

Nathanael T. Wales
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March 17, 2000

Magalie Roman Salas
Office of the Secretary
Federal Communications Commission
445 Twelfth Street Southwest, TW-A325
Washington, District of Columbia 20554

Dear Ms. Salas:

RE: COMMENTS ON NOTICE OF PROPOSED RULEMAKING
IN THE MATTER OF VIDEO DESCRIPTION OF VIDEO PROGRAMMING

MM Docket No. 99-339

I very much appreciate the opportunity to comment on the above-titled Notice of Proposed Rulemaking (NPRM) which proposes to mandate use of audio description of visual images by television networks and stations using the Secondary Audio Programming (SAP) channel. I fully support continued development of audio description on a voluntary basis, but I oppose the imposition of audio description as a federal mandate. I recognize that this NPRM proposes only a limited mandate at the present time, but the FCC's intent to "expand these requirements" is very clear.

I am blind. I am currently a senior majoring in civil engineering at the University of California at Davis. I also work part time as a student engineering assistant for the State of California, Department of Water Resources. This job has provided me with valuable work experience in the field of civil engineering.

As a student and as an engineer, one of my most important concerns has always been access to information. My concerns are dominated by such things as technology, computers, the Internet, names of software applications, and Braille printers. Sooner or later, however, among these concerns becomes television--but not for the purported problem the FCC proposes to fix. Rather, my concern is the lack of access to emergency weather and news information scrolled across the bottom of the television screen; the lack of access to the identities of talking heads in national and local news broadcasts; the lack of access to sports scores for my Green Bay Packers; or the lack of access to printed information during commercials some of which are health-related and display vital phone numbers. In other words, a fundamental part of television is inaccessible to me, but that

part is not the plot of a situation comedy, the costumes in a televised drama, nor the cool special effects in "Star Trek: Voyager".

Among my friends, both sighted and blind, favorite movies and beloved television series form part of our conversation just as they do for most Americans. Some of my friends who are blind like the service of "descriptive video"; some of my friends who are blind dislike it; many of my friends who are blind and I myself are frankly indifferent.

I believe that part of the reason for this wide disparity in the reaction of my friends who are blind to "descriptive video" is the makeup of the blind population itself. While I've observed that figures vary depending on the source, most agree that there are somewhere near one million legally blind persons in the United States. But only about one in ten persons in this population cannot see anything. The term "legally blind" means having 10% or less of normal vision. Many in the blind population, including myself, in other words, can see some, and television is one of the things persons with poor vision can see. For example, I can see television if I sit very close to the set (usually within three feet of the set). However, persons with poor vision cannot read crawlers or names of talking heads or phone numbers printed or flashed on the screen. I myself cannot read them.

One of the most important reasons for my ambivalence to "descriptive video" is the lack of standards. I generally don't use the current service because many times I find it irrelevant to my enjoyment of a movie or television program. While the use of SAP is obviously voluntary, that I find audio description irrelevant to my enjoyment of a movie or television program should raise questions as to whether that voluntary use by blind people should be linked to mandatory production by networks.

But the most important reason why I do not support mandatory "descriptive video" is my frustration of having genuinely important information right there on the screen to which I do not have access. It makes no sense to me why anyone would either want to receive or want to require describing costumes, lighting, and gestures when the real information remains unavailable.

I would urge the FCC to place "descriptive video" in abeyance until the real access issue is solved: access to information printed or flashed on my screen. The purveyors of this information come from the entire universe of television: networks in news shows and emergency crawler information; local stations with emergency weather information, local news and my Green Bay Packers; producers of shows at all levels; and advertisers. I realize that that is a very large bite for the FCC to contemplate, but it's the real first bite in achieving access for the blind to television's inaccessible areas. Once my friends who are blind and I have access to information equal to the access to information enjoyed by our friends viewing the television screen with vision and once the needs of this vital access for use of SAP are determined, then and only then will it, in my judgment, be time to consider whether an actor's silent progress across the screen (usually obvious in the plot anyway), the vase of flowers (which may be pretty but unnecessary to the plot), or Voyager's firing of her phasers at an enemy (usually obvious through dialogue and accompanying sound effects) need to be described and what relation this entertainment

material should bear to any printed information such as weather announcements that may appear.

In other words, I would turn on my SAP if I could get the printed information; I would probably not if I can only learn about costumes, facial expressions, and visually dazzling special effects. I reiterate that I urge FCC to give my friends who are blind and me information and to worry about entertainment at some later date. What I seek is technically feasible, but what I seek will never be provided unless the FCC mandates it and leaves what is arguably irrelevant entertainment irrelevant.

Should you have any further questions or wish to discuss my concerns further, please feel free to contact me at my mailing address (above), at my telephone number, (530) 753-9978, or at my e-mail address at ntwales@ucdavis.edu. Thank you for your time.

Sincerely,
Nathanael T. Wales