A BILL

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

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) Short Title.—This Act may be cited as the “Communications, Video, and Technology Accessibility Act of 2023”.

(b) Table of Contents.—The table of contents for 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.
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TITLE IV—EMERGING TECHNOLOGY

Sec. 401. Emerging technology.

TITLE V—ENFORCEMENT AND REPORTING

Sec. 501. Accessibility enforcement.
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1  TITLE I—CLOSED CAPTIONING AND AUDIO DESCRIPTION

2 SEC. 101. DEFINITIONS.

3   (a) IN GENERAL.—Section 713(h) of the Communications Act of 1934 (47 U.S.C. 613(h)) is amended—

4       (1) in paragraph (1)—

5           (A) in the heading, by striking “VIDEO DESCRIPTION” and inserting “AUDIO DESCRIPTION”; and

6           (B) by striking “video description” and inserting “audio description”;

7       (2) by redesignating paragraph (2) as paragraph (6);
(3) by inserting after paragraph (1) the follow-

“(2) Live Programming.—The term ‘live pro-
gramming’ means video programming published or
exhibited or made available substantially simulta-
neously with its performance.

“(3) Near-Live Programming.—The term
‘near-live programming’ means video programming
that is not live programming and is published or ex-
hibited or made available not more than 12 hours
after its performance and recording.

“(4) Prerecorded Programming.—The term
‘prerecorded programming’ means video program-
ming that is not live programming or near-live pro-
gramming.

“(5) User-Generated Video.—The term
‘user-generated video’ means video programming
that is—

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

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

“(C) not the subject of a contractual ar-
angement between the user and the service
that obliges the user to create the programming specifically for delivery via the service.”; and

(4) in paragraph (6), as so redesignated—

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

“(A) means—

“(i) programming”;

(B) in subparagraph (A)(i), as so designated, by striking “, but not including” and all that follows and inserting “; and”; and

(C) by adding at the end the following:

“(ii) audiovisual programming made available via Internet protocol or any successor protocol—

“(I) including—

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

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

“(II) regardless of whether or not the programming is generally consid-
vided by a television broadcast station;

and

“(B) does not include user-generated video unless the user-generated video is generated by an entity that also generates video program-

ming that is—

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

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

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

c) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) REPEAL OF DEFINITION OF “CONSUMER GENERATED MEDIA”.—Section 3 of the Communications Act of 1934 (47 U.S.C. 153) is amended—

(A) by striking paragraph (14); and

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

(2) OTHER AMENDMENTS.—
(A) Section 271(c)(1)(A) of the Communications Act of 1934 (47 U.S.C. 271(c)(1)(A)) is amended by striking “section 3(47)(A)” and inserting “subparagraph (A) of the paragraph defining that term in section 3”.

(B) Section 203(a) of the Rural Electrification Act of 1936 (7 U.S.C. 924(a)) is amended by striking “section 3(o)” and inserting “section 3”.

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

(d) Modernizing Title of Head of Commission.—The Communications Act of 1934 (47 U.S.C. 151 et seq.) is amended—

(1) in section 4 (47 U.S.C. 154)—

(A) in subsection (a)—

(i) by inserting “(1)” after “(a)”;

(ii) by striking “chairman” and inserting “Chair”; and

(iii) by adding at the end the following:

“(2) Any reference in any law, regulation, document, paper, or other record of the United States to
the chairman or the Chairman of the Commission
shall be deemed to be a reference to the Chair of the
Commission.”;

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

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

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

(2) in section 5 (47 U.S.C. 155)—

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

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

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

309(j)(8)(G)(iv)), by striking “Chairman” and in-
serting “Chair”;

(5) in section 344 (47 U.S.C. 344)—
(A) in subsection (b)(1), by striking “Chairman’’ and inserting “Chair’’;

(B) in subsection (d), by striking “Chairman’’ each place the term appears and inserting “Chair’’; and

(6) in section 410(c) (47 U.S.C. 410(c)), by striking “Chairman of the Commission’’ and inserting “Chair of the Commission’’.

SEC. 102. CLOSED CAPTIONING.

(a) IN GENERAL.—Section 713 of the Communications Act of 1934 (47 U.S.C. 613) is amended—

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

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

“(2) Deadlines for programming made available using Internet protocol.—

“(A) Regulations on closed captioning on video programming made available using Internet protocol or successor protocol.—Not later than 18 months after the date of submission of the report to the Commission required under section 106(f)(1) of the Communications, Video, and Technology Accessibility Act of 2023, the Commission shall
revise its regulations to require the provision, receipt, and display of closed captioning on video programming made available using Internet protocol or any successor protocol published or exhibited after the effective date of the revised regulations.

