



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

DA 10-1325
Released: July 19, 2010

THE CONSUMER & GOVERNMENTAL AFFAIRS BUREAU SEEKS COMMENT ON THE COMMISSION'S POLICIES AND PRACTICES TO ENSURE COMPLIANCE WITH SECTION 504 OF THE REHABILITATION ACT OF 1973

CG Docket No. 10-162

PLEADING CYCLE ESTABLISHED

Comments Due: September 20, 2010

The Consumer & Governmental Affairs Bureau (Bureau) hereby initiates a review of the Commission's policies and practices under Section 504 of the Rehabilitation Act of 1973 (Section 504).¹ Section 504 requires federal agencies to make their programs and activities accessible to people with disabilities. Pursuant to Section 1.1810 of the Commission's rules, this *Public Notice* seeks comment on the accessibility of the Commission's programs and activities.²

The Commission's rules mandate that it conduct a review of its current Section 504 policies and practices in view of advances in relevant technology and achievability, and that it update its *Section 504 Handbook*, every three years.³ The *Section 504 Handbook* contains accessibility procedures and guidelines for releasing documents, holding meetings, receiving comments, and other aspects of Commission programs and activities.

The Bureau seeks comment on the overall accessibility of the Commission's activities and programs. This includes, but is not limited to, the availability of sign language interpreters, physically accessible buildings and meeting spaces, Braille documents, assistive listening devices, Communication Access Realtime Translation (CART), captioning, and other forms of reasonable accommodation needed for access to Commission programs and activities.⁴

¹ See 29 U.S.C. § 794.

² 47 C.F.R. § 1.1810.

³ See 47 C.F.R. § 1.1805; *Federal Communications Commission Section 504 Programs & Activities Accessibility Handbook (Section 504 Handbook)*. The *Section 504 Handbook* is available in Word, PDF, Text, HTML and Braille at http://www.fcc.gov/cgb/dro/section_504.html.

⁴ See *Section 504 Handbook* at 2.

Pursuant to sections 1.415 and 1.419 of the Commission's rules,⁵ interested parties may file comments on or before **September 20, 2010**. All comments must reference **CG Docket No. 10-162**.⁶ Comments may be filed using: (1) the Commission's Electronic Comment Filing System (ECFS), (2) the Federal Government's eRulemaking Portal, or (3) by filing paper copies. *See Electronic Filing of Documents in Rulemaking Proceedings*, 63 FR 24121 (1998).

- Electronic Filers: Comments may be filed electronically using the Internet by accessing the ECFS: <http://www.fcc.gov/cgb/ecfs/>. Filers should follow the instructions provided on the website for submitting comments.
- Paper Filers: Parties who choose to file by paper must file an original and four copies of each filing. If more than one docket or rulemaking number appears in the caption of this proceeding, filers must submit two additional copies for each additional docket or rulemaking number.
- Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail (although we continue to experience delays in receiving U.S. Postal Service mail). All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission.
 - The Commission's contractor will receive hand-delivered or messenger-delivered paper filings for the Commission's Secretary at 236 Massachusetts Avenue, NE, Suite 110, Washington, DC 20002. The filing hours at this location are 8:00 a.m. to 7:00 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes must be disposed of before entering the building.
 - Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743.
 - U.S. Postal Service first-class, Express, and Priority mail must be addressed to 445 12th Street, SW, Washington DC 20554.
- Pursuant to section 1.1810(b) of the Commission's rules, "Written comments shall be signed by the commenter or by someone authorized to do so on his or her behalf. The signature of the commenter, or signature of someone authorized by the commenter to do so on his or her behalf, shall be provided on print comments. Comments in audio, Braille, electronic, and/or video formats shall contain an affirmative identity statement of the individual, which for this purpose shall be considered to be functionally equivalent to a commenter's signature."⁷

A copy of this document and any subsequently filed documents in this matter will be available during regular business hours at the FCC Reference Center, Portals II, 445 12th Street, SW, Room CY-A257, Washington, DC 20554, (202) 418-0270. This document and any subsequently filed documents in this

⁵ 47 C.F.R. §§ 1.415, 1.419.

⁶ This Public Notice is being released under a new docket number, **CG Docket No. 10-162**, which shall be captioned "Non-Discrimination on the Basis of Disability in the Commission's Programs and Activities under Section 504 of the Rehabilitation Act of 1973" and include all related matters. This new docket number is established to further administrative efficiency.

⁷ 47 C.F.R. § 1.1810(b).

matter may also be purchased from the Commission's duplicating contractor at their website, www.bcpweb.com, or by calling 1-800-378-3160. A copy of the submission may also be found by searching on the Commission's Electronic Comment Filing System (ECFS) at <http://www.fcc.gov/cgb/ecfs> (insert **CG Docket No. 10-162** into the Proceeding block).

To request materials in accessible formats for people with disabilities (Braille, large print, electronic files, audio format), send an e-mail to fcc504@fcc.gov or call the Consumer & Governmental Affairs Bureau at (202) 418-0530 (voice), (202) 418-0432 (TTY). This document can also be downloaded in Word and Portable Document Format (PDF) at: http://www.fcc.gov/cgb/dro/section_504.html.

For further information, please contact Pam Gregory, Consumer & Governmental Affairs Bureau, Consumer Affairs and Outreach Division, at (202) 418-2498 (voice), (202) 418-1169 (TTY), or e-mail at Pam.Gregory@fcc.gov.

-FCC-

APPENDIX A

47 C.F.R. § 1.1810. Review of Compliance.

(a) The Commission shall, beginning in 2004 and at least every three years thereafter, review its current policies and practices in view of advances in relevant technology and achievability. Based on this review, the Commission shall modify its practices and procedures to ensure that the Commission's programs and activities are fully accessible.

(b) The Commission shall provide an opportunity to interested persons, including individuals with disabilities or organizations representing individuals with disabilities, to participate in the review process by submitting comments. Written comments shall be signed by the commenter or by someone authorized to do so on his or her behalf. The signature of the commenter, or signature of someone authorized by the commenter to do so on his or her behalf, shall be provided on print comments. Comments in audio, Braille, electronic, and/or video formats shall contain an affirmative identity statement of the individual, which for this purpose shall be considered to be functionally equivalent to a commenter's signature.

(c) The Commission shall maintain on file and make available for public inspection for four years following completion of the compliance review –

- (1) A description of areas examined and problems identified;
- (2) All comments and complaints filed regarding the Commission's compliance; and
- (3) A description of any modifications made.

Appendix B

47 C.F.R. § 1.1805. Federal Communications Commission Section 504 Programs and Activities Accessibility Handbook.

The Consumer & Governmental Affairs Bureau shall publish a “Federal Communications Commission Section 504 Programs and Activities Accessibility Handbook”(“Section 504 Handbook”) for Commission staff, and shall update the Section 504 Handbook as necessary and at least every three years. The Section 504 handbook shall be available to the public in hard copy upon request and electronically on the website. The Section 504 Handbook shall contain procedures for releasing documents, holding meeting, receiving comments, and for other aspects of Commission programs and activities to achieve accessibility. These procedures will ensure that the Commission presents a consistent and complete accommodation policy pursuant to 29 U.S.C. 794, as amended. The Section 504 Handbook is for internal staff use and public information only, and is not intended to create any rights, responsibilities, or independent cause of action against the Federal Government.