



(Original Signature of Member)

117TH CONGRESS
2D SESSION

H. R.

To update the 21st Century Communications and Video Accessibility Act
of 2010.

IN THE HOUSE OF REPRESENTATIVES

Ms. ESHOO introduced the following bill; which was referred to the Committee
on _____

A BILL

To update the 21st Century Communications and Video
Accessibility Act of 2010.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Communications, Video, and Technology Accessibility
6 Act of 2022”.

7 (b) TABLE OF CONTENTS.—The table of contents for
8 this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—CLOSED CAPTIONING AND AUDIO DESCRIPTION

- Sec. 101. Definitions.
- Sec. 102. Closed captioning.
- Sec. 103. Audio description.
- Sec. 104. Technical and conforming amendments relating to economic burden.
- Sec. 105. American Sign Language video programming.
- Sec. 106. Internet protocol closed captioning and audio description advisory committee.

TITLE II—VIDEO PLAYBACK APPARATUSES

- Sec. 201. Video playback apparatuses.

TITLE III—COMMUNICATIONS SERVICES

- Sec. 301. Video conferencing.
- Sec. 302. Relay services.
- Sec. 303. National DeafBlind equipment distribution program.
- Sec. 304. Advanced Communications Services Advisory Committee.
- Sec. 305. Real-time text.
- Sec. 306. Advanced communications services software.

TITLE IV—EMERGING TECHNOLOGY

- Sec. 401. Emerging technology.

TITLE V—ENFORCEMENT AND REPORTING

- Sec. 501. Accessibility enforcement.
- Sec. 502. Reports to Congress.

1 **TITLE I—CLOSED CAPTIONING**
2 **AND AUDIO DESCRIPTION**

3 **SEC. 101. DEFINITIONS.**

4 (a) IN GENERAL.—Section 713(h) of the Commu-
5 nications Act of 1934 (47 U.S.C. 613(h)) is amended—

6 (1) in paragraph (1)—

7 (A) in the heading, by striking “VIDEO DE-
8 SCRIPTION” and inserting “AUDIO DESCRIP-
9 TION”; and

10 (B) by striking “video description” and in-
11 serting “audio description”;

1 (2) by redesignating paragraph (2) as para-
2 graph (6);

3 (3) by inserting after paragraph (1) the fol-
4 lowing:

5 “(2) LIVE PROGRAMMING.—The term ‘live pro-
6 gramming’ means video programming published or
7 exhibited or made available substantially simulta-
8 neously with its performance.

9 “(3) NEAR-LIVE PROGRAMMING.—The term
10 ‘near-live programming’ means video programming
11 that is not live programming and is published or ex-
12 hibited or made available not more than 12 hours
13 after its performance and recording.

14 “(4) PRERECORDED PROGRAMMING.—The term
15 ‘prerecorded programming’ means video program-
16 ming that is not live programming or near-live pro-
17 gramming.

18 “(5) USER-GENERATED VIDEO.—The term
19 ‘user-generated video’ means video programming
20 that is—

21 “(A) made available via a service using
22 Internet protocol or any successor protocol;

23 “(B) created and added to the service by
24 a user of the service; and

1 “(C) not the subject of a contractual ar-
2 rangement between the user and the service
3 that obliges the user to create the programming
4 specifically for delivery via the service.”; and
5 (4) in paragraph (6), as so redesignated—

6 (A) by striking “means programming” and
7 inserting the following: “—

8 “(A) means—

9 “(i) programming”;

10 (B) in subparagraph (A)(i), as so des-
11 ignated, by striking “, but not including” and
12 all that follows and inserting “; and”; and

13 (C) by adding at the end the following:

14 “(ii) audiovisual programming made
15 available via Internet protocol or any suc-
16 cessor protocol—

17 “(I) including—

18 “(aa) programming provided
19 on demand at the request of a
20 viewer; and

21 “(bb) programming
22 streamed live or at a prescribed
23 time or times to all or a subset of
24 viewers; and

1 “(II) regardless of whether or not
2 the programming is generally consid-
3 ered comparable to programming pro-
4 vided by a television broadcast station;
5 and

6 “(B) does not include user-generated video
7 unless the user-generated video is generated by
8 an entity that also generates video program-
9 ming that is—

10 “(i) not user-generated video in the
11 ordinary course of its business; or

12 “(ii) generated by an entity that earns
13 more than \$1,000,000 in annual revenue
14 resulting from user-generated videos.”.

15 (b) DEFINITION OF “ACHIEVABLE”.—Section 716(g)
16 of the Communications Act of 1934 (47 U.S.C. 617(g))
17 is amended, in the matter preceding paragraph (1), by
18 striking “section 718” and inserting “sections 713, 716A,
19 and 718”.

20 (c) TECHNICAL AND CONFORMING AMENDMENTS.—

21 (1) REPEAL OF DEFINITION OF “CONSUMER
22 GENERATED MEDIA”.—Section 3 of the Communica-
23 tions Act of 1934 (47 U.S.C. 153) is amended—

24 (A) by striking paragraph (14); and

1 (B) by redesignating paragraphs (15)
2 through (59) as paragraphs (14) through (58),
3 respectively.

4 (2) OTHER AMENDMENTS.—

5 (A) Section 271(c)(1)(A) of the Commu-
6 nications Act of 1934 (47 U.S.C. 271(c)(1)(A))
7 is amended by striking “section 3(47)(A)” and
8 inserting “subparagraph (A) of the paragraph
9 defining that term in section 3”.

10 (B) Section 203(a) of the Rural Elec-
11 trification Act of 1936 (7 U.S.C. 924(a)) is
12 amended by striking “section 3(o)” and insert-
13 ing “section 3”.

14 (C) Section 248 of the Television Broad-
15 casting to Cuba Act (22 U.S.C. 1465ff) is
16 amended by striking “section 3(c)” each place
17 the term appears and inserting “section 3”.

18 (d) MODERNIZING TITLE OF HEAD OF COMMIS-
19 SION.—The Communications Act of 1934 (47 U.S.C. 151
20 et seq.) is amended—

21 (1) in section 4 (47 U.S.C. 154)—

22 (A) in subsection (a)—

23 (i) by inserting “(1)” after “(a)”;

24 (ii) by striking “chairman” and in-
25 serting “Chair”; and

1 (iii) by adding at the end the fol-
2 lowing:

3 “(2) Any reference in any law, regulation, docu-
4 ment, paper, or other record of the United States to
5 the chairman or the Chairman of the Commission
6 shall be deemed to be a reference to the Chair of the
7 Commission.”;

8 (B) in subsection (d), by striking “Chair-
9 man” each place the term appears and insert-
10 ing “Chair”;

11 (C) in subsection (f)(2), by striking “chair-
12 man” each place the term appears and insert-
13 ing “Chair”; and

14 (D) in subsection (g)(1), by striking
15 “chairman” and inserting “Chair”;

16 (2) in section 5 (47 U.S.C. 155)—

17 (A) in subsection (a), by striking “chair-
18 man” each place the term appears and insert-
19 ing “Chair”; and

20 (B) in subsection (e), by striking “Chair-
21 man” each place the term appears and insert-
22 ing “Chair”;

23 (3) in section 13(c) (47 U.S.C. 163(c)), by
24 striking “Chairman” and inserting “Chair”;

1 (4) in section 309(j)(8)(G)(iv) (47 U.S.C.
2 309(j)(8)(G)(iv)), by striking “Chairman” and in-
3 sserting “Chair”;

4 (5) in section 344 (47 U.S.C. 344)—

5 (A) in subsection (b)(1), by striking
6 “Chairman” and inserting “Chair”;

7 (B) in subsection (d), by striking “Chair-
8 man” each place the term appears and insert-
9 ing “Chair”; and

10 (6) in section 410(c) (47 U.S.C. 410(c)), by
11 striking “Chairman of the Commission” and insert-
12 ing “Chair of the Commission”.

