



PUBLIC NOTICE

Federal Communications Commission
445 12th St., S.W.
Washington, D.C. 20554

News Media Information 202 / 418-0500
Internet: <http://www.fcc.gov>
TTY: 1-888-835-5322

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FCC REQUESTS NOMINATIONS FOR MEMBERSHIP ON VIDEO PROGRAMMING AND EMERGENCY ACCESS ADVISORY COMMITTEE IN ACCORDANCE WITH THE TWENTY-FIRST CENTURY COMMUNICATIONS AND VIDEO ACCESSIBILITY ACT

In this Public Notice, the Federal Communications Commission (Commission) seeks nominations for membership on its Video Programming and Emergency Access Advisory Committee (VPEAAC or Committee), which is mandated by the Twenty-first Century Communications and Video Accessibility Act of 2010 (Act).¹ Interested parties should submit nominations in accordance with the procedures outlined below, which include an optional online nomination form.

The Act, which was signed into law by President Obama on October 8, 2010, directs the Commission to establish the VPEAAC to assist the Commission in carrying out its duties under the Act. The VPEAAC is to be composed generally of video programming providers, developers and manufacturers of equipment used to deliver video programming and information technology, subject matter experts, and others, as described below. The Federal Advisory Committee Act (5 U.S.C. App. 2) does not apply to the VPEAAC, but meetings will be open to the public, pursuant to the Act.²

VPEAAC MISSION

The Act provides that the VPEAAC shall develop recommendations for the provision of closed captioning of Internet programming previously captioned on television,³ video description of television programming delivered using Internet protocol or digital broadcast television,⁴ accessible emergency information for people with vision disabilities delivered using Internet protocol or digital broadcast television,⁵ and accessible user interfaces on video programming devices.⁶ Where possible, the Act

¹ PL 111-260, § 201. Pursuant to the Act, the Chairman of the Commission must establish the VPEAAC by December 8, 2010, which is 60 days after enactment of the Act. *Id.* at Sec. 201(a).

² PL 111-260, § 201 (h).

³ PL 111-260, § 201 (e) generally lays out the directives for the VPEAAC. PL 111-260, § 202 (b) replaces subsection 713 (c) of the Communications Act, 47 U.S.C. §613 (c), with new requirements for the Commission to promulgate regulations for the provision of closed captioning of video programming once published or exhibited on television.

⁴ PL 111-260, § 202 (a) replaces subsection 713(f) of the Communications Act, 47 U.S.C. §613 (f), with new requirements for the Commission to reinstate and update (as directed by the Act) its video description regulations originally contained in *Implementation of Video Description of Video Programming*, Report and Order, 15 FCC Rcd 15,230 (2000), *recon. granted in part and denied in part*, 16 FCC Rcd 1251 (2001).

⁵ PL 111-260, § 202 (a) replaces subsection 713 (g) of the Communications Act, 47 U.S.C. §613 (g) with a new requirement for the Commission to promulgate regulations requiring video programming providers and distributors and program owners to convey emergency information in a manner accessible to individuals who are blind or

(continued...)

directs that these recommendations should incorporate the standards, protocols, and procedures that have been adopted by recognized industry standard-setting organizations.⁷

The Act sets forth specific tasks for the Committee as well as deadlines for completing such tasks. Specifically, the Act mandates that the VPEAAC develop and submit to the Commission two reports:

REPORT ON CLOSED CAPTIONING

Within 6 months of the first meeting of VPEAAC, the Committee shall submit a report to the Commission that includes:

- A recommended schedule of deadlines for the provision of closed captioning service;
- Identification of the performance requirements for protocols, technical capabilities, and technical procedures needed to permit content providers, content distributors, Internet service providers, software developers, and device manufacturers to reliably encode, transport, receive, and render closed captions of non-consumer generated video programming delivered using Internet protocol, as well as a recommendation for technical standards to address these performance objectives;
- Identification of additional protocols, technical capabilities, and technical procedures beyond those available as of October 8, 2010, for the delivery of closed captions of non-consumer generated video programming delivered using Internet protocol, that are necessary to meet the performance objectives identified in the Act; and
- Recommendations for regulations necessary to ensure compatibility between non-consumer generated video programming that is delivered using Internet protocol and devices capable of receiving and displaying such programming, in order to facilitate access to closed captions.

