUNDED RESEARCH

The National Association of Rehabilitation Research and Training Centers' (NARRTC) annual meeting and conference will be held April 18-19, 2013 in Alexandria, VA. The conference provides an opportunity to highlight the progress and latest results from research and development projects funded by the National Institute on Disability and Rehabilitation Research (NIDRR). Registration for the 2013 conference will open November 1, 2012 and the call for papers will open November 15, 2012.

ADDITIONAL INFORMATION
NARRTC Website

[http://narrtc.org/]

WHO ARE THE ASSISTIVE TECHNOLOGY DESIGNERS OF THE FUTURE?

The Rehabilitation Engineering and Assistive Technology Society of North America (RESNA) announced their 2013 Student Design Competition (SDC). The annual competition provides teams of students with the opportunity to present creative and innovative assistive technology designs that can help people with disabilities function more independently. Students from a variety of disciplines are able to participate, including: mechanical, electrical, biomedical engineering, computer information science, architecture, and physical and occupational therapy. The designs are evaluated based on originality, quality and usefulness. Submission instructions will be available in October 2012 and the deadline for submissions is April 26, 2013.

ADDITIONAL INFORMATION
2013 SDC Announcement

[http://web.resna.org/conference/program/student-design-competition-.dot]

SDC 2013 Flyer

[http://www.resna.org/conference/program/images/RESNA_SDC_2013Flyer.pdf]