“(B) SCHEDULE.—The regulations revised under this paragraph shall include an appropriate schedule of deadlines, the latest of which shall be not later than 6 years after the date of submission of the report to the Commission required under section 106(f)(1) of the Communications, Video, and Technology Accessibility Act of 2023, for the provision, receipt, and display of closed captioning on video programming made available using Internet protocol or any successor protocol, taking into account whether the programming—

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

“(ii) has been made available to viewers before the effective date of the revised regulations; and

“(iii) was live or near-live at the time it was initially made available.
“(C) REQUIREMENTS FOR REGULATIONS.—The regulations revised under this paragraph—

“(i) shall—

“(I) ensure that English-language and Spanish-language video programming first published or exhibited after the effective date of the revised regulations is fully accessible through the provision of closed captions in the original language of the audio track of the programming;

“(II) define categories of entities engaged in making available video programming; and

“(III) apportion the responsibilities for the provision, quality, pass-through, and rendering of closed captions among the entities defined by the Commission under subclause (II)—

“(aa) to ensure full access by viewers via all entities and combinations of entities that
make video programming available to viewers;
“(bb) to ensure that the regulations can be enforced effectively against responsible parties; and
“(ce) to ensure that closed caption data remains with the video programming to which the data is added and is distributed in common formats so that closed captions can be exhibited intact by all other entities that subsequently make the programming available to viewers;
“(ii) shall require that an entity engaged in making available user-generated video, whether or not the entity is also engaged in making available video that is not user-generated video, provide easy-to-use authoring tools that—
“(I) permit users who post videos on the entity’s platform to add closed captions; and
“(II) conspicuously prompt users who post videos on the entity’s platform to use the tools;

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

“(iv) for the purposes of determining closed captioning obligations under this section and assessing compliance with the regulations of the Commission governing the quality of closed captioning under paragraphs (j), (k), and (m) of section 79.1 of title 47, Code of Federal Regulations, or any successor regulation governing closed captioning quality, treat any programming that was live programming or near-live programming at the time that it was initially made available to viewers as prerecorded programming if it is again made available to viewers more than 24 hours after its initial availability.”;

(3) by inserting after subsection (e) the following:

“(d) CAPTION QUALITY UPDATES.—
“(1) IN GENERAL.—Not later than 4 years after the date of enactment of the Communications, Video, and Technology Accessibility Act of 2023, the Commission shall revise its regulations to extend the requirements for the quality of closed captions under paragraphs (j), (k), and (m) of section 79.1 of title 47, Code of Federal Regulations, or any successor regulation, to all programming made available via Internet protocol or any successor protocol.

“(2) REGULAR UPDATES.—Not later than 4 years after the date of enactment of the Communications, Video, and Technology Accessibility Act of 2023, and every 4 years thereafter, the Commission shall—

“(A) update its regulations pertaining to the quality of closed captions as necessary to reflect technological and methodological advances, to the extent deployment of such advances will improve the quality of closed captions; and

“(B) take any action, including enforcement, necessary to ensure compliance with its regulations pertaining to the quality of closed captions.”; and

(4) in subsection (e), as so redesignated—
(A) in the matter preceding paragraph (1),
by striking “subsection (b)” and inserting “sub-
sections (b) and (c)”;
(B) in paragraph (1), by striking “the pro-
vider or owner of such programming” and in-
serting “an entity responsible for publishing,
exhibiting, or making available such program-
ming”; and
(C) by striking paragraph (3) and insert-
ing the following:
“(3) an entity responsible for publishing, exhib-
itig, or making available video programming may
petition the Commission for an exemption from the
requirements of subsection (b) or (c), and the Com-
mission may grant the petition upon a showing that
the requirements would be economically burdensome.
The Commission shall act to grant or deny any such
petition, in whole or in part, not later than 6 months
after the Commission receives the petition, unless
the Commission finds that an extension of the 6-
month period is necessary to determine whether the
requirements are economically burdensome.”.
(b) Elimination of Certain Categorical Ex-
emptions.—Not later than 1 year after the date of enact-
ment of this Act, the Federal Communications Commis-
sion shall reassess the second sentence of paragraph (a)(10) and reassess paragraph (d) of section 79.1 of title 47, Code of Federal Regulations, to eliminate categorical exemptions that impede access to video programming, are outdated, or are no longer warranted under subsection (e)(1) of section 713 of the Communications Act of 1934 (47 U.S.C. 613), as so redesignated by subsection (a) of this section.

SEC. 103. AUDIO DESCRIPTION.

(a) In General.—Subsection (g) of section 713 of the Communications Act of 1934 (47 U.S.C. 613), as redesignated by section 102, is amended—

(1) in the heading, by striking “Video” and inserting “Audio”; and

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

“(2) Revision to reinstated audio description regulations for programming published or exhibited on television.—

“(A) In general.—Not later than 18 months after the date of enactment of the Communications, Video, and Technology Accessibility Act of 2023, the Commission shall revise section 79.3 of title 47, Code of Federal Regulations (relating to audio description of video
programming) in accordance with subparagraph (B).

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

“(i) shall ensure that all English-language and Spanish-language video programming first published or exhibited on television after the effective date of the revised regulations is fully accessible through the provision of audio description in the original language of the audio track of the programming;

“(ii) shall include an appropriate schedule of deadlines, the latest of which shall be not later than 6 years after the effective date of the revised regulations, for the provision, receipt, and performance of audio described programming published or exhibited on television, taking into account whether the programming—

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

“(II) has been published or exhibited prior to the effective date of the revised regulations; and
“(III) was live or near-live at the time it was initially published or exhibited;
“(iii) shall provide that audio described programming published or exhibited on television shall—
“(I) be labeled and searchable or otherwise easily discoverable through navigation devices, apparatuses, applications, and other methods by which the programming is published or exhibited; and
“(II) include a recognizable tone at the beginning of the programming on all audio channels provided in the same languages as the available audio description streams to indicate that audio description is available in those languages;
“(iv) shall provide that audio description of video programming published or exhibited on television shall be made available to the public on an audio channel solely dedicated to audio description, so long
as it is achievable (as defined in section 716);

“(v) shall require any entity involved in the publishing or exhibiting of audio described programming published or exhibited on television to provide contact information, consistent with sections 79.1(i) and 79.4(c)(2)(iii) of title 47, Code of Federal Regulations, or any successor regulations, for users to report problems related to audio description; and

“(vi) for the purposes of determining audio description obligations under this paragraph and assessing compliance with regulations adopted to assess the quality of audio description under paragraph (4), shall treat any programming that was live or near-live programming at the time of its initial airing as prerecorded programming if it is re-exhibited by an entity more than 36 hours after its initial airing.