13 **SEC. 102. CLOSED CAPTIONING.**

14 (a) IN GENERAL.—Section 713 of the Communica-
15 tions Act of 1934 (47 U.S.C. 613) is amended—

16 (1) by redesignating subsections (d) through (h)
17 as subsections (e) through (i), respectively;

18 (2) in subsection (c), by striking paragraphs (2)
19 and (3) and inserting the following:

20 “(2) DEADLINES FOR PROGRAMMING MADE
21 AVAILABLE USING INTERNET PROTOCOL.—

22 “(A) REGULATIONS ON CLOSED CAP-
23 TIONING ON VIDEO PROGRAMMING MADE AVAIL-
24 ABLE USING INTERNET PROTOCOL OR SUC-
25 CESSOR PROTOCOL.—Not later than 18 months

1 after the date of submission of the report to the
2 Commission required under section 106(f)(1) of
3 the Communications, Video, and Technology
4 Accessibility Act of 2022, the Commission shall
5 revise its regulations to require the provision,
6 receipt, and display of closed captioning on
7 video programming made available using Inter-
8 net protocol or any successor protocol published
9 or exhibited after the effective date of the re-
10 vised regulations.

11 “(B) SCHEDULE.—The regulations revised
12 under this paragraph shall include an appro-
13 priate schedule of deadlines, the latest of which
14 shall be not later than 6 years after the date of
15 submission of the report to the Commission re-
16 quired under section 106(f)(1) of the Commu-
17 nications, Video, and Technology Accessibility
18 Act of 2022, for the provision, receipt, and dis-
19 play of closed captioning on video programming
20 made available using Internet protocol or any
21 successor protocol, taking into account whether
22 the programming—

23 “(i) is prerecorded, live, or near-live;

1 “(ii) has been made available to view-
2 ers before the effective date of the revised
3 regulations; and

4 “(iii) was live or near-live at the time
5 it was initially made available.

6 “(C) REQUIREMENTS FOR REGULA-
7 TIONS.—The regulations revised under this
8 paragraph—

9 “(i) shall—

10 “(I) define categories of entities
11 engaged in making available video
12 programming; and

13 “(II) apportion the responsibil-
14 ities for the provision, quality, pass-
15 through, and rendering of closed cap-
16 tions among the entities defined by
17 the Commission under subclause (I)—

18 “(aa) to ensure full access
19 by viewers via all entities and
20 combinations of entities that
21 make video programming avail-
22 able to viewers; and

23 “(bb) to ensure that the reg-
24 ulations can be enforced effec-
25 tively against responsible parties;

1 “(ii) shall require that an entity en-
2 gaged in making available user-generated
3 video, whether or not the entity is also en-
4 gaged in making available video that is not
5 user-generated video, provide easy-to-use
6 authoring tools that—

7 “(I) permit users of the entity to
8 add closed captions; and

9 “(II) conspicuously prompt users
10 of the entity to use the tools;

11 “(iii) shall not distinguish between
12 full-length programming and video clips;
13 and

14 “(iv) for the purposes of determining
15 closed captioning obligations under this
16 section and assessing compliance with the
17 regulations of the Commission governing
18 the quality of closed captioning under
19 paragraphs (j), (k), and (m) of section
20 79.1 of title 47, Code of Federal Regula-
21 tions, or any successor regulation gov-
22 erning closed captioning quality, treat any
23 programming that was live programming
24 or near-live programming at the time that
25 it was initially made available to viewers as

1 prerecorded programming if it is again
2 made available to viewers more than 24
3 hours after its initial availability.”;

4 (3) by inserting after subsection (c) the fol-
5 lowing:

6 “(d) CAPTION QUALITY UPDATES.—

7 “(1) IN GENERAL.—Not later than 4 years
8 after the date of enactment of the Communications,
9 Video, and Technology Accessibility Act of 2022, the
10 Commission shall revise its regulations to extend the
11 requirements for the quality of closed captions under
12 paragraphs (j), (k), and (m) of section 79.1 of title
13 47, Code of Federal Regulations, or any successor
14 regulation, to all programming made available via
15 Internet protocol or any successor protocol.

16 “(2) REGULAR UPDATES.—Not later than 4
17 years after the date of enactment of the Commu-
18 nications, Video, and Technology Accessibility Act of
19 2022, and every 4 years thereafter, the Commission
20 shall—

21 “(A) update its regulations pertaining to
22 the quality of closed captions as necessary to
23 reflect technological and methodological ad-
24 vances, to the extent deployment of such ad-

1 vances will improve the quality of closed cap-
2 tions; and

3 “(B) take any action, including enforce-
4 ment, necessary to ensure compliance with its
5 regulations pertaining to the quality of closed
6 captions.”; and

7 (4) in subsection (e), as so redesignated—

8 (A) in the matter preceding paragraph (1),
9 by striking “subsection (b)” and inserting “sub-
10 sections (b) and (c)”;

11 (B) in paragraph (1), by striking “the pro-
12 vider or owner of such programming” and in-
13 serting “an entity responsible for publishing,
14 exhibiting, or making available such program-
15 ming”; and

16 (C) by striking paragraph (3) and insert-
17 ing the following:

18 “(3) an entity responsible for publishing, exhib-
19 iting, or making available video programming may
20 petition the Commission for an exemption from the
21 requirements of subsection (b) or (c), and the Com-
22 mission may grant the petition upon a showing that
23 the requirements would be economically burdensome.
24 The Commission shall act to grant or deny any such
25 petition, in whole or in part, not later than 6 months

1 after the Commission receives the petition, unless
2 the Commission finds that an extension of the 6-
3 month period is necessary to determine whether the
4 requirements are economically burdensome.”.

5 (b) **ELIMINATION OF CERTAIN CATEGORICAL EX-**
6 **EMPTIONS.**—Not later than 1 year after the date of enact-
7 ment of this Act, the Federal Communications Commis-
8 sion shall reassess the second sentence of paragraph
9 (a)(10) and reassess paragraph (d) of section 79.1 of title
10 47, Code of Federal Regulations, to eliminate categorical
11 exemptions that impede access to video programming, are
12 outdated, or are no longer warranted under subsection
13 (e)(1) of section 713 of the Communications Act of 1934
14 (47 U.S.C. 613), as so redesignated by subsection (a) of
15 this section.

16 **SEC. 103. AUDIO DESCRIPTION.**

17 (a) **IN GENERAL.**—Subsection (g) of section 713 of
18 the Communications Act of 1934 (47 U.S.C. 613), as re-
19 designated by section 102, is amended—

20 (1) in the heading, by striking “VIDEO” and in-
21 serting “AUDIO”; and

22 (2) by striking paragraphs (2), (3), and (4) and
23 inserting the following:

1 “(2) REVISION TO REINSTATED AUDIO DE-
2 SCRIPTION REGULATIONS FOR PROGRAMMING PUB-
3 LISHED OR EXHIBITED ON TELEVISION.—

4 “(A) IN GENERAL.—Not later than 18
5 months after the date of enactment of the Com-
6 munications, Video, and Technology Accessi-
7 bility Act of 2022, the Commission shall revise
8 section 79.3 of title 47, Code of Federal Regu-
9 lations (relating to audio description of video
10 programming) in accordance with subparagraph
11 (B).

12 “(B) REQUIREMENTS.—The regulations
13 revised under subparagraph (A)—

14 “(i) shall apply to all video program-
15 ming published or exhibited on television
16 after the effective date of the revised regu-
17 lations;

18 “(ii) shall include an appropriate
19 schedule of deadlines, the latest of which
20 shall be not later than 5 years after the ef-
21 fective date of the revised regulations, for
22 the provision, receipt, and performance of
23 audio described programming published or
24 exhibited on television, taking into account
25 whether the programming—

1 “(I) is prerecorded, live, or near-
2 live;

3 “(II) has been published or ex-
4 hibited prior to the effective date of
5 the revised regulations; and

6 “(III) was live or near-live at the
7 time it was initially published or ex-
8 hibited;

9 “(iii) shall provide that audio de-
10 scribed programming published or exhib-
11 ited on television shall—

12 “(I) be labeled and searchable or
13 otherwise easily discoverable through
14 navigation devices, apparatuses, appli-
15 cations, and other methods by which
16 the programming is published or ex-
17 hibited; and

18 “(II) include a recognizable tone,
19 on all audio channels in the same lan-
20 guages as the audio description
21 streams, at the beginning of the pro-
22 gramming to indicate that audio de-
23 scription is available;

24 “(iv) shall provide that audio descrip-
25 tion of video programming published or ex-

1 hibited on television shall be made avail-
2 able to the public on an audio channel sole-
3 ly dedicated to audio description, so long
4 as it is achievable (as defined in section
5 716);

6 “*(v)* shall require any entity involved
7 in the publishing or exhibiting of audio de-
8 scribed programming published or exhib-
9 ited on television to provide contact infor-
10 mation, consistent with sections 79.1(i)
11 and 79.4(e)(2)(iii) of title 47, Code of Fed-
12 eral Regulations, or any successor regula-
13 tions, for users to report problems related
14 to audio description; and

15 “*(vi)* for the purposes of determining
16 audio description obligations under this
17 paragraph and assessing compliance with
18 regulations adopted to assess the quality of
19 audio description under paragraph (4),
20 shall treat any programming that was live
21 or near-live programming at the time of its
22 initial airing as prerecorded programming
23 if it is re-exhibited more than 24 hours
24 after its initial airing.