REPORT ON VIDEO DESCRIPTION, EMERGENCY INFORMATION, USER INTERFACES, AND VIDEO PROGRAMMING GUIDES AND MENUS

Within 18 months of the date of the Act's enactment, the Committee shall submit a report to the Commission that includes:

- A recommended schedule of deadlines for the provision of video description and emergency information;

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visually impaired. This Committee will address disability access to emergency information provided on video programming, while a second advisory committee, the Emergency Access Advisory Committee mandated by section 106 of the Act, will address next generation 911 (NG911) emergency disability access issues.

⁶ PL 111-260, § 204 amends section 303 of the Communications Act, 47 U.S.C. § 303, to create new requirements for accessible user interfaces on digital apparatus designed to receive or play back video programming transmitted in digital format simultaneously with sound, including apparatus designed to receive or display video programming transmitted in digital format using Internet protocol.

⁷ PL 111-260, § 201(e)(3).

- Identification of the performance objectives for protocols, technical capabilities and technical procedures needed to permit content providers, content distributors, Internet service providers, software developers, and device manufacturers to reliably encode, transport, receive, and render video description of non-consumer generated video programming and emergency information, delivered using Internet protocol or digital broadcast television, as well as a recommendation for technical standards to address these performance objectives;
- Identification of additional protocols, technical capabilities, and technical procedures beyond those available as of October 8, 2010, for the delivery of video description of non-consumer generated video programming and emergency information delivered using Internet protocol or digital broadcast television that are necessary to meet the performance objectives identified above;
- Recommendations for regulations necessary to ensure compatibility between non-consumer generated video programming delivered using Internet protocol or digital broadcast television and devices capable of receiving and displaying such programming, in order to facilitate access to video description and emergency information;
- Recommendations for standards, protocols, and procedures to make user interfaces and functions of apparatus designed to receive or display video programming transmitted simultaneously with sound (including apparatus designed to receive or display video programming transmitted by services using Internet protocol) accessible to and usable by people with disabilities;
- Recommendations for standards, protocols, and procedures used to enable access to on-screen text menus and other visual indicators via audio output, so that such menus or indicators are accessible to and usable by people with disabilities; and
- Recommendations for standards, protocols, and procedures used to enable access to video programming information and selection provided on video programming guides and menus by means of a navigation device, guide, or menu, so that such information and selection are made available in real-time to people who are blind or visually impaired.

MEMBERSHIP

The Commission seeks nominations for the membership of the VPEAAC from the following groups and individuals:⁸

- Distributors and providers of video programming or national organizations representing such distributors;
- Vendors, developers, and manufacturers of systems, facilities, equipment, and capabilities for the provision of video programming delivered using Internet protocol or national organizations representing such interests;
- Manufacturers of consumer electronics or information technology equipment or national organizations representing such manufacturers;
- Video programming producers or national organizations representing such producers;

⁸ PL 111-260, § 201(b)(1)-(7).

- National organizations representing accessibility advocates, including people with disabilities and senior citizens;
- Representatives of the broadcast television industry or national organizations representing broadcasters; and
- Other individuals with appropriate technical and engineering expertise.

From the nominations submitted, the Chairman of the Commission will appoint the members of the VPEAAC to serve on the Committee for a minimum period of two years. The Chairman will appoint a member of the Commission's staff to moderate and direct the work of the VPEAAC, and the Commission will appoint a member of the Commission's technical staff to provide technical assistance to the VPEAAC, in accordance with the legislative mandate.⁹ The Chairman may also establish subcommittees composed of members of the Committee and other subject matter experts in order to assist with the work of the VPEAAC.