“(3) Audio Description on Video Programming Made Available Via Internet Protocol.—

“(A) In General.—Not later than 2 years after the date of submission of the report to the
Commission required under subsection 106(f)(2) of the Communications, Video, and Technology Accessibility Act of 2023, the Commission shall revise its regulations to require the provision, receipt, and performance of audio description on video programming made available using Internet protocol or any successor protocol published or exhibited after the effective date of the revised regulations.

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

“(i) shall ensure that all video programming made available using Internet protocol or any successor protocol is fully accessible through the provision of audio description;

“(ii) shall include an appropriate schedule of deadlines, the latest of which shall be not later than 6 years after the effective date of the revised regulations, for the provision, receipt, and performance of audio described programming made available using Internet protocol or any successor protocol, taking into account whether the programming—
“(I) is prerecorded, live, or near-live;
“(II) has been made available to users prior to the effective date of the revised regulations; and
“(III) was live or near-live at the time it was initially made available;
“(iii) shall—
“(I) define categories of entities engaged in making available video programming using Internet protocol or any successor protocol; and
“(II) apportion the responsibilities for the provision, quality, pass-through, and performance of audio description among the entities identified by the Commission under subclause (I)—
“(aa) to ensure full access by viewers;
“(bb) to ensure that the regulations can be enforced effectively against responsible parties; and
“(cc) to ensure that audio description data remains with the video programming to which the data is added and is distributed in common formats so that audio description can be exhibited intact by all other entities that subsequently make the programming available to viewers;

“(iv) shall require that an entity engaged in making available user-generated video, whether or not the entity is also engaged in making available video that is not user-generated video, provides easy-to-use authoring tools that—

“(I) permit users who post videos on the entity’s platform to add audio description; and

“(II) conspicuously prompt users who post videos on the entity’s platform to use the tools;

“(v) shall provide that audio described programming made available using Internet protocol or any successor protocol shall—
“(I) be labeled and searchable or otherwise easily discoverable through navigation devices, apparatuses, applications, and other methods on which the programming is made available; and

“(II) include a recognizable tone at the beginning of the programming on all audio channels provided in the same languages as the available audio description streams to indicate that audio description is available in those languages;

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

“(vii) shall require entities engaged in making available audio described programming using Internet protocol or any successor protocol to provide contact information, consistent with sections 79.1(i) and
79.4(c)(2)(iii) of title 47, Code of Federal Regulations, or any successor regulations, for users to report problems related to audio description; and

“(viii) for the purposes of determining audio description obligations under this paragraph and assessing compliance with regulations adopted to assess the quality of audio description under paragraph (4), shall treat any programming that was live or near-live programming at the time it was initially made available as prerecorded programming if it is made available by any entity more than 36 hours after it was initially made available.

“(4) AUDIO DESCRIPTION QUALITY.—

“(A) IN GENERAL.—Not later than 3 years after the date of submission of the report to the Commission required under subsection 106(f)(2) of the Communications, Video, and Technology Accessibility Act of 2023, the Commission shall adopt regulations to ensure the quality of audio description on video programming, including video programming published or exhibited on television or made available via
Internet protocol or any successor protocol, as necessary to afford access to video programming that is functionally equivalent to the access provided by the visual components of the programming, including, to the extent practicable, open subtitles in the same language as the audio or in other languages if the subtitles convey information relevant to the program that is not conveyed in the audio of the program.

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

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

“(ii) be appropriately voiced, considering whether the use of synthetic voices is permissible and if so, under what circumstances; and

“(iii) be appropriately edited and encoded to ensure consistency with the editing and encoding of the non-description audio track of the programming.

“(5) AUDIO DESCRIPTION EXEMPTIONS.—Notwithstanding paragraphs (2) and (3)—
“(A) the Commission may exempt by regulation from the requirements under paragraphs (2) and (3) programs, classes of programs, or services for which the Commission has determined that the provision of audio description would be economically burdensome to an entity responsible for publishing or exhibiting or making available such programming; and

“(B) an entity responsible for publishing or exhibiting or making available video programming may petition the Commission for an exemption from the requirements under paragraphs (2) and (3), and the Commission may grant the exemption upon a showing that the requirement to include audio description would be economically burdensome. The Commission shall act to grant or deny any such petition, in whole or in part, not later than 6 months after the Commission receives the petition, unless the Commission finds that an extension of the 6-month period is necessary to determine whether the requirements are economically burdensome.”
(b) TECHNICAL AND CONFORMING AMENDMENTS.—

Title III of the Communications Act of 1934 (47 U.S.C. 301 et seq.) is amended—

(1) in section 303 (47 U.S.C. 303)—

(A) in subsection (u)—

(i) in paragraph (1)(B)—

(I) by striking “video description” and inserting “audio description”; and

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

(ii) by moving the left margin of that subsection and each paragraph, subparagraph, and clause therein 2 ems to the left;

and

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

(2) in section 330(b) (47 U.S.C. 330(b)), by striking “video description” each place the term appears and inserting “audio description”.

