

LILY BOND: Welcome, everyone, and thank you so much for joining this webinar entitled FCC Audio Description Requirements. I'm Lily Bond, from 3Play Media, and I'll be moderating today. I'm thrilled to be joined today by Will Schell, the attorney advisor at the Disability Rights Office of the FCC. And he has a great presentation for you about the FCC's audio description requirements. And with that, I am going to hand it off to Will.

WILL SCHELL: Good afternoon, everyone. OK, so my name is Will Schell, and I'm a blind attorney at the Disability Rights Office at the FCC. And I'm really happy to be here. And I want to thank you all for attending the webinar. Looks like there's a number of people on.

I'm here to talk about the FCC's audio description requirements. And just to get it out of the way right out of the gate, in case anyone is not familiar, video description or audio description is audio narrated description of a television program's key visual elements. The video descriptions are normally played over the secondary audio channel, sometimes called the SAP.

These short verbal descriptions of actions and key visual scenes in a program-- such as the setting, and costumes, and facial expressions-- they're added in to provide context. The descriptions are inserted into the pauses between the program's dialogue. The purpose of these descriptions are to make video programming more accessible to people who are blind or visually impaired. So as part of this webinar, I'll briefly describe any images that I have on the slides.

For example, on this first slide, there is an image of the FCC logo. Now, if I was a professional audio describer, I might describe the FCC logo in more detail, such as saying the FCC logo shows an eagle soaring over two towers, and those towers have three transmission lines spanning the gap between them. The transmission lines are attached to various antennas, and lightning or electricity is held in the eagle's talons and is touching the transmission line. The whole logo is surrounded by the words Federal Communications Commission, US.

Now, I'm not a professional audio describer. And I'm not really even sure if that description accurately reflects what's in the FCC's logo. But it's just my simple way of kind of explaining or kind of demonstrating how audio description might work, and then also providing a slightly more accessible webinar.

So I won't be reading out the text on the slides. But my comments for each slide will inevitably include the information. So I should mention that the FCC is always working on interesting issues. And let me discuss a few things that we're working on at the Disability Rights Office before we get into the details of audio description.

The FCC has various rules regarding accessibility requirements for televisions, telephones, and other devices that use advanced communication services or play video programming. For example, telecommunications devices have to be accessible. They have to be compatible with other accessibility devices, like Braille displays. They have to be usable in that people with disabilities can read the instruction manuals in an accessible format.

We have rules that require captioning on television, and rules that require some captioning on the internet. We have rules that require text messaging and email and instant messaging be accessible. We have rules that require internet browsers on mobile phones be accessible. We have rules that require emergency information be accessible on TVs and on mobile phones. And that's just to name just a few of the issues that we work around normally.

So I'm going to slide two. And our office does more than just promulgate rules for accessibility. We also administer the National Deaf-Blind Equipment Distribution Program. The NDBEDP is a \$10 million a year program that distributes telecommunication equipment to people who are low income and who are deaf-blind. It helps them gain access to the communication network.

The program is also called I Can Connect. And there is a logo for I Can Connect, and also the FCC's logo is also on this slide. The NDBEDP started as a pilot program on July 1st, 2012, and has operated as a pilot program since then. And as of just a few months ago, the program has become a permanent program, and we're very proud of this program. And I just wanted to mention it here.

So slide number three. OK, so before we dive into the rules of audio description, let's talk about some of the things that surround audio description, some issues that are related to and on the edges of audio description.

So one of our regulations requires that video programming distributors and providers must make the critical details of emergency information accessible to individuals who are blind or visually impaired. This includes any information intended to further the protection of life, health, safety, and property. Some examples are during tornadoes or hurricanes, floods, tidal

waves, earthquakes, icing conditions, heavy snows, widespread fires, which is particularly relevant as there are fires in California right now, and discharges of toxic gases, widespread power failures, industrial explosions, civil disorders. You get the idea.

The critical details that must be made accessible to individuals who are blind or visually impaired include, but aren't limited to, the specific details regarding the area that will be affected by the emergency, the evacuation orders, detailed descriptions of areas that have to be evacuated, specific evacuation routes, approved shelters, or the way that someone would need to take shelter in one's own home, instructions on how to secure personal property, road closures. All of these kinds of critical details during an emergency-- those have to be made accessible.