1 “(3) AUDIO DESCRIPTION ON VIDEO PROGRAM-
2 MING MADE AVAILABLE VIA INTERNET PROTOCOL.—

3 “(A) IN GENERAL.—Not later than 2 years
4 after the date of submission of the report to the
5 Commission required under subsection
6 106(f)(2) of the Communications, Video, and
7 Technology Accessibility Act of 2022, the Com-
8 mission shall revise its regulations to require
9 the provision, receipt, and performance of audio
10 description on video programming made avail-
11 able using Internet protocol or any successor
12 protocol published or exhibited after the effec-
13 tive date of the revised regulations.

14 “(B) REQUIREMENTS.—The regulations
15 revised under subparagraph (A)—

16 “(i) shall ensure that all video pro-
17 gramming made available using Internet
18 protocol or any successor protocol is fully
19 accessible through the provision of audio
20 description;

21 “(ii) shall include an appropriate
22 schedule of deadlines, the latest of which
23 shall be not later than 5 years after the ef-
24 fective date of the revised regulations, for
25 the provision, receipt, and performance of

1 audio described programming made avail-
2 able using Internet protocol or any suc-
3 cessor protocol, taking into account wheth-
4 er the programming—

5 “(I) is prerecorded, live, or near-
6 live;

7 “(II) has been made available to
8 users prior to the effective date of the
9 revised regulations; and

10 “(III) was live or near-live at the
11 time it was initially made available;

12 “(iii) shall—

13 “(I) define categories of entities
14 engaged in making available video
15 programming using Internet protocol
16 or any successor protocol; and

17 “(II) apportion the responsibil-
18 ities for the provision, quality, pass-
19 through, and performance of audio de-
20 scription among the entities identified
21 by the Commission under subclause
22 (I)—

23 “(aa) to ensure full access
24 by viewers; and

1 “(bb) to ensure that the reg-
2 ulations can be enforced effec-
3 tively against responsible parties;

4 “(iv) shall require that an entity en-
5 gaged in making available user-generated
6 video, whether or not the entity is also en-
7 gaged in making available video that is not
8 user-generated video, provides easy-to-use
9 authoring tools that—

10 “(I) permit users of the entity to
11 add audio description; and

12 “(II) conspicuously prompt users
13 of the entity to use the tools;

14 “(v) shall provide that audio described
15 programming made available using Inter-
16 net protocol or any successor protocol
17 shall—

18 “(I) be labeled and searchable or
19 otherwise easily discoverable through
20 navigation devices, apparatuses, appli-
21 cations, and other methods on which
22 the programming is made available;
23 and

24 “(II) include a recognizable tone,
25 on all audio channels in the same lan-

1 guages as the audio description
2 streams, at the beginning of the pro-
3 gramming to indicate that audio de-
4 scription is available;

5 “(vi) shall provide that audio descrip-
6 tion of video programming made available
7 using Internet protocol or any successor
8 protocol shall be provided on an audio
9 track solely dedicated to audio description,
10 so long as it is achievable (as defined in
11 section 716);

12 “(vii) shall require entities engaged in
13 making available audio described program-
14 ming using Internet protocol or any suc-
15 cessor protocol to provide contact informa-
16 tion, consistent with sections 79.1(i) and
17 79.4(c)(2)(iii) of title 47, Code of Federal
18 Regulations, or any successor regulations,
19 for users to report problems related to
20 audio description; and

21 “(viii) for the purposes of determining
22 audio description obligations under this
23 paragraph and assessing compliance with
24 regulations adopted to assess the quality of
25 audio description under paragraph (4),

1 shall treat any programming that was live
2 or near-live programming at the time it
3 was initially made available as prerecorded
4 programming if it is made available more
5 than 24 hours after it was initially made
6 available.

7 “(4) AUDIO DESCRIPTION QUALITY.—

8 “(A) IN GENERAL.—Not later than 3 years
9 after the date of submission of the report to the
10 Commission required under subsection
11 106(f)(2) of the Communications, Video, and
12 Technology Accessibility Act of 2022, the Com-
13 mission shall adopt regulations to ensure the
14 quality of audio description on video program-
15 ming, including video programming published
16 or exhibited on television or made available via
17 Internet protocol or any successor protocol, as
18 necessary to afford access to video program-
19 ming that is functionally equivalent to the ac-
20 cess provided by the visual components of the
21 programming.

22 “(B) REQUIREMENTS.—The regulations
23 adopted under subparagraph (A) shall require
24 that audio description—

1 “(i) sufficiently convey key elements
2 of the visual component;

3 “(ii) be appropriately voiced, consid-
4 ering whether the use of synthetic voices is
5 permissible and if so, under what cir-
6 cumstances; and

7 “(iii) be appropriately edited and en-
8 coded to ensure consistency with the edit-
9 ing and encoding of the non-description
10 audio track of the programming.

11 “(5) AUDIO DESCRIPTION EXEMPTIONS.—Not-
12 withstanding paragraphs (2) and (3)—

13 “(A) the Commission may exempt by regu-
14 lation from the requirements under paragraphs
15 (2) and (3) programs, classes of programs, or
16 services for which the Commission has deter-
17 mined that the provision of audio description
18 would be economically burdensome to an entity
19 responsible for publishing or exhibiting or mak-
20 ing available such programming; and

21 “(B) an entity responsible for publishing
22 or exhibiting or making available video pro-
23 gramming may petition the Commission for an
24 exemption from the requirements under para-
25 graphs (2) and (3), and the Commission may

1 grant the exemption upon a showing that the
2 requirement to include audio description would
3 be economically burdensome. The Commission
4 shall act to grant or deny any such petition, in
5 whole or in part, not later than 6 months after
6 the Commission receives the petition, unless the
7 Commission finds that an extension of the 6-
8 month period is necessary to determine whether
9 the requirements are economically burden-
10 some.”.

11 (b) TECHNICAL AND CONFORMING AMENDMENTS.—
12 Title III of the Communications Act of 1934 (47 U.S.C.
13 301 et seq.) is amended—

14 (1) in section 303 (47 U.S.C. 303)—

15 (A) in subsection (u)—

16 (i) in paragraph (1)(B)—

17 (I) by striking “video descrip-
18 tion” and inserting “audio descrip-
19 tion”; and

20 (II) by striking “section 713(f)”
21 and inserting “section 713(g)”; and

22 (ii) by moving the left margin of that
23 subsection and each paragraph, subpara-
24 graph, and clause therein 2 ems to the left;
25 and

1 (B) in subsection (z)(1), by striking “video
2 description” each place the term appears and
3 inserting “audio description”; and

4 (2) in section 330(b) (47 U.S.C. 330(b)), by
5 striking “video description” each place the term ap-
6 pears and inserting “audio description”.

7 **SEC. 104. TECHNICAL AND CONFORMING AMENDMENTS RE-**
8 **LATING TO ECONOMIC BURDEN.**

9 Subsection (f) of section 713 of the Communications
10 Act of 1934 (47 U.S.C. 613), as redesignated by section
11 102, is amended—

12 (1) in the matter preceding paragraph (1)—

13 (A) by striking “The term ‘undue burden’
14 means” and inserting “For purposes of this
15 section, the term ‘economically burdensome’
16 means”;

17 (B) by inserting “or audio description”
18 after “closed captions”;

19 (C) by striking “this paragraph” and in-
20 serting “subsections (e) and (g)(5)”; and

21 (D) by striking “result in an undue eco-
22 nomic burden” and inserting “be economically
23 burdensome”; and

24 (2) in paragraph (1), by inserting “or audio de-
25 scription” after “closed captions”.

