



Communications, Video, and Technology Accessibility Act Legislative Imperative

Background

The Twenty-First Century Communications and Video Accessibility Act (CVAA) guaranteed access for people with disabilities to advanced communications services, telecommunications hardware and software, accessible video displays and user interfaces and digital apparatuses, and required the delivery of audio-described content. For more than ten years, ACB and its members have worked to implement and enforce the CVAA, and in several key aspects, we have reached the limits of what the CVAA is able to enforce through regulation.

More than a decade since the passage of the CVAA, not all people in the United States are able to receive audio-described content from their local broadcast television stations. Despite every broadcast network being required to support accessible emergency alerts, which use the same technology as audio description, only 90 of the 210 broadcast designated market areas are required to pass through audio-described content to consumers.

The Federal Communications Commission has maximized the amount of audio-described content it may require broadcasters and cable programmers to provide at 87.5 hours per quarter, or roughly one hour per day of audio-described content.

The CVAA was implemented prior to online streaming video becoming a routine part of video entertainment and everyday life. As a result, the CVAA audio description and accessible video user interface requirements only apply to broadcast and cable programming, and video streaming applications are not required to be accessible to people who are blind, low vision, and Deafblind.

The CVAA implemented accessibility requirements for text and audio advanced communications services; however, video conferencing services, which are utilized for everything from school, to work, telemedicine, and social and community gatherings, remain undefined and do not have corresponding accessibility requirements.

It is time for Congress to update the accessible video and communications requirements of the CVAA. In the 117th Congress, Senator Edward J. Markey (D-MA) and Representative Anna G. Eshoo (D-CA-18) introduced the Communications, Video, and Technology Accessibility (CVTA) Act of 2022 (S. 5121 & H.R. 9333). The CVTA reaffirms our nation's commitment to accessible communications and video technologies for people who are blind, low vision, and Deafblind. Once passed, this legislation will:

- Improve and expand audio description standards for television programming and online video streaming platforms to ensure that people with disabilities have equitable access to the wide range of programming available to the general public;
- Update current requirements to ensure viewers can easily activate and select preferred settings for audio description on their video programming devices, such as televisions, smart phones, laptops, and tablets;
- Require the Federal Communications Commission to ensure that all video conferencing services, including those used for telehealth, distance learning, and social and civic engagement, are accessible to people with disabilities, including people who are blind, low vision, and Deafblind; and,
- Empower the FCC to ensure accessibility regulations keep pace with emerging technologies, including artificial intelligence and augmented or virtual reality platforms.

Call to Action

ACB urges the House and Senate to support the reintroduction and passage of the Communication, Video, and technology Accessibility Act to ensure that video entertainment and communications are accessible to everyone. When meeting with your member of Congress, please share with them the difficulties that you have in locating and watching audio-described content on broadcast television, cable, and when streaming video content online. Please share with them what it

would mean for you to have access to all video content with audio description, and what it would mean for you to be able to access audio-described content independently through accessible user interfaces for online video services. And finally, tell your members of Congress that the Federal Communications Commission must ensure accessible access to video conferencing services, as they have for text and audio advanced communications services. Tell your members of Congress that you want them to support and co-sponsor the Communications, Video, and Technology Accessibility Act (CVTA), once reintroduced in the 118th Congress.