So what does this look like in real life? So if you are blind and watching television, and you hear that emergency information noise-- it's normally a three tones in a row, three-tone noise beeping. That means that there's some sort of emergency information being displayed. The display of that emergency information is normally through a crawl or a scroll on the screen.

Well, if you are blind or visually impaired, you would want to switch to the secondary audio stream. The secondary audio stream is where the critical details of the emergency would be read out loud. Now, I should mention that on this slide, there's three images. One is an icon of a monitor with the words SAP Feature. The second image is of a television with an emergency alert on the screen. And the third image is of a handheld tablet showing the same sports game that is being aired on the television in the background.

So as it stands now, the secondary audio stream can be a bit confusing. First of all, it has many names-- SAP, Secondary Audio Program, Secondary Audio Channel. Sometimes it's referred to as the Foreign Language Channel. And remote controls have various words to indicate how you would switch to that secondary audio stream. Sometimes it's labeled as Audio. Sometimes it's labeled as Spanish. Sometimes it's labeled as SPA.

So during an emergency, the secondary audio stream is supposed to read out loud the emergency information. During regularly scheduled programming, it can have all sorts of interesting audio streams going on. So oftentimes, there is a Spanish language version of the show that's being watched. Sometimes there is described video, which we will talk about more in just a moment. Sometimes there's no sound at all. Sometimes the secondary audio stream is playing the main audio stream. So it can be confusing what exactly is going on on the

secondary audio stream.

I would like to mention that starting on July 10th, 2017, cable satellite and fiber TV services-- they are required to pass through the secondary audio stream that contains audible emergency information when they permit their customers to access regular television programming on second screen devices. So that's really referring to the third image in there of the person holding a tablet watching television. So we're all now, many of us, are watching television programming on our smartphones and tablets. And blind and visually impaired viewers should not be left out of the critical emergency information.

And this rule requires that the cable and satellite companies ensure that any application or plug-in that it provides to customers to access regular TV programming on their tablets or smartphones or laptops or similar devices, that it also receive the emergency information. Now, this is only applicable to cable or satellite company's own network, as if you were in your own home on the broadband connection provided by your cable or satellite company. This rule doesn't apply to people watching TV on their phone at a Starbucks. But if you're watching cable in your own home on the cable company's broadband connection, then they have to pass through the secondary audio stream so that you can hear the oral representation of the emergency information.

All right, so slide four. Now, I want to remind everyone about the FCC's rules that require set-top boxes to be accessible, and also devices that play video programming, that those also have to be accessible. So in this context, we're talking about accessible user interfaces for people who are blind or visually impaired. We're talking about people who are blind or visually impaired being able to operate and use all or nearly all of the functions of a device, such as the settings and the menus, channel selection, start and stop, fast forward, so on.

Most of this is accomplished through a speech synthesizer, meaning that the program guides and menus are read out loud by converting the text on the screen to computer-generated speech. These rules have separate requirements for cable, satellite, and fiber TV services. And then there are separate requirements for all other devices that play video programming.

So just quickly, let's start with the cable, satellite, and fiber TV services. So if you are a cable, satellite, or fiber TV subscriber of one of the top 14 team cable and satellite companies, they must provide an accessible set-top box to people who are blind or visually impaired right now. All other cable and satellite companies have to provide them by December 20th, 2018.

If a blind or visually impaired customer requests the accessible set-top box, the cable company has to provide it at no additional charge. They have to make it generally easy to get. And they have to have an accessible website that lists who you can speak to to find out more information. That person has to be able to explain how to get one of these devices, and how to use the accessibility functions on the device.

The other set of accessible user interface rules covers any device that can play video programming. These are things like televisions, smart TVs, tablets, smartphones, removable media players, which are things that we know of as Apple TVs and Rokus and Amazon Fire sticks. These rules also cover computers, computers can play video programming, and also anything else that can play video programming.

So for example, a smart refrigerator-- if your smart refrigerator can play video programming, maybe to watch a recipe being made, then it would also have to comply with these accessible user interface rules for people who are blind or visually impaired. Oh, and those rear entertainment systems in vehicles, the headrest in the cars that play video programming. But that's just to name a few. I'm sure there's many other video programming devices that I can't even imagine play videos.