1 **SEC. 105. AMERICAN SIGN LANGUAGE VIDEO PROGRAM-**
2 **MING.**

3 Section 713 of the Communications Act of 1934 (47
4 U.S.C. 613) is amended—

5 (1) by redesignating subsections (i) (as redesign-
6 nated by section 102) and (j) as subsections (j) and
7 (k), respectively; and

8 (2) by inserting before subsection (j), as so re-
9 designated, the following:

10 “(i) AMERICAN SIGN LANGUAGE INTERPRETATION
11 OF VIDEO PROGRAMMING.—Not later than 2 years after
12 the date of submission of the report to the Commission
13 required under section 106(f)(3) of the Communications,
14 Video, and Technology Accessibility Act of 2022, the Com-
15 mission shall prescribe regulations to—

16 “(1) establish uniform standards for the display
17 and visibility of American Sign Language interpreta-
18 tion where it is provided for video programming, in-
19 cluding standards for ensuring that an interpreter is
20 visible on the viewer’s screen during the program-
21 ming; and

22 “(2) ensure that all video programming pub-
23 lished or exhibited on television or made available
24 via Internet protocol or any successor protocol that
25 includes American Sign Language interpretation
26 complies with the uniform standards established

1 under subparagraph (A) to the extent that compli-
2 ance with such standards is achievable (as defined in
3 section 716) by each entity responsible for delivering
4 the programming.”.

5 **SEC. 106. INTERNET PROTOCOL CLOSED CAPTIONING AND**
6 **AUDIO DESCRIPTION ADVISORY COMMITTEE.**

7 (a) DEFINITIONS.—In this section:

8 (1) ADVISORY COMMITTEE.—The term “Advi-
9 sory Committee” means the Closed Captioning and
10 Audio Description Advisory Committee established
11 under subsection (b).

12 (2) CHAIR.—The term “Chair” means the
13 Chair of the Commission.

14 (3) COMMISSION.—The term “Commission”
15 means the Federal Communications Commission.

16 (b) ESTABLISHMENT.—Not later than 60 days after
17 the date of enactment of this Act, the Chair shall establish
18 an advisory committee to be known as the “Closed Cap-
19 tioning and Audio Description Advisory Committee”.

20 (c) MEMBERSHIP.—As soon as practicable after the
21 date of enactment of this Act, the Chair shall appoint indi-
22 viduals who have the technical knowledge and engineering
23 expertise to serve on the Advisory Committee in the fulfill-
24 ment of its duties, including the following:

1 (1) Representatives of entities engaged in mak-
2 ing available video programming Internet protocol or
3 any successor protocol, or a national organization or
4 organization representing such entities.

5 (2) Representatives of vendors, developers, and
6 manufacturers of systems, facilities, equipment, and
7 capabilities for the provision of video programming,
8 including programming delivered using Internet pro-
9 tocol or successor protocols, or a national organiza-
10 tion representing such vendors, developers, or manu-
11 facturers.

12 (3) Representatives of manufacturers of con-
13 sumer electronics or information technology equip-
14 ment used in the delivery of video programming, in-
15 cluding programming delivered via Internet protocol
16 or successor protocols, or a national organization
17 representing such manufacturers.

18 (4) Individuals with expertise generating user-
19 generated video, or a national organization rep-
20 resenting such individuals.

21 (5) Representatives of national organizations
22 representing accessibility advocates, including people
23 with disabilities and older Americans.

24 (6) Representatives of service agencies engaged
25 in the provision of captioning and audio description

1 for video programming, including programming de-
2 livered via Internet protocol or successor protocols.

3 (7) Academic experts or representatives of re-
4 search institutes with expertise on captioning and
5 audio description.

6 (8) Individuals with technical and engineering
7 expertise, as the Chair determines appropriate.

8 (d) COMMISSION OVERSIGHT.—The Chair shall ap-
9 point a member of the Commission’s staff to moderate and
10 direct the work of the Advisory Committee.

11 (e) TECHNICAL STAFF.—The Chair shall appoint a
12 member of the Commission’s technical staff to provide
13 technical assistance to the Advisory Committee.

14 (f) DEVELOPMENT OF RECOMMENDATIONS.—

15 (1) CLOSED CAPTIONING REPORT.—Not later
16 than 1 year after the date of the first meeting of the
17 Advisory Committee, the Advisory Committee shall
18 develop and submit to the Commission a report that
19 includes the following:

20 (A) A recommended schedule of deadlines
21 for the provision of closed captioning on video
22 programming made available via Internet pro-
23 tocol or any successor protocol.

24 (B) Identification of the protocols, tech-
25 nical capabilities, and technical procedures

1 needed to permit responsible entities to reliably
2 provide, receive, and display closed captions of
3 video programming made available via using
4 Internet protocol or any successor protocol.

5 (C) Identification of additional protocols,
6 technical capabilities, and technical procedures
7 beyond those available as of the date of enact-
8 ment of this Act needed for the provision, re-
9 ceipt, and display of closed captions of video
10 programming made available using Internet
11 protocol or any successor protocol.

12 (D) A recommendation for technical stand-
13 ards to address the protocols, capabilities, and
14 procedures identified under subparagraph (B).

15 (E) A recommendation for any regulations
16 that may be necessary to ensure compatibility
17 between video programming made available
18 using Internet protocol or any successor pro-
19 tocol and apparatuses and navigation devices
20 capable of receiving and displaying such pro-
21 gramming in order to facilitate access to closed
22 captions.

23 (F) An identification of attributes of easy-
24 to-use authoring tools that can be used by view-
25 ers to add closed captions to video program-

1 ming made available using Internet protocol or
2 any successor protocol.

3 (G) An identification of the categories of
4 entities involved in the online delivery of video
5 programming, along with a recommendation on
6 how to apportion the responsibilities for the
7 provision, quality, pass-through, and display of
8 closed captions among those entities to ensure
9 full access by viewers.

10 (H) A recommendation for best practices
11 for ensuring that programming that was live
12 programming or near-live programming at the
13 time that it was initially made available to view-
14 ers is subsequently made available at the level
15 of quality required for prerecorded program-
16 ming.

17 (I) A recommendation for defining metrics
18 and thresholds to be used for measuring the ac-
19 curacy, synchronicity, completeness, and place-
20 ment of closed captions for live programming as
21 necessary to afford access to video program-
22 ming that is functionally equivalent to the ac-
23 cess provided by the audio track, with minimum
24 thresholds that are neutral to different modali-
25 ties for creating closed captions.

1 (2) AUDIO DESCRIPTION REPORT.—Not later
2 than 1 year after the date of the first meeting of the
3 Advisory Committee, the Advisory Committee shall
4 develop and submit to the Commission a report that
5 includes the following:

6 (A) A recommended schedule of deadlines
7 for the provision of audio description on video
8 programming made available using Internet
9 protocol or any successor protocol.

10 (B) Identification of the protocols, tech-
11 nical capabilities, and technical procedures
12 needed to permit responsible entities to reliably
13 provide, receive, and perform audio description
14 of video programming made available via Inter-
15 net protocol or any successor protocol.

16 (C) Identification of additional protocols,
17 technical capabilities, and technical procedures
18 beyond those available as of the date of enact-
19 ment of this Act needed for the delivery of
20 audio description of video programming.

21 (D) A recommendation for technical stand-
22 ards to address the protocols, capabilities, and
23 procedures identified under subparagraph (B).

24 (E) A recommendation for any regulations
25 that may be necessary to ensure compatibility

1 between video programming made available
2 using Internet protocol or any successor pro-
3 tocol and apparatuses and navigation devices
4 capable of receiving and displaying such pro-
5 gramming in order to facilitate access to audio
6 description.

7 (F) A recommendation for standards, pro-
8 tocols, and procedures to ensure that audio de-
9 scribed video programming is labeled and
10 searchable or otherwise easily discoverable
11 through navigation devices, apparatuses, appli-
12 cations, and other methods on which such pro-
13 gramming is published or exhibited or made
14 available.

15 (G) A recommendation for the achievability
16 of making audio description available on a dedi-
17 cated audio channel.