SEC. 104. TECHNICAL AND CONFORMING AMENDMENTS RELATING TO ECONOMIC BURDEN.

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

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

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

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

(C) by striking “this paragraph” and inserting “subsections (e) and (g)(5)”;

(D) by striking “result in an undue economic burden” and inserting “be economically burdensome”; and

(2) in paragraph (1), by inserting “or audio description” after “closed captions”.

SEC. 105. AMERICAN SIGN LANGUAGE VIDEO PROGRAMMING.

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

(1) by redesignating subsections (i) (as redesignated by section 102) and (j) as subsections (j) and (k), respectively; and
(2) by inserting before subsection (j), as so re-designated, the following:

“(i) AMERICAN SIGN LANGUAGE INTERPRETATION OF VIDEO PROGRAMMING.—Not later than 2 years after the date of submission of the report to the Commission required under section 106(f)(3) of the Communications, Video, and Technology Accessibility Act of 2023, the Commission shall prescribe regulations to—

“(1) establish uniform standards for the display and visibility of American Sign Language interpretation where it is provided for video programming, including standards for ensuring that an interpreter is visible on the viewer’s screen during the programming; and

“(2) ensure that all video programming published or exhibited on television or made available via Internet protocol or any successor protocol that includes American Sign Language interpretation complies with the uniform standards established under paragraph (1) to the extent that compliance with such standards is achievable (as defined in section 716) by each entity responsible for delivering the programming.”.
SEC. 106. INTERNET PROTOCOL CLOSED CAPTIONING AND AUDIO DESCRIPTION ADVISORY COMMITTEE.

(a) Definitions.—In this section:

(1) Advisory Committee.—The term “Advisory Committee” means the Closed Captioning and Audio Description Advisory Committee established under subsection (b).

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

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

(b) Establishment.—Not later than 60 days after the date of enactment of this Act, the Chair shall establish an advisory committee to be known as the “Closed Captioning and Audio Description Advisory Committee”.

(c) Membership.—As soon as practicable after the date of enactment of this Act, the Chair shall appoint individuals who have the technical knowledge and engineering expertise to serve on the Advisory Committee in the fulfillment of its duties, including the following:

(1) Representatives of entities engaged in making available video programming Internet protocol or any successor protocol, or a national organization or organization representing such entities.

(2) Representatives of vendors, developers, and manufacturers of systems, facilities, equipment, and
capabilities for the provision of video programming, including programming delivered using Internet protocol or successor protocols, or a national organization representing such vendors, developers, or manufacturers.

(3) Representatives of manufacturers of consumer electronics or information technology equipment used in the delivery of video programming, including programming delivered via Internet protocol or successor protocols, or a national organization representing such manufacturers.

(4) Individuals with expertise generating user-generated video, or a national organization representing such individuals.

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

(6) Representatives of service agencies engaged in the provision of captioning and audio description for video programming, including programming delivered via Internet protocol or successor protocols.

(7) Academic experts or representatives of research institutes with expertise on captioning and audio description.
(8) Individuals with technical and engineering expertise, as the Chair determines appropriate.

(d) COMMISSION OVERSIGHT.—The Chair shall appoint a member of the Commission’s staff to moderate and direct the work of the Advisory Committee.

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

(f) DEVELOPMENT OF RECOMMENDATIONS.—

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

(A) A recommended schedule of deadlines for the provision of closed captioning on video programming made available via Internet protocol or any successor protocol.

(B) Identification of the protocols, technical capabilities, and technical procedures needed to permit responsible entities to reliably provide, receive, and display closed captions of video programming made available via using Internet protocol or any successor protocol.
Identification of additional protocols, technical capabilities, and technical procedures beyond those available as of the date of enactment of this Act needed for the provision, receipt, and display of closed captions of video programming made available using Internet protocol or any successor protocol.

(D) A recommendation for technical standards to address the protocols, capabilities, and procedures identified under subparagraph (B).

(E) A recommendation for any regulations that may be necessary to ensure compatibility between video programming made available using Internet protocol or any successor protocol and apparatuses and navigation devices capable of receiving and displaying such programming in order to facilitate access to closed captions.

(F) An identification of attributes of easy-to-use authoring tools that can be used by viewers to add closed captions to video programming made available using Internet protocol or any successor protocol.

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

(H) A recommendation for best practices for ensuring that programming that was live programming or near-live programming at the time that it was initially made available to viewers is subsequently made available at the level of quality required for prerecorded programming.

(I) A recommendation for defining metrics and thresholds to be used for measuring the accuracy, synchronicity, completeness, and placement of closed captions for live programming as necessary to afford access to video programming that is functionally equivalent to the access provided by the audio track, with minimum thresholds that are neutral to different modalities for creating closed captions.

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

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

(B) Identification of the protocols, technical capabilities, and technical procedures needed to permit responsible entities to reliably provide, receive, and perform audio description of video programming made available via Internet protocol or any successor protocol.

(C) Identification of additional protocols, technical capabilities, and technical procedures beyond those available as of the date of enactment of this Act needed for the delivery of audio description of video programming.