So on this slide, there's nine pictures. And there's a whole various bunch of different cable boxes and set-top boxes. Some of them are set-top boxes, cable boxes that you insert a cable card into, along with images of a smart TV, a smartphone, a tablet, a Roku, and an Apple TV.

So the accessibility rules apply to these devices and to any pre-installed apps or video players that come with these devices. It also applies to apps or players that a user is directed to download from the manufacturer or the seller. The accessibility rules are not applicable to just any old app that you can find on the app store, but many of these devices come with hundreds of apps pre-installed.

So these devices must be accessible when they're manufactured on or after December 20th, 2016. So many of these products are really hitting the market right now. I always like to emphasize that this is not a trivial matter. Blind people watch just as much video programming as sighted people do, which if I recall, is some sort of embarrassingly high amount, like five hours a day or something like that, which we all deny.

But blind people watch just as much video programming, and we pay significant amounts of money for these devices and for the subscription services. TV and video programming is really

inextricably intertwined with our society and culture. So the reason I bring this up-- the accessible user interfaces-- in the talk about audio description is because oftentimes the remote controls have no simple or easy way to change to the secondary audio stream. And accessible user interfaces, with their text-to-speech, will allow blind and visually impaired users to navigate into the bowels of the settings menus and find that setting that will change the audio stream.

And I'm moving on to slide number five. One of the particularities of this rule includes the requirement that there be a mechanism that is reasonably comparable to a button, key, or icon. One of these mechanisms must exist for each of the closed caption and for the video description. So everyone should know this by heart-- a mechanism that is reasonably comparable to a button, key, or icon.

It's fairly vague, because these devices vary dramatically. Some of these devices have remotes with five buttons on them. And some remotes have what seems like a million buttons on them. Many of the devices don't have any buttons. So implementing it in a way that is reasonably comparable to a button, key, or icon is what this rule is really aiming at.

Now, things we know about the mechanism-- it does not necessarily have to be a single step. It's not reasonable if a user has to turn the device off and then back on to activate this mechanism. It is not required to be accessed the same way that sighted people would access it. And then also, voice control cannot be the sole means of activating for closed captions. And gesture controls are OK, so long as they are simple and easy to use.

Now, all of this is to say that if you cannot turn on the secondary audio stream quickly, you will not be able to listen to the emergency information announcement. If you cannot turn on and off the secondary audio stream, you will also not be able to listen to described video. So on this slide, there is an image of a big green button with a plastic cover over it, and the cover is padlocked. Just below the button is a closed caption logo. And all of this is intended to give the impression that turning on and off the closed captions can sometimes be difficult.

So slide number six. We're finally at the subject at hand. I'm going to get to the issue that we're supposed to talk about, which is described video. And you should note that the FCC rules call described video "video description." Almost everywhere else it is called audio description. And I use these terms interchangeably.

Most of you will know that the FCC has recently expanded the amount of video description that must be provided. But not all broadcasters are required to provide audio description under our rules. So our rules right now require that local TV station affiliates of ABC, CBS, Fox, and NBC, which are located in the top 60 TV markets, and the top five non-broadcast networks, which are currently Disney Channel, History Channel, PBS, TNT, and USA, they must also provide audio description. So the top four broadcast channels and the top five non-broadcast channels.

There are a number of other stations that provide audio descriptions, but they do that voluntarily. Our rules do not require them to provide it. The station list is updated every three years and is slated to be re-evaluated in July 2018. So the list here of Disney Channel, History, PBS, TNT-- well, and I suppose the top four broadcast networks-- those may change in July of 2018. July 2018 also coincides with the implementation date of the new expansion rules.

So slide seven. Before the expansion of video description and the current requirements that we are under required that the covered stations provide 50 hours per quarter, or about 4 hours per week of video described prime time and/or children's programming. Our new rules require that on July 1st, 2018, the covered stations must start providing 87 and 1/2 hours per quarter, which works out to roughly 7 hours per week of described video. So that is an increase of 75%. The 50 hours per quarter will continue to be required during prime time and/or children's programming. The additional 37 and 1/2 hours of described video can be aired anytime between the hours of 6:00 AM and midnight.