18 (H) An identification of the categories of
19 entities engaged in the online delivery of video
20 programming, along with a recommendation on
21 how to apportion the responsibilities for the
22 provision, quality, pass-through, and perform-
23 ance of audio description among those entities
24 to ensure full access by viewers.

1 (I) A recommendation for defining metrics
2 to be used for measuring the quality of audio
3 description as necessary to afford access to
4 video programming that is functionally equiva-
5 lent to the access provided visually.

6 (J) An identification of easy-to-use author-
7 ing tools that can be used by viewers to add
8 audio description to video programming made
9 available via Internet protocol or any successor
10 protocol.

11 (3) AMERICAN SIGN LANGUAGE VIDEO PRO-
12 GRAMMING REPORT.—Not later than 180 days after
13 the date of the first meeting of the Advisory Com-
14 mittee, the Advisory Committee shall develop and
15 submit to the Commission a report that includes a
16 recommendation for standards for the display and
17 visibility of American Sign Language interpretation
18 where it is provided for video programming, includ-
19 ing standards for ensuring that an interpreter is
20 visible on a viewer’s screen during the programming.

21 (4) CONSIDERATION OF WORK BY STANDARDS-
22 SETTING ORGANIZATIONS.—The recommendations of
23 the Advisory Committee shall, insofar as possible, in-
24 corporate standards, protocols, and procedures that
25 have been adopted by recognized industry standards-

1 setting organizations for each of the purposes de-
2 scribed in paragraphs (1), (2), and (3).

3 (g) MEETINGS.—

4 (1) INITIAL MEETING.—The initial meeting of
5 the Advisory Committee shall take place not later
6 than 45 days after the date on which the Chair has
7 appointed all the members of the Advisory Com-
8 mittee under subsection (c).

9 (2) OTHER MEETINGS.—After the initial meet-
10 ing, the Advisory Committee shall meet at the call
11 of the Chair.

12 (3) NOTICE; OPEN MEETINGS.—Any meeting
13 held by the Advisory Committee—

14 (A) shall be noticed not later than 14 days
15 before the meeting; and

16 (B) shall be open to the public.

17 (h) PROCEDURAL RULES.—

18 (1) QUORUM.—The presence of one-third of the
19 members of the Advisory Committee shall constitute
20 a quorum for conducting the business of the Advi-
21 sory Committee.

22 (2) SUBCOMMITTEES.—To assist the Advisory
23 Committee in carrying out its functions, the Chair
24 may establish appropriate subcommittees composed

1 of members of the Advisory Committee and other
2 subject matter experts.

3 (3) ADDITIONAL PROCEDURAL RULES.—The
4 Advisory Committee may adopt other procedural
5 rules as needed.

6 (i) INAPPLICABILITY OF FEDERAL ADVISORY COM-
7 MITTEE ACT.—The Federal Advisory Committee Act (5
8 U.S.C. App.) shall not apply with respect to the Advisory
9 Committee or the activities of the Advisory Committee.

10 **TITLE II—VIDEO PLAYBACK** 11 **APPARATUSES**

12 **SEC. 201. VIDEO PLAYBACK APPARATUSES.**

13 (a) IN GENERAL.—Section 303 of the Communica-
14 tions Act of 1934 (47 U.S.C. 303) is amended—

15 (1) in subsection (z)—

16 (A) by adjusting the margins two ems to
17 the left;

18 (B) in paragraph (1), by striking “video
19 description” each place it appears and inserting
20 “audio description”; and

21 (C) in paragraph (2)—

22 (i) by striking “available to” and in-
23 serting the following: “available—
24 “(A) to”;

1 (ii) in subparagraph (A), as so des-
2 ignated—

3 (I) by striking “or render”; and

4 (II) by striking “audible.” and
5 inserting the following: “audible,
6 which—

7 “(i) shall require encoding closed cap-
8 tions and audio description data along with
9 audio and video transmission in a format
10 that can be adjusted and rendered by the
11 consumer equipment consistent with the
12 requirements of subsection (cc); and

13 “(ii) does not include merely ren-
14 dering closed captions or audio description
15 into visual or aural forms on the source de-
16 vice; and”;

17 (iii) by adding at the end the fol-
18 lowing:

19 “(B) to enable the activation of closed cap-
20 tions, audio description, and emergency infor-
21 mation on the consumer equipment.”;

22 (2) in subsection (aa)—

23 (A) by adjusting the margins two ems to
24 the left;

25 (B) in paragraph (1)—

1 (i) by striking “transmitted in digital
2 format” and inserting “made available”;
3 and

4 (ii) by inserting “or any successor
5 protocol” after “protocol”;

6 (C) in paragraph (2), by adding “and” at
7 the end;

8 (D) by striking paragraph (3); and

9 (E) by redesignating paragraph (4) as
10 paragraph (3);

11 (3) in subsection (bb)—

12 (A) in paragraph (1), by adding “and” at
13 the end

14 (B) by striking paragraph (2); and

15 (C) by redesignating paragraph (3) as
16 paragraph (2); and

17 (D) in paragraph (2), as redesignated, by
18 adjusting the margins two ems to the left; and

19 (4) by adding at the end the following:

20 “(cc) Require for all digital apparatus covered under
21 subsection (aa) and navigation devices covered under sub-
22 section (bb) manufactured or imported into the United
23 States that each apparatus or device—

24 “(1) provides access to closed captioning activa-
25 tion by—

1 “(A) if the apparatus or device is con-
2 trolled by a physical remote control included
3 with the device at the time of purchase, pro-
4 viding a tactilely identifiable, clearly labeled,
5 and dedicated button on the remote control to
6 activate and deactivate closed captions of at
7 least similar size to other buttons on the remote
8 control; and

9 “(B) if the apparatus or device is con-
10 trolled by means other than a remote control,
11 providing a prominently displayed, easily identi-
12 fiable, accessible, and dedicated button, key, or
13 icon to activate and deactivate closed captions;

14 “(2) provides access to audio description activa-
15 tion by—

16 “(A) if the apparatus or device is con-
17 trolled by a physical remote control included
18 with the apparatus or device at the time of pur-
19 chase, providing a tactilely identifiable, clearly
20 labeled, and dedicated button on the remote
21 control to activate and deactivate audio descrip-
22 tion of at least similar size to other buttons on
23 the remote control; and

24 “(B) if the apparatus or device is con-
25 trolled by means other than a remote control,

1 providing a prominently displayed, easily identi-
2 fiable, accessible, and dedicated button, key, or
3 icon to activate and deactivate audio descrip-
4 tion;

5 “(3) provides access to closed captioning display
6 settings, including the technical capabilities set forth
7 in section 79.103(e) of title 47, Code of Federal
8 Regulations, or any successor regulation, and audio
9 description performance settings, including the capa-
10 bility to adjust the relative volumes of audio descrip-
11 tion and the audio track of a program, by—

12 “(A) if the apparatus or device is con-
13 trolled by a physical remote control included
14 with the apparatus or device at the time of pur-
15 chase, providing a tactilely identifiable button,
16 clearly labeled, and dedicated button on the re-
17 mote control—

18 “(i) to permit the user to change
19 closed captioning and audio description
20 settings that permits previewing the set-
21 tings while leaving the underlying pro-
22 gramming visible and audible; and

23 “(ii) that is of at least similar size to
24 other buttons on the remote control; and

1 “(B) if the apparatus or device is con-
2 trolled by means other than a remote control,
3 providing a dedicated mechanism that permits
4 the user to change closed captioning and audio
5 description settings that—

6 “(i) is displayed proximately to the
7 video playback interface;

8 “(ii) is easily discoverable; and

9 “(iii) permits previewing the settings
10 while leaving the underlying programming
11 visible and audible;

12 “(4) provides a user with a prompt to modify
13 closed caption activation and display settings and
14 audio description activation and performance set-
15 tings required under paragraphs (1) through (3)
16 upon initial power-on or upon a reset to factory set-
17 tings of the apparatus or device;

18 “(5) ensures that closed caption activation and
19 display settings and audio description activation and
20 performance settings required under paragraphs (1)
21 through (3) persist across all video playback
22 functionality on the apparatus or device, including in
23 applications or other software or plug-ins added by
24 the user after the sale of the apparatus or device,
25 and after powering off or restarting the apparatus

1 or device, until a user changes the settings or the
2 apparatus or device is reset to factory default set-
3 tings by the user; and

4 “(6) provides the necessary hardware and soft-
5 ware to achieve compatibility with existing periph-
6 eral devices or specialized customer premises equip-
7 ment commonly used by individuals with disabilities
8 to achieve access, including refreshable braille dis-
9 plays, sip and puff devices, and hearing aids.”.

