

No. 23-1311

IN THE
**UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT**

Public.Resource.Org, Inc., *et al.*,
Petitioners,

v.

Federal Communications Commission, *et al.*,
Respondents.

ON PETITION TO REVIEW AN ORDER
OF THE FEDERAL COMMUNICATIONS COMMISSION

**NOTICE OF INTENT OF ACCESSIBILITY RESEARCH
AND ADVOCACY ORGANIZATIONS TO FILE A BRIEF
AS AMICUS CURIAE IN SUPPORT OF PETITIONERS**

Vivek Krishnamurthy
SAMUELSON-GLUSHKO TECHNOLOGY LAW
AND POLICY CLINIC AT COLORADO LAW

Wolf Law Building | 404 UCB
2450 Kittredge Loop Dr.
Boulder, CO 80309-0404
303-492-0209
vivek.krishnamurthy@colorado.edu

Counsel for amici curiae

April 1, 2024

CORPORATE DISCLOSURE STATEMENT

Pursuant to Federal Rule of Appellate Procedure 26.1 and Circuit Rule 26.1(a), amici curiae state that they have no parent corporations and that no publicly held entity owns ten percent (10%) or more of any amicus organization.

**CERTIFICATE AS TO PARTIES, RULINGS UNDER REVIEW,
AND RELATED CASES**

Parties and Amici. Except for amici the American Foundation for the Blind and Prime Access Consulting, the only parties are petitioners Public.Resource.Org, Inc. iFixit, Inc., Make: Community, LLC, and the respondents Federal Communications Commission (“FCC”) and the United States of America. There were no parties to the proceeding before the FCC, and as of this date, there are no other amici or intervenors in this Court.

Ruling Under Review. The only ruling below is the September 29, 2023, decision of the FCC which was published at 88 Fed. Reg 67108-16. The ruling is reproduced at JA 1-35.

Related Cases. To the best of amici’s knowledge, there are no related cases.

NOTICE OF INTENT TO FILE AMICUS BRIEF

Pursuant to D.C. Circuit Rule 29(b), the below-listed organizations hereby notify this Court of their intent to file an amicus curiae brief in the above captioned matter in support of the Petitioners.

The individuals and organizations intend to file an amicus brief of no more than 6500 words, addressing points not made by the Petitioners, that will aid the Court's consideration of this case.

The organizations' brief is necessary to address the ability of Americans with disabilities—particularly the eight million Americans who are blind or have low vision—to participate in federal rulemakings when agencies seek to incorporate materials by reference into rulemakings.

The organizations have coordinated on a single brief covering a range of accessibility issues and interests for this Court's consideration under D.C. Circuit Rule 29(d).

All parties have consented to timely-filed amicus briefs. A full list of amici will be included in the brief when it is filed.

The **American Foundation for the Blind** (AFB) advocates for better policies that promote accessibility, equity, and opportunity for people who are blind or visually impaired.

Prime Access Consulting is an organization dedicated to promulgating inclusive design and accessibility in technology, especially as it pertains to accessible websites and web content. Amicus works on fundamental problems facing disabled people, especially those who have no or low vision or any other

print disability. Sina Bahram, amicus's founder, is a recognized expert in computer science and accessibility and is blind.

Respectfully submitted,

/s/ Vivek Krishnamurthy

Vivek Krishnamurthy
SAMUELSON-GLUSHKO TECHNOLOGY LAW
AND POLICY CLINIC AT COLORADO LAW

Wolf Law Building | 404 UCB
2450 Kittredge Loop Dr.
Boulder, CO 80309-0404
303-492-0209
vivek.krishnamurthy@colorado.edu

Counsel for amici curiae

April 1, 2024

CERTIFICATE OF SERVICE

I certify that this notice was filed using the Court's CM/ECF system on April 1, 2024. All participants in the case are registered CM/ECF users and will be served electronically via that system.

/s/ Vivek Krishnamurthy

Vivek Krishnamurthy
SAMUELSON-GLUSHKO TECHNOLOGY LAW
AND POLICY CLINIC AT COLORADO LAW

Wolf Law Building | 404 UCB
2450 Kittredge Loop Dr.
Boulder, CO 80309-0404
303-492-0209
vivek.krishnamurthy@colorado.edu

Counsel for amici curiae