Now, I should note that there are currently no quality standards for audio description. There are no specific regulations for publication of audio description schedules. We had expected that the audio description schedules would be indicated in the normal way that shows were published. But I have heard from consumers that there is a lot of difficulty in knowing when a show will include audio description. I also want to mention that children's programming, under our rules, is programming that is created for children 16 years old and younger.

Now, there were a number of other issues in this expansion rule that were included in the proposed rule, but no action was taken on those in the final rule. So some of the issues that were left out or not included in the final rule includes a proposal to increase the number of stations that would provide audio description from four broadcast stations and five non-broadcast stations up to the top five broadcast stations and top 10 non-broadcast stations. So that was not included. No action was taken.

Also which was not included from the proposed rules was the adoption of a no backsliding rule, which would prevent companies who were providing audio description from falling off of the list of top broadcasters, and lowering the amount of hours that they were providing. It was a way to kind of keep continuity of that stuff. That wasn't included in the final rule. And also, there was an issue about requiring covered distributors to provide a dedicated customer service contact who can answer questions about video description. That also was not included in the final rule, among a few other issues.

So if you have not experienced audio description, you can view some examples at 3Play Media's website. And 3Play Media is hosting this webinar. But there are many examples out there. And the truth is is that you should watch some shows with audio description. Because it is a little difficult to get used to for what I consider to be the first 5 minutes. But for a couple reasons, you should actually probably watch a program or two.

First is to try to determine how to activate the secondary audio stream on your system-- it can be difficult-- and second, because it can be really fun. So many sighted people enjoy audio descriptions, in particular when they're having a hard time following a show. I should also mention that many sighted people thoroughly enjoy audio description while watching with their friends or loved ones who are blind or visually impaired.

But also, some sighted people enjoy it because it can really help with a difficult to follow show. And I was thinking of an example, which is watching a show which includes time travel. The audio description will normally clue you in on things that indicate what time a character has traveled to, or point out a characteristic that indicates that someone is not the original person but is a duplicate person or time traveling person or something. So those types of things can be difficult for sighted people to notice. And it can be actually quite enjoyable for them to follow the story in much more detail and pick up on some things that they may have missed.

So slide number eight here. I would recommend that people sign up for our listserv. We post something there a few times a week with information about the FCC and the disability-related issues that are going on. That is that AccessInfo@fcc.gov. And if you send an email asking to subscribe, you will be added.

Also, in slide number nine, this is my contact information. I would be happy to receive any questions that you may have at a later date. Certainly, write your questions in now, as we are getting close to the end of the presentation, so that everyone can hear the question.

But if you have any follow-up questions, or you'd like more information, you can contact me-- will.schell@fcc.gov. You can also go to our website, which has consumer guides for all of our rules. It has links to all of our rules. It has links to all of the various waivers and actions that are going on regarding those rules. We have a video description site on our main website, which on here is fcc.gov/cgb/dro, but it can also be found at fcc.gov/disability.

And one thing that is not on this slide is the general questions email, which is dro@fcc.gov. And that email account, or mine, or anybody's at the FCC here-- we can help you file a complaint. And we can answer your questions, or at least point you to the right person who might have the answer to your questions.

So with that, I'd like to see if there's any questions.

LILY BOND: Thank you so much, Will. There are definitely lots of questions coming in. To start, someone is asking, are there any plans to regulate audio description quality? There's a big difference between well done, for example, the latest *Star Wars* and some other attempts. Some are so bad I just have to turn it off, like a poorly read audiobook.

WILL SCHELL: That is an excellent question. Anyone who has listened to a lot of audio description knows immediately when you hear a good audio describer or a not-so-good audio describer. And like I said, there are no quality standards right now that we have. And it's a really difficult question, because immediately you get into some subjective qualities.

So some people have reported not liking an audio describer because they are too good at public speaking, or their voice quality is too high. And they actually sound better or distract from the main audio. This is all a difficult issue. You can immediately see the difficulty of trying to regulate in this area.

If anyone was going to kind of get into this space, I imagine that it would start with a generalized practice of quality being developed by the industry, and commented and supported by consumers or users of audio description, probably before the FCC gets involved with regulating this area. Having said that, the short version is I'm not aware of any efforts right now for quality standards to be put into place, although there is always conversations about how to raise the quality standards. It's a difficult question.