(D) A recommendation for technical standards to address the protocols, capabilities, and procedures identified under subparagraph (B).

(E) A recommendation for any regulations that may be necessary to ensure compatibility between video programming made available using Internet protocol or any successor protocol and apparatuses and navigation devices
capable of receiving and displaying such programming in order to facilitate access to audio description.

(F) A recommendation for standards, protocols, and procedures to ensure that audio described video programming is labeled and searchable or otherwise easily discoverable through navigation devices, apparatuses, applications, and other methods on which such programming is published or exhibited or made available.

(G) A recommendation for the achievability of making audio description available on a dedicated audio channel.

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

(I) A recommendation for defining metrics to be used for measuring the quality of audio description as necessary to afford access to
video programming that is functionally equivalent to the access provided visually.

(J) An identification of easy-to-use authoring tools that can be used by viewers to add audio description to video programming made available via Internet protocol or any successor protocol.

(3) American Sign Language Video Programming Report.—Not later than 180 days after the date of the first meeting of the Advisory Committee, the Advisory Committee shall develop and submit to the Commission a report that includes a recommendation for standards for the display and visibility of American Sign Language interpretation where it is provided for video programming, including standards for ensuring that an interpreter is visible on a viewer’s screen during the programming.

(4) Consideration of Work by Standards-Setting Organizations.—The recommendations of the Advisory Committee shall, insofar as possible, incorporate standards, protocols, and procedures that have been adopted by recognized industry standards-setting organizations for each of the purposes described in paragraphs (1), (2), and (3).

(g) Meetings.—
(1) **INITIAL MEETING.**—The initial meeting of the Advisory Committee shall take place not later than 45 days after the date on which the Chair has appointed all the members of the Advisory Committee under subsection (c).

(2) **OTHER MEETINGS.**—After the initial meeting, the Advisory Committee shall meet at the call of the Chair.

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

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

   (B) shall be open to the public.

(h) **PROCEDURAL RULES.**—

   (1) **QUORUM.**—The presence of one-third of the members of the Advisory Committee shall constitute a quorum for conducting the business of the Advisory Committee.

   (2) **SUBCOMMITTEES.**—To assist the Advisory Committee in carrying out its functions, the Chair may establish appropriate subcommittees composed of members of the Advisory Committee and other subject matter experts.
(3) ADDITIONAL PROCEDURAL RULES.—The Advisory Committee may adopt other procedural rules as needed.

(i) INAPPLICABILITY OF FEDERAL ADVISORY COMMITTEE ACT.—Chapter 10 of title 5, United States Code, shall not apply with respect to the Advisory Committee or the activities of the Advisory Committee.

TITLE II—VIDEO PLAYBACK APPARATUSES

SEC. 201. VIDEO PLAYBACK APPARATUSES.

(a) IN GENERAL.—Section 303 of the Communications Act of 1934 (47 U.S.C. 303) is amended—

(1) in subsection (u)—

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

(B) in paragraph (1)(C), by striking “visually impaired” and inserting “low vision”;

(C) in paragraph (2)—

(i) by striking subparagraph (A); and

(ii) by redesignating subparagraphs (B) and (C) as subparagraphs (A) and (B), respectively;

(2) in subsection (z)—

(A) by adjusting the margins two ems to the left;
(B) in paragraph (1), by striking "video description" each place it appears and inserting "audio description"; and

(C) in paragraph (2)—

(i) by striking "available to" and inserting the following: "available—

"(A) to";

(ii) in subparagraph (A), as so designated—

(I) by striking "or render"; and

(II) by striking "audible." and inserting the following: "audible, which—

"(i) shall require encoding closed captions and audio description data along with audio and video transmission in a format that can be adjusted and rendered by the consumer equipment consistent with the requirements of subsection (cc); and

"(ii) does not include merely rendering closed captions or audio description into visual or aural forms on the source device; and"

(iii) by adding at the end the following:
“(B) to enable the activation of closed captions, audio description, and emergency information on the consumer equipment.”; and

(3) by striking subsections (aa) and (bb) and inserting the following:

“(aa) Require for all digital apparatus designed to receive or play back video programming made available simultaneously with sound, including apparatus designed to receive or display video programming made available using Internet protocol or any successor protocol, and navigation devices (as defined in section 76.1200 of title 47, Code of Federal Regulations, or any successor regulation) for the display or selection of multichannel video programming manufactured or imported into the United States, that each apparatus or device—

“(1) be designed, developed, and fabricated so that control of appropriate built-in apparatus functions are accessible to and usable by individuals with disabilities, including individuals who are blind or low-vision, individuals with mobility disabilities, and individuals with speech disabilities, except that the Commission may not specify the technical standards, protocols, procedures, and other technical requirements for meeting this requirement;
“(2) if equipped with built-in on-screen text menus or other visual indicators that are used to access its functions, to accompany such functions with audio output that is either integrated or peripheral to the apparatus or navigation device, so that such menus or indicators are accessible to and usable by individuals who are blind or low-vision in real-time;

“(3) provides easy access to closed captioning activation by—

“(A) if the apparatus or device is controlled by a physical remote control included with the apparatus or device at the time of purchase, providing a dedicated and tactilely identifiable button of at least similar size to other buttons on the remote control that is—

“(i) clearly labeled for closed captions;

and

“(ii) easily locatable on the remote control to activate and deactivate closed captions; and

