Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of:  
Accessible Emergency Information, and  
Apparatus Requirements for Emergency  
Information and Video Description:  
Implementation of the Twenty-First Century  
Communications and Video Accessibility  
Act of 2010  

MB Docket No. 12-107

COMMENTS OF  
THE SOCIETY OF BROADCAST ENGINEERS, INC.

The Society of Broadcast Engineers, Inc. (“SBE”)\(^1\) submits these comments in support of the National Association of Broadcasters’ (“NAB”) Petition for Extension of Waiver,\(^2\) which requests extension of the FCC’s current waiver of portions of 47 C.F.R. § 79.2(b)(2)(ii) (the “Audible Crawl Rule”), which would require broadcasters to provide aural description of visual, non-textual emergency information in non-newscast information, in addition to the aural description of text-based information already provided in emergencies.

Broadcasters remain strongly committed to accessibility for all viewers, including by providing detailed emergency information to the entire disability community and, as relevant here, the blind and visually impaired. However, despite sincere, protracted industry investigation and efforts, there continues to be no viable technical solution to allow for automated creation and delivery of aural descriptions for visual non-textual emergency information, such as dynamic maps of an unfolding event. Thankfully, it is the current practice of most broadcasters to largely duplicate

\(^1\) SBE is the association for broadcast engineers and multimedia technology professionals with over 5,000 members worldwide.

\(^2\) Petition for Extension of Waiver of the National Association of Broadcasters, MB Docket No. 12-107 (Filed Apr. 5, 2023) (Petition).
the emergency information conveyed in visual, non-textual images either in the accompanying text crawl (which would in turn be aurally described) or through live oral discussion by meteorologists or other commentators. For these reasons, the FCC should grant the Petition and extend the waiver of the relevant portion of the Audible Crawl Rule for an additional two years to provide time for technological solutions to develop.

I. Current Technology Remains Insufficient.

In spite of broadcasters’ dedication to providing accessible emergency information, there is still no viable technology available to allow them to meet the non-textual requirements of the Audible Crawl Rule. At present, visual, text-based emergency information, such as an informational crawl across the screen, is typically converted to aural output and broadcast to viewers through a secondary audio programming stream (“SAP”). This is effectuated through automated systems that capture the text-based metadata of the crawl, convert it to audio, and deliver it to the SAP. Unfortunately, technology does not yet exist that can similarly convert dynamic images like radar maps and other timely graphical and live information, because this type of material does not contain comparable textual metadata. Moreover, even if conversion were possible in the absence of such metadata, such a system would then need to be incorporated into existing broadcast systems. And given the current understanding of hypothetically viable application programming interfaces for such conversion, these potential solutions, at best, would be difficult to support in current broadcasting systems. In short, the technology just isn’t there yet.

Because of the issues highlighted above, if the waiver were to expire, a broadcaster’s only way to meet the standards of the non-textual component of the Audible Crawl Rule would be to manually describe any dynamic visual, non-textual information being displayed. However, as the FCC has previously recognized, “a long-term, automated solution is preferable,” given that manual
description would be overly “burdensome to broadcasters and may raise its own technical complexities.” And this is particularly true for stations that serve smaller communities and may not have adequate staffing to implement a solution for manually describing all non-textual emergency information, particularly during the exigencies and tight timelines typically present in emergency situations. Indeed, for these reasons and absent a continued waiver, some broadcasters may elect to forgo use of any dynamic, non-textual visuals out of fear of FCC enforcement. Such a danger was noted when the Commission last granted a waiver of this rule, and would decidedly not be in the public’s best interest.

II. Emergency Information Is Already Largely Accessible.

While automated technology is still unable to effectively convert dynamic non-text images for audio description, broadcasters nonetheless still succeed in aurally describing the majority of such content because the images are often duplicated by textual elements (which are then converted to audio and delivered by SAP), described live by commentators, or both.

Broadcasters are dedicated and engaged members of their local communities. One of their most important roles in fulfilling their public interest mandate is providing notice of impending emergencies, which is a job that broadcasters take very seriously and are best equipped to manage within these local communities. Consequently, many broadcasters endeavor to provide the same

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3 See Accessible Emergency Information, and Apparatus Requirements for Emergency Information and Video Description: Implementation of the Twenty-First Century Communications and Video Accessibility Act of 2010, Memorandum Opinion and Order, 31 FCC Rcd 12540, 12544 (Nov. 16, 2016).

4 See id. at 12543.

emergency information through multiple means. For example, details of a weather event may be simultaneously graphically represented on a dynamic radar, textually described by a crawl, and aurally discussed in detail by a local meteorologist. In this case, although the graphical content of the dynamic radar cannot currently be automatically converted to aural presentation on an SAP, any emergency information the radar depicts is nonetheless likely to be duplicated by multiple independent sources, including via live aural presentation. Because of this typical industry practice, very little visual, non-textual emergency information is provided without such aural duplication, and accordingly, potential public safety concerns of extending the waiver of the Audible Crawl Rule are largely alleviated.

**Conclusion**

The technology for automated audio description of a dynamic image simply does not yet exist to permit broadcasters to effectively and efficiently abide by the non-textual component of the Audible Crawl Rule. However, timely and effective communication of emergency information to the blind and visually impaired community is already ensured in most cases by current industry practices due to broadcasters’ ongoing diligence and dedication to safeguarding their communities in times of crisis. For these reasons, the FCC should grant the Petition and extend the current waiver of the Audible Crawl Rule for a further two years.

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6 Notably, the Commission has several times affirmed that when non-textual emergency information is duplicated by aural description of emergency information provided in a crawl, the Audible Crawl Rule is satisfied even absent the current waiver. Id. at 5066. “In other words, if the critical information provided in radar maps is duplicative of the information provided in a crawl and merely provides additional clarity, no automated solution is necessary.” In the Matter of Accessible Emergency Info., & Apparatus Requirements for Emergency Info. & Video Description: Implementation of the Twenty-First Century Commc’ns & Video Accessibility Act of 2010, 31 FCC Red 12540, 12544 (Nov. 16, 2016).
Respectfully submitted,

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