LILY BOND: Thanks, Will. Someone else is asking, could you talk about any future requirements for web-

based media companies to provide audio or video descriptions?

WILL SCHELL: Sure. There are no specific FCC actions going on right now, or interest, or any word that I've heard about web-based media audio description requirements. But if you are unaware, many of the web-based media video programming services provide lots of audio description. And I think, in many ways, those voluntary actions by the video programmers on the internet-- those have really led to much more awareness that audio description exists. And so I think it's bringing audio description out into the public eye much more.

So my personal impression is that the internet video programming is really competing for audio description rather than complying with regulations. And I don't see any future actions. But everything can change-- I'm sure-- but there's nothing on the horizon right now.

LILY BOND: Thanks, Will. Someone else is asking, do covered stations have to describe the same programs if they are put on streaming on the web?

WILL SCHELL: That's a really good question. It seems so reasonable. It seems reasonable, but no. My initial impression-- I've read these rules many times. I'm very familiar with this. And yet somehow, I'm questioning, do they? But I don't think that they do. No, I think our rules only apply to broadcasting on general TV, so not rebroadcast over the internet. I'm going to say that.

LILY BOND: Thanks, Will. Someone else is asking, if there is a serious gap between the law and what is provided by a broadcast company, how does one register a complaint? What information should be included, and how are these concerns addressed?

WILL SCHELL: That's a great question. And I should have included a slide on how to file a complaint. But essentially, there's a couple of ways that you can file a complaint. The easiest way is to go to the FCC's complaint website. You can file a complaint online. And I will venture to look it up before we call up the exact address.

But it's easy to find on our website-- fcc.gov will have a link to it right on their main web page-- how to file a complaint. There is a disability complaint section in there. And the basic information is what channel were you watching and what time of day. Because all the details about what you were watching, how you were trying to access the content-- all of that is really important. Because these rules have time frames that they have to include.

They also have some specifics around-- the covered entities can actually count towards their hours a repeat of that particular show. And now it's become slightly even more complex with

the various times for a certain amount of hours. So including any information that you can about what you were trying to watch and when would be the most helpful.

And I think you're trying to get to maybe a covered station falling much shorter of their obligation, the 50 hours, or the 87 and 1/2 hours for the whole quarter. And if that's the case, I think just filing a complaint, and just spelling it out, just saying you've been watching this, and it has not been providing the audio description that they claim that the FCC requires. That would be that would be the best way to do that.

LILY BOND: Thanks, Will. Someone else is asking, I'm curious how these rules apply to video advertisements during covered programming. It sounds like they don't apply.

WILL SCHELL: That's right. They don't apply to advertisements. And they also don't apply to live programming or near-live programming. So those types of programming are exempt from these rules.

The video description is done-- as far as I know, I'm no expert in how they're actually accomplished-- but they're done before they air. So the actual video, let's say the show, is completed, filmed, sent to the captioning company, or if they're doing it in-house, then the finished show will be sent to the in-house caption company. They would then record their-- I'm sorry, I keep saying captioning, but it's a video description company, or the in-house video description-- they would record their audio, which would be right in between the dialogue of the characters.

Then that then would be uploaded and ready to go. As far as I know, I don't think there's anyone who's describing the commercials in between the actual show, or the other content that pops up in between shows. So it's really just for the show itself.

LILY BOND: Thanks, Will. Someone else is asking, are TV shows required to display the audio description logo at the beginning? Do they have to be read aloud, either on regular or SAP channels?

WILL SCHELL: So I don't believe that there's any requirement that they display that. In preparation for this webinar, I read through the older report in order and everything, and I didn't see any of that requirement. The description logo, which I had on the previous slide, I don't believe is mandated to be used. So it is really difficult, as far as I understand, to find the schedule of when a show is going to be described.

And I also understand that it can be very frustrating to believe that a show is going to be

described, and then try to turn on the audio description and it's not there. There are a number of websites that are keeping track of this, or at least purporting to keep track of this. And the American Council for the Blind, I think, is doing a lot of work on trying to keep track of the schedules of various video descriptions.