10 (b) IMPLEMENTING REGULATIONS.—Not later than
11 18 months after the date of enactment of this Act, the
12 Federal Communications Commission shall prescribe such
13 regulations as are necessary to implement the amend-
14 ments made by subsection (a).

15 **TITLE III—COMMUNICATIONS** 16 **SERVICES**

17 **SEC. 301. VIDEO CONFERENCING.**

18 The Communications Act of 1934 (47 U.S.C. 151 et
19 seq.) is amended—

20 (1) in section 3 (47 U.S.C. 153), as amended
21 by section 101—

22 (A) in paragraph (1)(D), by striking
23 “interoperable”;

24 (B) by striking paragraph (26), as so re-
25 designated by section 101;

1 (C) by redesignating paragraphs (27)
2 through (57), as so redesignated by section
3 101, as paragraphs (26) through (56), respec-
4 tively; and

5 (D) by inserting after paragraph (56), as
6 so redesignated by subparagraph (C), the fol-
7 lowing:

8 “(57) VIDEO CONFERENCING SERVICE.—The
9 term ‘video conferencing service’ means a service
10 that provides real-time video communications, in-
11 cluding audio, to enable users to share information
12 of the user’s choosing.”; and

13 (2) in section 716(e) (47 U.S.C. 617(e)), by
14 adding at the end the following:

15 “(3) REVISION OF REGULATIONS; VIDEO CON-
16 FERENCING SERVICES.—Not later than 18 months
17 after the date on which the Advanced Communica-
18 tions Services Advisory Committee submits the re-
19 port required under section 304(f)(1) of the Commu-
20 nications, Video, and Technology Accessibility Act of
21 2022, the Commission shall revise the regulations
22 promulgated under this subsection to—

23 “(A) require that all obligations applicable
24 to advanced communications services, and
25 equipment used for advanced communications

1 services, extend to video conferencing services
2 and equipment used for video conferencing serv-
3 ices;

4 “(B) require that all advanced communica-
5 tions services and equipment capable of pro-
6 viding or enabling video conferencing services—

7 “(i) have built-in closed captioning
8 functionality using automatic speech rec-
9 ognition or similar or successor tech-
10 nologies;

11 “(ii) implement application program-
12 ming interfaces or similar technical mecha-
13 nisms to allow the interconnection of, and
14 achieve compatibility with, assistive tech-
15 nologies and services, existing peripheral
16 devices, and specialized customer premises
17 equipment commonly used by individuals
18 with disabilities to achieve access, includ-
19 ing—

20 “(I) third-party captioning serv-
21 ices;

22 “(II) third-party video inter-
23 preting services;

24 “(III) forms of telecommuni-
25 cations relay services that have been

1 approved by the Commission under
2 section 225;

3 “(IV) screen-readers for all user
4 interface elements; and

5 “(V) refreshable braille displays
6 and other devices used for the tactile
7 conveyance of textual information;
8 and

9 “(iii) enable users and telecommuni-
10 cations relay service communications as-
11 sistants to control the activation and de-ac-
12 tivation, and customize the display, of cap-
13 tions, video interpreters, and communica-
14 tions assistants independently from hosts
15 of video conferencing sessions; and

16 “(C) adopt quality requirements for built-
17 in closed captioning functionality to facilitate
18 effective communication under subparagraph
19 (B)(i).”.

20 **SEC. 302. RELAY SERVICES.**

21 The Communications Act of 1934 (47 U.S.C. 151 et
22 seq.), as amended by this Act, is amended—

23 (1) in section 225 (47 U.S.C. 225)—

24 (A) in subsection (a)—

1 (i) by redesignating paragraphs (2)
2 and (3) as paragraphs (4) and (5), respec-
3 tively;

4 (ii) by inserting after paragraph (1)
5 the following:

6 “(2) COMMUNICATION FACILITATOR.—The term
7 ‘communication facilitator’ means a skilled user of
8 American Sign Language who—

9 “(A) copies American Sign Language from
10 a caller, as shown on a videophone screen; and

11 “(B) provides visual information to a
12 DeafBlind person through close vision or tactile
13 American Sign Language.

14 “(3) DIRECT VIDEO CALLING SERVICE.—The
15 term ‘direct video calling service’ means telephone
16 customer support using one-to-one video communica-
17 tion that—

18 “(A) is facilitated by a contact center rep-
19 resentative; and

20 “(B) enables a real-time conversation to
21 occur directly between not fewer than 2 parties
22 using American Sign Language—

23 “(i) not less than 1 of the parties to
24 which is a governmental agency, business,

1 non-profit organization, emergency author-
2 ity, or other enterprise; and

3 “(ii) not less than 1 of the parties to
4 which—

5 “(I) is deaf, hard of hearing, or
6 DeafBlind; or

7 “(II) has a speech disability or
8 auditory processing disorder.”;

9 (iii) by striking paragraph (5), as so
10 redesignated, and inserting the following:

11 “(5) TELECOMMUNICATIONS RELAY SERV-
12 ICES.—The term ‘telecommunications relay services’
13 means—

14 “(A) transmission services that provide the
15 ability for an individual who is deaf, hard of
16 hearing, or DeafBlind, or who has a speech dis-
17 ability or an auditory processing disorder, to
18 engage in communication by wire or radio with
19 1 or more individuals, in a manner that is func-
20 tionally equivalent to the ability of a hearing in-
21 dividual who does not have a speech disability
22 to communicate using voice communication
23 services or advanced communications services
24 by wire or radio; and

1 “(B) other services facilitating functionally
2 equivalent communication by wire or radio for
3 an individual who is deaf, hard of hearing, or
4 DeafBlind, or who has a speech disability or an
5 auditory processing disorder, including the pro-
6 vision of communication facilitators for an indi-
7 vidual who is DeafBlind and the provision of di-
8 rect video calling services for a call center to fa-
9 cilitate point-to-point communication in Amer-
10 ican Sign Language between government agen-
11 cies, businesses, emergency authorities, or other
12 enterprises and users of American Sign Lan-
13 guage.”; and

14 (B) in subsection (d), by adding at the end
15 the following:

16 “(4) AMERICAN SIGN LANGUAGE ACCESS TO
17 EMERGENCY SERVICES; COMMUNICATION
18 FACILITATORS; DIRECT VIDEO CALLING SERVICES.—

19 “(A) IN GENERAL.—Not later than 2 years
20 after the date of enactment of this paragraph,
21 the Commission shall promulgate such regula-
22 tions as are necessary to—

23 “(i) define as eligible for relay service
24 support from the fund described in section
25 64.604(c)(5)(iii) of title 47, Code of Fed-

1 eral Regulations, as in effect on that date
2 of enactment—

3 “(I) programs that are approved
4 by the Commission to support direct
5 video calling services, including the
6 use of those services to access emer-
7 gency authorities;

8 “(II) programs that are approved
9 by the Commission to support the
10 provision of communication
11 facilitators; and

12 “(III) programs that are de-
13 signed, in accordance with subpara-
14 graph (B), to improve access to emer-
15 gency authorities by users of video
16 relay services and direct video calling
17 services to achieve the objectives de-
18 scribed in clause (ii); and

19 “(ii) achieve full, equal, and direct ac-
20 cess to public safety answering points, as
21 that term is defined in section 222(h), and
22 other local emergency authorities, includ-
23 ing emergency authorities responding to
24 wireless calls made by dialing 9–1–1, by
25 individuals who—

1 “(I) are deaf, hard of hearing, or
2 DeafBlind, or who have a speech dis-
3 ability; and

4 “(II) use American Sign Lan-
5 guage.

6 “(B) CONTENTS.—The regulations de-
7 scribed in subparagraph (A)(i)(III) shall, at a
8 minimum, require that users communicating by
9 means of a video relay service, as that term is
10 defined in section 64.601 of title 47, Code of
11 Federal Regulations, or any successor regula-
12 tion, shall be capable of using native dialing or
13 1-step access on a mobile phone so that such
14 communication—

15 “(i) includes the location information
16 of the user, to be transmitted and delivered
17 immediate and directly to the applicable
18 emergency authority; and

19 “(ii) is received by the applicable
20 emergency authority with the same speed
21 and efficiency as a voice call made by dial-
22 ing 9–1–1.