“(B) if the apparatus or device is controlled by means other than a remote control, providing a dedicated button, key, or icon that is prominently displayed, clearly labeled for
closed captions, and easily locatable to activate and deactivate closed captions;

“(4) provides easy access to audio description activation by—

“(A) if the apparatus or device is controlled by a physical remote control included with the apparatus or device at the time of purchase, providing a dedicated and tactilely identifiable button of at least similar size to other buttons on the remote control that is—

“(i) clearly labeled for audio description; and

“(ii) easily locatable on the remote control to activate and deactivate audio description; and

“(B) if the apparatus or device is controlled by means other than a remote control, providing a dedicated button, key, or icon that is prominently displayed, clearly labeled for audio description, and easily locatable to activate and deactivate audio description;

“(5) provides easy access to closed captioning display settings, including the technical capabilities set forth in section 79.103(c) of title 47, Code of Federal Regulations, or any successor regulation,
and audio description performance settings, including the capability to adjust the relative volumes of audio description and the audio track of a program, by—

“(A) if the apparatus or device is controlled by a physical remote control included with the apparatus or device at the time of purchase, providing a dedicated and tactilely identifiable button that is prominently displayed, clearly labeled for accessibility settings, and easily locatable on the remote control—

“(i) to permit the user to change closed captioning and audio description settings;

“(ii) that permits previewing the settings while leaving the underlying programming visible and audible; and

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

“(B) if the apparatus or device is controlled by means other than a remote control, providing a dedicated button, key, or icon that is prominently displayed, clearly labeled for accessibility settings, and easily discoverable that—
“(i) permits the user to change closed captioning display and audio description performance settings; and—
“(ii) is displayed proximately to the video playback interface; and
“(iii) permits previewing the settings while leaving the underlying programming visible and audible;
“(6) provides a user with a prompt to modify closed caption activation and display settings and audio description activation and performance settings required under paragraphs (1) through (5) upon initial power-on after user purchase of the apparatus or device or upon a reset to factory settings of the apparatus or device;
“(7) ensures that closed caption activation and display settings and audio description activation and performance settings required under paragraphs (1) through (6) persist across all video playback functionality on the apparatus or device, including in applications or other software or plug-ins added by the user after the sale of the apparatus or device, and after powering off or restarting the apparatus or device, until a user changes the settings or the
apparatus or device is reset to factory default settings by the user; and

“(8) provides the necessary hardware and software to achieve compatibility with assistive technologies and services, peripheral devices, or specialized customer premises equipment commonly used by individuals with disabilities to achieve access, including refreshable braille displays, switch activation such as sip and puff devices, hearing aids, hands-free technologies, and voice control technologies.”.

(b) IMPLEMENTING REGULATIONS.—

(1) DEFINITION.—In this subsection, the term “navigation device” has the meaning given the term in section 76.1200 of title 47, Code of Federal Regulations, or any successor regulation.

(2) REQUIREMENT.—Not later than 18 months after the date of enactment of this Act, the Federal Communications Commission shall prescribe such regulations as are necessary to implement the amendments made by subsection (a), which shall—

(A) define categories of entities engaged in manufacturing, importing into the United States, maintaining, operating, or providing applications, plugins, or other software for apparatus and navigation devices; and
(B) apportion the responsibilities for compliance with subsections (u), (z), and (aa) of section 303 of the Communications Act of 1934 (47 U.S.C. 303) among the entities defined by the Commission under paragraph (1)—

(i) to ensure full access by viewers via all entities and combinations of entities responsible for digital apparatus and navigation devices; and

(ii) to ensure that the regulations can be enforced effectively against responsible parties.

TITLE III—COMMUNICATIONS SERVICES

SEC. 301. VIDEO CONFERENCING.

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

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

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

(B) by striking paragraph (26), as so redesignated by section 101;

(C) by redesignating paragraphs (27) through (58), as so redesignated by section
101, as paragraphs (26) through (57), respectively;

(D) by redesignating paragraph (57), as so redesignated by subparagraph (C), as paragraph (60); and

(E) by inserting after paragraph (56), as so redesignated by subparagraph (C), the following:

“(57) VIDEO CONFERENCING SERVICE.—The term ‘video conferencing service’ means a service that provides real-time video communications, including audio, to enable users to share information of the user’s choosing.

“(58) VISUAL IMAGE DESCRIPTIVE FUNCTIONALITY.—The term ‘visual image descriptive functionality’ means functionality that generates real-time descriptions of visual information, including images and text, for the purpose of conveying those descriptions to individuals with disabilities.