And also, even beyond just the covered entities, as I mentioned, there's a whole number of TV stations and programs that provide audio description voluntarily that's not part of our rules. A lot of those third-party websites, American Council for the Blind, which is at acb.org, or the actual station website themselves oftentimes has a schedule of audio description. So right now, those are some of the best ways to find out whether a show is going to be described or not.

LILY BOND: Thanks. Someone else is asking, are there any requirements for simplicity for those with developmental disabilities?

WILL SCHELL: That's a really great question too. That's an issue that has come up a number of times. There is no requirements for simplicity. It goes right along with the idea that there is no quality standards. There's no requirement in quality, either good or bad, or in the level of speech that's used. I think generally no. The bottom line is there's no requirements for that.

It is an issue, just like many of these questions, the scheduling question, the question about developmental disabilities, and having an easier way to kind of help them take in video programming. Many of these other questions, and many other questions have come up in one of the FCC's disability advisory committees. So we have a group of people with disabilities and industry leaders who get together, and they talk about all of these issues, and they make recommendations to the FCC.

I should note that we are having a disability advisory committee on Monday, October 16th, 2017. It will be broadcast live on FCC's website, which is fcc.gov/live. You can listen to their committee meeting, and they are there talking about all sorts of various disability-related issues, and making recommendations to the FCC on many of similar questions that you're all asking now. And some of the questions, like scheduling for audio description, are currently being tackled by the disability advisory committees right now.

LILY BOND: Thanks, Will. Someone else is asking, do the new rules apply to touch screens for vehicles, meaning those that are used for rear view or backup cameras and audio systems?

WILL SCHELL: Yes, so you're talking about the accessible user interface rules that I mentioned. Yes. So for any vehicle that was manufactured after December 20th, 2016, yes. No matter how the interface is set up, whether it's touchscreen, or with a remote, or whether it's facial gestures, or waving your hands in the air or something like that, it needs to somehow be accessible. It needs to be accessible to people who are blind or visually impaired, including the ability to turn on and off the secondary audio stream.

LILY BOND: Thanks, Will. Someone else is asking, do you know of any rules that will require news outlets to provide audio description?

WILL SCHELL: No. I'm not aware of any current rules or future rules or even the idea of news providing audio description. It's generally understood that news should be providing a description to some degree. So in fact, the emergency information rule that I had mentioned, where emergency information that is displayed on the television needs to also be accessible to people who are blind-- and that's done through the secondary audio stream-- it's not the requirement for a newscast to broadcast that information on the secondary audio stream.

It's a requirement that they actually say it on the main audio stream. So the newscasters themselves would break in and say, breaking news, here's the critical details of the emergency information. So in general, I don't know if there's a big push for described news.

But I would also mention that if there is a particular show that you're watching that commonly is difficult to follow because they are not fully describing what's going on, a lot of people call the station and mention, listen, I watch this show. The news guys start doing something, and I don't know what's happening. It would be really helpful if they said what they were doing. And that information, I think, oftentimes makes it to the right people. It makes it to the people who are creating these programs.

LILY BOND: Thanks, Will. Someone else is asking, for commercial video that is being shown in class, does permission from the producer or movie studio need to be obtained before sending the material to a third party for audio description?

WILL SCHELL: So that's a super complicated question that I essentially will just not be able to answer. But let me just mention a few things. One is that the FCC's rules are really specific to the TV stations providing broadcast and regular television on non-broadcast stations.

The Department of Justice, under the ADA, covers a number of other audio description rules.

So one includes the audio description for movies in movie theaters. So if you go to a movie theater, you can ask for the headset that will play the audio described track. That's a Department of Justice rule.

And then also, the Department of Justice and the Department of Education may have a lot to say about providing accessible material in schools. So under Section 504, if it's an even younger school, it would be under maybe, under the IDEA. So there's a whole number of different issues wrapped up in that. I'm unaware of any complications with having material described by a third party. But also, it's outside of my area. But it's an interesting question.

LILY BOND: Thanks, Will. Someone else is asking, on the previous slide there was something about video providers who are not in the top 60 or have less than 50,000. Can you discuss this, please?