NOMINATIONS AND MEMBERSHIP/DEADLINE

Nominations for VPEAAC membership should include the nominee's name, title, and organization if appropriate, as well as the nominee's postal address, e-mail address, and telephone number. Nominees should also include a statement of the nominee's interests, any specific expertise, the specific issues of those listed above that are of interest to the nominee, and a detailed description of the nominee's qualifications to serve on the VPEAAC. Individuals may self-nominate, or be nominated by a third party. If self-nominating, the nominee should include a statement indicating a willingness to serve on the Committee for a two year term of service, and a commitment to attend at least four (4) one-day meetings per year in Washington, D.C.,. A sample nomination form is attached and may be used, but is not required. If nominating a third party, please include as much of the above information as possible.

The Commission must receive nominations by **11:59 PM, EST, November 1, 2010**. The nominations may be sent via U.S. mail to the Federal Communications Commission, Consumer and Governmental Affairs Bureau, Attn: Pamela Gregory, 445 12th Street, S.W., Washington, D.C. 20554, via e-mail to VPEAAC@fcc.gov, or via fax to (202) 418-0037. Nominations may also be completed online. An online nomination process is provided at: <http://www.fcc.gov/cgb/dro/VPEAAC/VPEAACnominationform.html>. Due to the extensive security screening of incoming mail since September 11, 2001, delivery of mail sent to the Commission may be delayed. Therefore, we encourage submission by e-mail, fax, or via the online nomination form. FCC staff will acknowledge receipt of your nomination by e-mail or fax shortly thereafter.

Please note this Notice is not intended to be the exclusive method by which the Commission will solicit nominations and expressions of interest to identify qualified candidates. However, all candidates for membership on the Council will be subject to the same evaluation criteria.

⁹ PL 111-260, § 201(c) and (d).

APPOINTMENTS AND FIRST MEETING

The Commission will publish a notice in the Federal Register announcing the appointment of VPEAAC members and the first meeting of the Committee. The Commission anticipates that the first meeting of the Committee shall be held no later than December 31, 2010.¹⁰

FOR FURTHER INFORMATION CONTACT: Pamela Gregory, Consumer and Governmental Affairs Bureau, FCC, Pam.Gregory@fcc.gov, 202-418-2498 (voice) or 202-418-1169 (TTY), or Alison Neplokh, Media Bureau, FCC, Alison.Neplokh@fcc.gov, 202-418-1083

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¹⁰ In no event may the first meeting occur past 180 days after enactment of the Act. PL 111-260, § 201(f)(1).

**VIDEO PROGRAMMING EMERGENCY ACCESS ADVISORY COMMITTEE
NOMINATION FORM (OPTIONAL)**

NOTE: Nominations may be made by an individual or by an organization selecting a nominee.

Name: _____

Organization and title: _____

Address: _____

City: _____ State: _____ Zip: _____

Contact telephone numbers and information: (*please indicate preferred contact method):

Business: _____ Home: _____

Fax: _____ Cell: _____

Email: _____

Affiliation or identification. (Check all that apply):

- _____ person with a disability, disability advocate or national organization representing persons with disabilities
- _____ senior citizen or organization representing senior citizens
- _____ advocate for persons who are elderly (includes organization)
- _____ video programming distributor/ national organization representing distributors
- _____ video programming provider/national organization representing providers
- _____ video programming producer/ national organization representing producers
- _____ broadcaster/ national organization representing broadcasters
- _____ developer or manufacturer of systems, facilities, equipment, and capabilities for the provision of video programming delivered using Internet protocol
- _____ manufacturer of consumer electronics or information technology equipment
- _____ other individual or company with relevant technical knowledge and expertise.

Please specify: _____

Statement of interest and commitment to serve for a 2-year term and to attend at least four meetings per year: (may add additional information on separate sheets):

Signed: _____

Date: _____