“(59) VISUAL IMAGE DESCRIPTIVE SERVICE.—The term ‘visual image descriptive service’ means a third party service that provides visual image descriptive functionality.”; and

(2) in section 716(e) (47 U.S.C. 617(e)), by adding at the end the following:
“(3) Revision of regulations; video conferencing services.—Not later than 18 months after the date on which the Advanced Communications Services Advisory Committee submits the report required under section 304(f)(1) of the Communications, Video, and Technology Accessibility Act of 2023, the Commission shall revise the regulations promulgated under this subsection to—

“(A) require that all obligations applicable to advanced communications services, and equipment used for advanced communications services, extend to video conferencing services and equipment used for video conferencing services;

“(B) require that all advanced communications services and equipment capable of providing or enabling video conferencing services—

“(i) have built-in closed captioning functionality using automatic speech recognition or similar or successor technologies;

“(ii) to the extent technically feasible, have built-in automated visual image functionality;
“(iii) implement application programming interfaces or similar technical mechanisms to allow the interconnection of, and achieve compatibility with, assistive technologies and services, peripheral devices, and specialized customer premises equipment commonly used by individuals with disabilities to achieve access, including—

“(I) third-party captioning services;

“(II) third-party sign language interpreting services;

“(III) visual image descriptive services;

“(IV) telecommunications relay services that have been approved by the Commission under section 225;

“(V) screen-readers for all user interface elements and visual information, including presentations, videos, and interactive documents shared during video conference calls;

“(VI) refreshable braille displays and other devices used for the tactile conveyance of interface elements and
visual information, including presentations, videos, and interactive documents shared during video conference calls; and

“(VII) hands-free technologies and voice control technologies.

“(iv) enable users and telecommunication relay service communications assistants to control the activation and de-activation, and customize the display, of captions, video interpreters, and communications assistants independently from hosts of video conferencing sessions;

“(v) provide a simplified user interface that is accessible to individuals with cognitive disabilities, including, if achievable, a simplified, secure modality for initiating and authenticating a video conferencing session; and

“(vi) provide instructional materials for activating a video conferencing session with plain and simple language and iconography that is accessible to individuals with cognitive disabilities;
“(C) adopt quality requirements for built-in closed captioning functionality to facilitate effective communication under subparagraph (B)(i); and

“(D) adopt quality requirements for built-in automated visual image descriptive functionality to facilitate effective communication under subparagraph (B)(ii).”.

SEC. 302. RELAY SERVICES.

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

(1) in section 225 (47 U.S.C. 225)—

(A) in subsection (a)—

(i) by redesignating paragraphs (2) and (3) as paragraphs (5) and (6), respectively;

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

“(2) COMMUNICATION FACILITATOR.—The term ‘communication facilitator’ means a skilled user of American Sign Language who is able to facilitate the ability of a DeafBlind person to engage in transmission and other services described in this section by conveying the information provided during the use of those services to the DeafBlind person
through close vision or tactile American Sign Language.

“(3) Deaf Interpreter.—The term ‘Deaf interpreter’ means an individual who—

“(A) is deaf or hard of hearing;

“(B) possesses native or near-native fluency in American Sign Language; and

“(C) has specialized training or experience to assist in providing functionally equivalent sign language interpretation for an individual using American Sign Language in a situation that—

“(i) requires linguistic or cultural mediation;

“(ii) may be highly complex in nature; or

“(iii) may involve individuals who face linguistic challenges, such as through atypical language use, language deprivation, or idiosyncratic signing styles.

“(4) Direct Video Calling Service.—The term ‘direct video calling service’ means telephone customer support using one-to-one video communication that—
“(A) is facilitated by a contact center representative; and

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

“(i) not less than 1 of the parties to which is a governmental agency, business, non-profit organization, emergency authority, or other enterprise; and

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

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

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

(iii) by striking paragraph (6), as so redesignated, and inserting the following:

“(6) TELECOMMUNICATIONS RELAY SERVICES.—The term ‘telecommunications relay services’ means—

“(A) transmission services that provide the ability for an individual who is deaf, hard of hearing, or DeafBlind, or who has a speech disability or an auditory processing disorder, to engage in communication by wire or radio with
1 or more individuals, in a manner that is functionally equivalent to (or, if technically feasible, equal to) the ability of a hearing individual who does not have a speech disability to communicate using voice communication services or advanced communications services by wire or radio; and

“(B) other services facilitating functionally equivalent communication by wire or radio for an individual who is deaf, hard of hearing, or DeafBlind, or who has a speech disability or an auditory processing disorder, including the provision of communication facilitators for an individual who is DeafBlind and the provision of direct video calling services for a call center to facilitate point-to-point communication in American Sign Language between government agencies, businesses, emergency authorities, or other enterprises and users of American Sign Language.”; and

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

“(4) AMERICAN SIGN LANGUAGE ACCESS TO EMERGENCY SERVICES; COMMUNICATION FACILITATORS; DIRECT VIDEO CALLING SERVICES.”
“(A) IN GENERAL.—Not later than 2 years after the date of enactment of this paragraph, the Commission shall promulgate such regulations as are necessary to—

“(i) define as eligible for relay service support from the fund described in section 64.604(e)(5)(iii) of title 47, Code of Federal Regulations, as in effect on that date of enactment—

“(I) programs that are approved by the Commission to support direct video calling services;

“(II) programs that are approved by the Commission to support the provision of communication facilitators;

“(III) the expenses associated with the provision of a Deaf interpreter when necessary to provide functional equivalency for a party on a call using video relay service, as defined in section 64.601(a)(51) of title 47, Code of Federal Regulations, or any successor regulation;
“(IV) programs that are designed, in accordance with subpara-
graph (B), to improve access to emer-
gency authorities by users of video
relay services and direct video calling
services to achieve the objectives de-
scribed in clause (ii); and

“(V) expenses approved by the
Commission to interconnect with video
conferencing services;

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

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

“(II) use American Sign Lan-
guage;

“(iii) ensure that a person can have a
single telephone number for the purpose of
receiving calls and messages from other en-
entities calling by means of video relay services or voice or electronic text messaging services; and

“(iv) ensure that all telecommunications relay services can directly and natively interconnect with video conferencing services and the public switched telephone network.