WILL SCHELL: So I think you're talking about this-- oh, I see, the last bullet here. So broadcast stations in markets below the top 60 and cable systems with fewer than 50,000 subscribers, they must pass through video description if technically capable. So what that's saying is that for the broadcast stations for ABC, NBC, CBS, and Fox, they don't show the same programming all the time. The local broadcast station coming from the broadcast tower makes a number of decisions about what programming they're showing.

So our rules say that the top four broadcast stations in the top 60 markets-- and it's every town you've ever heard of. It's big. Then they have to provide 50 hours of audio description and soon to be 87 and 1/2 hours of audio description per quarter.

Now, if they're not in a top 60 market-- so if they're in a market that's 61-- they have to pass through any audio description that they can get if they can technically do it. So if their tower allows them to send out a second stream. And then also, cable companies that have fewer than 50,000 subscribers, they also have to pass through the video description if they technically can do it.

So it's really recognizing that there's a few exceptions for passing through the audio description. And Disney, and PBS, and TNT, USA-- I should know them all by heart. But they all are on almost all of these cable companies. But not every cable company has to pass through that information if they're really small. So anyway, this is just saying that if you're not covered by this rule, you still have to do it if you can technically do it. So that's all it's saying.

LILY BOND: Thanks, Will. Someone else is asking, are there any regulations in the works to require online

video players to allow for a secondary audio track? It's really hard to publish description, because so few allow this.

WILL SCHELL: I'm sorry, can you read that one more time?

LILY BOND: Are there any regulations in the works to require online video players to allow for a secondary audio track?

WILL SCHELL: Right. So I think there's no regulations specific to online video players. There is requirements that any apps that come pre-download or pre-included with a video playing device that was manufactured after December 20th, 2016, that that would have to have the accessible user interface features for people who are blind or visually impaired, and also the ability to easily switch to the secondary audio stream.

So I'm going back in the slides, back to this, the mechanism that's reasonably comparable to button, key, or icon. This doesn't apply to a web-based video player. But it does apply to any apps or video players that are included on a device that is required to have an accessible user interface. I hope that helps.

LILY BOND: Yes, thank you. Someone else is asking, if a programmer's content is syndicated on a top five network station, who actually provides the description content, and who is responsible for paying for it?

WILL SCHELL: So I don't-- well, let me just cite my rule, which says-- I think the bottom line is that it doesn't matter who is paying for it to the FCC. Anyone can pay for it. But the broadcaster will have to ensure that 50 hours, or 87 and 1/2 hours per quarter of audio description, hits the airwaves.

But you bring up, I think, a very important topic, which we're hopeful that the disability advisory committee here at the FCC will provide some advice back to us at the FCC about what they think we should do, which is really the question around transferring of video programs from one entity to another, or even from one platform to another. So there was a previous question about audio descriptions going from TV and then showing up online. There's also issues around shows that were shown on TV but are now offered on demand.

And many on-demand platforms don't have the ability to show a secondary audio stream. So there's a question right now about-- as shows get transferred about, bought and sold, shifted from one platform to another or from one station to another, do those audio descriptions travel with the video, or does the new company have to create new audio descriptions? I think you

can see that inherently unless they were required to provide audio descriptions, they may not create audio descriptions for it.

So the disability advisory committee is looking into this. And I think it's an issue that's really a big deal right now. That's something that once they're created, it would be nice if the audio descriptions weren't lost in the transfer, either from platform or to stations.

LILY BOND: Thanks, Will. And I think we have time for one final question. Several people have asked if there are any requirements for audio description in large gathering places, like arenas for sporting events or concerts?

WILL SCHELL: So not from the FCC. There are no requirements. But the Department of Justice, like I said, has their movie requirements, in that movie theater requirements are dependent. They have to have a certain number of audio description headsets per size of the theater. So not from the FCC.

There are a number of theaters that do live audio description. And that's quite an experience. It's really fun. The describers are really talented, and it's not an easy task. So big arenas and everything like that-- I know locally there's, I think, one per month or maybe more.

So at the Kennedy Center here in Washington DC, I know that they have a regular described show. But it would be nice if there was a requirement. If there is, let us know. Because I don't know, unfortunately.

LILY BOND: Great. Well, thank you so much, Will, for a great presentation, and for really answering a lot of great questions.