23 “(5) REASSESSMENT OF AVAILABLE SERVICES
24 AND MINIMUM STANDARDS.—Not later than 4 years
25 after the date of enactment of this paragraph, and

1 once every 4 years thereafter, the Commission shall,
2 as necessary to respond to evolving communication
3 technologies, reassess and, as necessary, update the
4 regulations prescribed under this subsection to en-
5 sure that those regulations effectively satisfy the
6 communication needs of individuals with disabilities
7 who are covered by this Act, including by—

8 “(A) assessing the need for new modes of
9 telecommunications relay services;

10 “(B) increasing and improving the manda-
11 tory minimum standards to ensure the quality
12 of telecommunications relay services; and

13 “(C) assessing the impact that evolving
14 communication technologies have on the privacy
15 of users of telecommunications relay services.”;
16 and

17 (2) by inserting after section 715 (47 U.S.C.
18 616) the following:

19 **“SEC. 715A. VIDEO CONFERENCING SERVICES’ SUPPORT OF**
20 **RELAY SERVICES.**

21 “(a) DEFINITION.—In this section, the term ‘TRS
22 Fund’ means the fund described in 64.604(c)(5)(iii) of
23 title 47, Code of Federal Regulations, as in effect on the
24 date of enactment of this section.

1 “(b) REQUIREMENT.—Not later than 1 year after the
2 date of enactment of this section, each provider of video
3 conferencing services shall participate in, and contribute
4 to, the TRS Fund in a manner prescribed by the Commis-
5 sion by regulation to provide for obligations of those pro-
6 viders that are consistent with, and comparable to, the ob-
7 ligations of other contributors to the TRS Fund.

8 “(c) USE OF AMOUNTS.—The Commission shall use
9 contributions made under subsection (b) to carry out the
10 program under subpart GG of part 64 of title 47, Code
11 of Federal Regulations, as in effect on the date of enact-
12 ment of this section.”.

13 **SEC. 303. NATIONAL DEAFBLIND EQUIPMENT DISTRIBUTION PROGRAM.**
14

15 Section 719 of the Communications Act of 1934 (47
16 U.S.C. 620) is amended—

17 (1) by striking subsections (a) and (b) and in-
18 serting the following:

19 “(a) UPDATED REGULATIONS.—Not later than 18
20 months after the date of enactment of the Communica-
21 tions, Video, and Technology Accessibility Act of 2022, the
22 Commission shall update the rules under section 64.610
23 of title 47, Code of Federal Regulations, or any successor
24 regulation, to define as eligible for telecommunications
25 relay service support those programs that are approved

1 by the Commission for the distribution of specialized cus-
2 tomer premises equipment and software designed to make
3 telecommunications service, internet access service, and
4 advanced communications, including interexchange serv-
5 ices and advanced telecommunications and information
6 services, accessible to individuals who are DeafBlind.

7 “(b) DEFINITION.—In this section, the term ‘indi-
8 vidual who is DeafBlind’—

9 “(1) has the meaning given the term ‘individual
10 who is deaf-blind’ in section 206(2) of the Helen
11 Keller National Center Act (29 U.S.C. 1905(2)), as
12 amended by the Rehabilitation Act Amendments of
13 1992; and

14 “(2) includes an individual who—

15 “(A) for the purposes of satisfying sub-
16 paragraph (A)(i) of such section 206(2), has
17 been diagnosed with a cortical or cerebral visual
18 impairment;

19 “(B) for the purposes of satisfying sub-
20 paragraph (A)(ii) of such section 206(2), has
21 been diagnosed with an auditory processing dis-
22 order; or

23 “(C) for the purposes of satisfying sub-
24 paragraphs (A)(i) and (A)(ii) of such section
25 206(2), has been diagnosed with both a cortical

1 or cerebral visual impairment and an auditory
2 processing disorder.”; and

3 (2) in subsection (c), by striking “\$10,000,000”
4 and inserting “\$20,000,000, which the Commission
5 shall adjust annually for inflation using an inflation
6 factor determined by the Commission”.

7 **SEC. 304. ADVANCED COMMUNICATIONS SERVICES ADVI-**
8 **SORY COMMITTEE.**

9 (a) DEFINITIONS.—In this section:

10 (1) ADVANCED COMMUNICATIONS SERVICES;
11 VIDEO CONFERENCING SERVICE.—The terms “ad-
12 vanced communications services” and “video confer-
13 encing service” have the meanings given the terms
14 in section 3 of the Communications Act of 1934 (47
15 U.S.C. 153), as amended by this Act.

16 (2) ADVISORY COMMITTEE.—The term “Advi-
17 sory Committee” means the Advanced Communica-
18 tions Services Advisory Committee established under
19 subsection (b).

20 (3) CHAIR.—The term “Chair” means the
21 Chair of the Commission.

22 (4) COMMISSION.—The term “Commission”
23 means the Federal Communications Commission.

24 (5) TELECOMMUNICATIONS RELAY SERVICES.—
25 The term “telecommunications relay services” has

1 the meaning given the term in section 225(a) of the
2 Communications Act of 1934 (47 U.S.C. 225(a)), as
3 amended by this Act.

4 (b) ESTABLISHMENT.—Not later than 60 days after
5 the date of enactment of this Act, the Chair shall establish
6 an advisory committee to be known as the Advanced Com-
7 munications Services Advisory Committee.

8 (c) MEMBERSHIP.—As soon as practicable after the
9 date on which the Chair establishes the Advisory Com-
10 mittee, the Chair shall appoint individuals who have the
11 technical knowledge and engineering expertise to serve on
12 the Advisory Committee in the fulfillment of the duties
13 of the Advisory Committee, including the following:

14 (1) Representatives of entities involved in the
15 provision of video conferencing services (or a na-
16 tional organization representing such entities).

17 (2) Representatives of vendors, developers, and
18 manufacturers of systems, facilities, equipment, and
19 capabilities for the provision of video conferencing
20 services (or a national organization representing
21 such vendors, developers, or manufacturers).

22 (3) Representatives of vendors, developers, and
23 manufacturers of systems, facilities, equipment, and
24 capabilities for the provision of assistive technologies
25 used with video conferencing services (or a national

1 organization representing such vendors, developers,
2 or manufacturers).

3 (4) Representatives of manufacturers of con-
4 sumer electronics or information technology equip-
5 ment engaged in the provision of video conferencing
6 services (or a national organization representing
7 such manufacturers).

8 (5) Representatives of national organizations
9 representing accessibility advocates, including people
10 with disabilities and older Americans.

11 (6) Representatives of service agencies engaged
12 in the provision of captioning and interpretation
13 services for video conferencing services.

14 (7) Representatives of providers of tele-
15 communications relay services.

16 (8) Academic experts or representatives of re-
17 search institutions with expertise regarding ad-
18 vanced communication services.

19 (9) Individuals with technical and engineering
20 expertise, as the Chair determines appropriate.

21 (d) COMMISSION OVERSIGHT.—The Chair shall ap-
22 point a member of the staff of the Commission to mod-
23 erate and direct the work of the Advisory Committee.

1 (e) TECHNICAL STAFF.—The Chair shall appoint a
2 member of the technical staff of the Commission to pro-
3 vide technical assistance to the Advisory Committee.

4 (f) DEVELOPMENT OF RECOMMENDATIONS.—

5 (1) ADVANCED COMMUNICATIONS SERVICES RE-
6 PORT.—Not later than 1 year after the date on
7 which the Advisory Committee first meets, the Advi-
8 sory Committee shall submit to the Commission a
9 report that, subject to paragraph (2), includes the
10 following:

11 (A) A recommended schedule of deadlines
12 for—

13 (i) making video conferencing services
14 and equipment accessible to individuals
15 with disabilities; and

16 (ii) compliance with quality metrics
17 and thresholds for built-in closed cap-
18 tioning functionality for video conferencing
19 services and equipment.

