

Date sent: Monday, March 14, 2011
Subject: New Information Sheet on the 21st Century Communications and Video Programming Accessibility Act

Twenty-First Century Communications and Video Accessibility Act of 2010 - Pub. L. 111-260

On October 8, 2010, President Obama signed the Twenty-First Century Communications and Video Accessibility Act (CVAA) into law. The CVAA updates federal communications law to increase the access of persons with disabilities to modern communications. The CVAA makes sure that accessibility laws enacted in the 1980s and 1990s are brought up to date with 21st century technologies, including new digital, broadband, and mobile innovations. The following are highlights of the new law.

Title I – Communications Access

- Requires advanced communications services and products to be accessible by people with disabilities. Advanced communications services are defined as (1) interconnected voice over Internet protocol (VoIP) service; (2) non-interconnected VoIP service; (3) electronic messaging service; and (4) interoperable video conferencing service. This includes, for example, text messaging, e-mail, instant messaging, and video communications.
- Requires access to web browsers on mobile devices by people who are blind or visually impaired (a “ramp” to the Internet on mobile devices).
- Creates industry recordkeeping obligations; requires changes to complaint and enforcement procedures; tightens deadlines for the FCC to respond to consumer complaints; requires biennial reporting by the FCC to Congress; and directs the Comptroller General to issue a five-year report on the FCC’s implementation.
- Requires an FCC clearinghouse on accessible communications services and equipment.
- Applies the hearing aid compatibility mandates to telephone-like equipment used with advanced communications services.
- Updates the definition of telecommunications relay services (TRS) to include people who are deaf-blind and to allow communication between and among different types of relay users.
- Requires interconnected and non-interconnected VoIP service providers to contribute to the Interstate TRS Fund.
- Directs the allocation of up to \$10 million per year from the Interstate TRS Fund for the distribution of specialized equipment to low-income people who are deaf-blind, to enable these individuals to access telecommunications service, Internet access service, and advanced communications.
- Authorizes FCC action to ensure reliable and interoperable access to next generation 9-1-1 services by people with disabilities.

Title II – Video Programming

- Restores video description rules promulgated by the FCC in 2000 and authorizes some expansion of those obligations over the next 10+ years.
- Requires video programming that is closed captioned on TV to be closed captioned when distributed on the Internet (does not cover programs shown only on the Internet).
- Establishes deadlines for the FCC to respond to requests for exemption from the closed captioning rules.
- Requires video programming distributors, providers, and owners to convey emergency information a manner that is accessible to people who are blind or visually impaired.

- Expands the requirement for video programming equipment (equipment that shows TV programs) to be capable of displaying closed captions, to devices with screens smaller than 13 inches (e.g., portable TVs, laptops, smart phones), and requires these devices to be able to pass through video descriptions and emergency information that is accessible to people who are blind or visually impaired, if technically feasible and achievable.
- Requires devices designed to record TV programs to pass through closed captions, video description, and emergency information so viewers are able to turn on/off the closed captions and video description when the TV program is played back, if achievable.
- Requires interconnection mechanisms (cables) to carry (from the source device to the consumer equipment – e.g., TV set) the information necessary to permit the display of closed captions and make video description and emergency information audible.
- Requires user controls for TVs and other video programming devices to be accessible, and to have a button, key, icon, or comparable mechanism designated for easily activating closed captioning and video description.
- Requires on-screen text menus and program guides displayed on TV by set-top boxes to be accessible to people who are blind or visually impaired and requires set-top boxes to have a button, key, icon, or comparable mechanism to allow easy activation of closed captioning (when built-in to the set-top box) and video description.

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