20 (B) An identification of the protocols, tech-
21 nical capabilities, and technical procedures
22 needed to—

23 (i) permit video conferencing services
24 to include built-in closed captioning
25 functionality; and

1 (ii) allow the interconnection of, and
2 compatibility with, assistive technologies
3 and services, existing peripheral devices,
4 and specialized customer premises equip-
5 ment commonly used by individuals with
6 disabilities to achieve access.

7 (C) A recommendation for technical stand-
8 ards to address the protocols, technical capabili-
9 ties, and technical procedures identified under
10 subparagraph (B).

11 (D) A recommendation for standards to be
12 used to ensure that the quality of built-in closed
13 captioning functionality for video conferencing
14 services facilitates effective communication.

15 (2) CONSIDERATION OF WORK BY STANDARDS-
16 SETTING ORGANIZATIONS.—The recommendations of
17 the Advisory Committee contained in the report sub-
18 mitted under paragraph (1) shall, to the extent pos-
19 sible, incorporate the standards, protocols, and pro-
20 cedures that have been adopted by recognized indus-
21 try standard-setting organizations for each of the
22 purposes described in that paragraph.

23 (g) MEETINGS.—

24 (1) INITIAL MEETING.—The initial meeting of
25 the Advisory Committee shall take place not later

1 than 45 days after the date on which the Chair ap-
2 points the members of the Advisory Committee
3 under subsection (c).

4 (2) OTHER MEETINGS.—After the initial meet-
5 ing of the Advisory Committee under paragraph (1),
6 the Advisory Committee shall meet at the call of the
7 Chair.

8 (3) NOTICE; OPEN MEETINGS.—Each meeting
9 held by the Advisory Committee shall be—

10 (A) noticed not fewer than 14 days before
11 the date of that meeting; and

12 (B) open to the public.

13 (h) PROCEDURAL RULES.—

14 (1) QUORUM.—The presence of $\frac{1}{3}$ of the mem-
15 bers of the Advisory Committee shall constitute a
16 quorum for conducting the business of the Advisory
17 Committee.

18 (2) SUBCOMMITTEES.—To assist the Advisory
19 Committee in carrying out the functions of the Advi-
20 sory Committee, the Chair may establish appropriate
21 subcommittees composed of members of the Advisory
22 Committee and other subject matter experts.

23 (3) ADDITIONAL PROCEDURAL RULES.—The
24 Advisory Committee may adopt other procedural
25 rules as needed.

1 (i) INAPPLICABILITY OF FEDERAL ADVISORY COM-
2 MITTEE ACT.—The Federal Advisory Committee Act (5
3 U.S.C. App.) shall not apply with respect to the Advisory
4 Committee or the activities of the Advisory Committee.

5 **SEC. 305. REAL-TIME TEXT.**

6 Title VII of the Communications Act of 1934 (47
7 U.S.C. 601 et seq.) is amended by inserting after section
8 716 (47 U.S.C. 617) the following:

9 **“SEC. 716A. REAL-TIME TEXT.**

10 “Not later than 2 years after the date of enactment
11 of this section, the Commission shall revise the regulations
12 of the Commission to require that all interconnected and
13 non-interconnected VoIP services, whether delivered using
14 wireless or wireline infrastructure, enable, so long as it
15 is achievable (as defined in section 716)—

16 “(1) the delivery of real-time text with other
17 wireless and wireline VoIP services; and

18 “(2) connectivity of real-time text to public
19 safety answering points, as defined in section
20 222(h).”.

21 **SEC. 306. ADVANCED COMMUNICATIONS SERVICES SOFT-**
22 **WARE.**

23 Section 716(e) of the Communications Act of 1934
24 (47 U.S.C. 617(e)) is amended by adding at the end the
25 following:

1 “(3) REVISION OF REGULATIONS.—Not later
2 than 1 year after the date of enactment of this para-
3 graph, the Commission shall update the regulations
4 prescribed under this subsection to require that all
5 obligations applicable to equipment used for ad-
6 vanced communications services extend to software
7 used for those services, without regard to whether
8 that software is pre-installed on equipment used for
9 those services.”.

10 **TITLE IV—EMERGING** 11 **TECHNOLOGY**

12 **SEC. 401. EMERGING TECHNOLOGY.**

13 Title VII of the Communications Act of 1934 (42
14 U.S.C. 601 et seq.) is amended by adding at the end the
15 following:

16 **“SEC. 723. EMERGING TECHNOLOGY ACCESSIBILITY.**

17 “(a) REPORTS TO CONGRESS.—Not later than 3
18 years after the date of enactment of this section, and every
19 5 years thereafter, the Commission shall, in consultation
20 with the United States Access Board, submit to the Com-
21 mittee on Commerce, Science, and Transportation of the
22 Senate and the Committee on Energy and Commerce of
23 the House of Representatives a report assessing—

24 “(1) the extent to which any accessibility bar-
25 riers exist with respect to emerging communications

1 and video programming technologies and services,
2 including communication and video programming
3 technologies that use augmented reality, virtual re-
4 ality, extended reality, dual reality, artificial intel-
5 ligence and other advanced machine learning, robot-
6 ics, the Internet of Things, and other forms of ad-
7 vanced computing power; and

8 “(2) solutions needed to ensure that new or
9 emerging communications and video programming
10 technologies and services such as those described in
11 paragraph (1)—

12 “(A) are accessible to individuals with dis-
13 abilities; or

14 “(B) provides the necessary hardware and
15 software to achieve compatibility with existing
16 peripheral devices or specialized customer prem-
17 ises equipment commonly used by individuals
18 with disabilities to achieve access.

19 “(b) REGULATIONS.—Not later than 2 years after
20 the Commission submits each report required under sub-
21 section (a), the Commission shall issue new or update ex-
22 isting regulations for ensuring the accessibility of emerg-
23 ing communications and video programming technologies
24 and services by individuals with disabilities where doing
25 so is necessary to further the goals of the statutory provi-

1 sions implemented by the regulations of the Commission
2 under parts 6, 7, 14, and 79 of title 47, Code of Federal
3 Regulations, or any successor regulation, intended to ful-
4 fill these goals.”.

5 **TITLE V—ENFORCEMENT AND** 6 **REPORTING**

7 **SEC. 501. ACCESSIBILITY ENFORCEMENT.**

8 Section 503(b)(5) of the Communications Act of
9 1934 (47 U.S.C. 503(b)(5)) is amended by inserting after
10 “uses that tower” the following: “, or in the case of viola-
11 tions of this Act related to requirements of accessibility
12 for individuals with disabilities, including violations of sec-
13 tion 225, section 255, section 276(b)(1)(A), subsections
14 (u) through (cc) of section 303, section 330(b), section
15 710, section 711, section 713, or sections 715 through
16 719”.

17 **SEC. 502. REPORTS TO CONGRESS.**

18 Title VII of the Communications Act of 1934 (47
19 U.S.C. 601 et seq.), as amended by section 401 of this
20 Act, is amended—

21 (1) in section 717 (47 U.S.C. 618)—

22 (A) by striking subsection (b);

23 (B) by redesignating subsections (c), (d),

24 and (e) as subsections (b), (c), and (d), respec-

25 tively; and

1 (C) in subsection (d), as so redesignated,
2 by striking “subsection (d)” and inserting “sub-
3 section (e)”;

4 (2) by adding at the end the following:

5 **“SEC. 724. ACCESSIBILITY REPORTING REQUIREMENTS.**

6 “Not later than 2 years after the date of enactment
7 of this section, and every 2 years thereafter, the Commis-
8 sion shall submit to the Committee on Commerce, Science,
9 and Transportation of the Senate and the Committee on
10 Energy and Commerce of the House of Representatives
11 a report that includes the following:

12 “(1) The number and nature of complaints re-
13 ceived pursuant to subsection (u), (z), (aa), or (bb)
14 of section 303, section 330(b), section 713, and sec-
15 tion 716(a) during the period covered by the report.

16 “(2) A description of the actions taken to re-
17 solve the complaints described in paragraph (1), in-
18 cluding forfeiture penalties assessed.

19 “(3) The length of time that was taken by the
20 Commission to resolve each such complaint.

21 “(4) The number, status, nature, and outcome
22 of each action for mandamus filed pursuant to sec-
23 tion 717(a)(6) and the number, status, nature, and
24 outcome of each appeal filed pursuant to section
25 402(b)(10).”.