“(B) CONTENTS.—The regulations described in subparagraph (A)(i)(IV) shall, at a minimum, require that users communicating by means of a video relay service, as that term is defined in section 64.601 of title 47, Code of Federal Regulations, or any successor regulation, shall be capable of using native dialing or 1-step access on a mobile phone so that such communication—

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

“(ii) is received by the applicable emergency authority with the same speed and efficiency as a voice call made by dialing 9–1–1.
“(5) Reassessment of Available Services and Minimum Standards.—Not later than 4 years after the date of enactment of this paragraph, and once every 4 years thereafter, the Commission shall, as necessary to respond to evolving communication technologies, reassess and, as necessary, update the regulations prescribed under this subsection to ensure that those regulations effectively satisfy the communication needs of individuals with disabilities who are covered by this Act, including by—

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

“(B) increasing and improving the mandatory minimum standards to ensure the quality of telecommunications relay services; and

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

and

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

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

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

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

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

SEC. 303. NATIONAL DEAFBLIND EQUIPMENT DISTRIBUTION PROGRAM.

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

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

“(a) UPDATED REGULATIONS.—Not later than 18
months after the date of enactment of the Communi-
cations, Video, and Technology Accessibility Act of 2023, the
Commission shall update the rules under section 64.610
of title 47, Code of Federal Regulations, or any successor
regulation, to define as eligible for telecommunications relay service support those programs that are approved by the Commission for the distribution of specialized customer premises equipment and software designed to make telecommunications service, internet access service, and advanced communications, including interexchange services and advanced telecommunications and information services, accessible to individuals who are DeafBlind.

“(b) DEFINITION.—In this section, the term ‘individual who is DeafBlind’—

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

“(2) includes an individual who—

“(A) for the purposes of satisfying subparagraph (A)(i) of such section 206(2), has been diagnosed with a cortical or cerebral visual impairment;

“(B) for the purposes of satisfying subparagraph (A)(ii) of such section 206(2), has been diagnosed with an auditory processing disorder; or
“(C) for the purposes of satisfying sub-
paragraphs (A)(i) and (A)(ii) of such section
206(2), has been diagnosed with both a cortical
or cerebral visual impairment and an auditory
processing disorder.”; and

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

SEC. 304. ADVANCED COMMUNICATIONS SERVICES ADVI-
SORY COMMITTEE.

(a) DEFINITIONS.—In this section:

(1) ADVANCED COMMUNICATIONS SERVICES;
VIDEO CONFERENCING SERVICE; VISUAL IMAGE DE-
SCRIPTIVE FUNCTIONALITY; VISUAL IMAGE DESCRI-
PTIVE SERVICE.—The terms “advanced communica-
tions services”, “video conferencing service”, “visual
image descriptive functionality”, and “visual image
descriptive service” have the meanings given the
terms in section 3 of the Communications Act of

(2) ADVISORY COMMITTEE.—The term “Advi-
sory Committee” means the Advanced Communica-
tions Services Advisory Committee established under
subsection (b).
(3) CHAIR.—The term “Chair” means the Chair of the Commission.

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

(5) TELECOMMUNICATIONS RELAY SERVICES.—The term “telecommunications relay services” has the meaning given the term in section 225(a) of the Communications Act of 1934 (47 U.S.C. 225(a)), as amended by this Act.

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

(e) MEMBERSHIP.—As soon as practicable after the date on which the Chair establishes the Advisory Committee, the Chair shall appoint individuals who have the technical knowledge and engineering expertise to serve on the Advisory Committee in the fulfillment of the duties of the Advisory Committee, including the following:

(1) Representatives of entities involved in the provision of video conferencing services (or a national organization representing such entities).

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

(3) Representatives of vendors, developers, and manufacturers of systems, facilities, equipment, and capabilities for the provision of assistive technologies used with video conferencing services (or a national organization representing such vendors, developers, or manufacturers).

(4) Representatives of manufacturers of consumer electronics or information technology equipment engaged in the provision of video conferencing services (or a national organization representing such manufacturers).

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

(6) Representatives of service agencies engaged in the provision of captioning, interpretation services, and visual image descriptive services for video conferencing services.

(7) Representatives of providers of telecommunications relay services.

(8) Academic experts or representatives of research institutions with expertise regarding advanced communication services.
(9) Individuals with technical and engineering expertise, as the Chair determines appropriate.

(d) COMMISSION OVERSIGHT.—The Chair shall appoint a member of the staff of the Commission to moderate and direct the work of the Advisory Committee.

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

(f) DEVELOPMENT OF RECOMMENDATIONS.—

(1) ADVANCED COMMUNICATIONS SERVICES REPORT.—Not later than 1 year after the date on which the Advisory Committee first meets, the Advisory Committee shall submit to the Commission a report that, subject to paragraph (2), includes the following:

(A) A recommended schedule of deadlines for—

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

(ii) compliance with quality metrics and thresholds for automatic closed captioning and visual image descriptive functionality that is built into video conferencing services and equipment.
(B) An identification of the protocols, technical capabilities, and technical procedures needed to—

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

(ii) allow the interconnection of, and compatibility with, assistive technologies and services, peripheral devices, and specialized customer premises equipment commonly used by individuals with disabilities to achieve access.

(C) A recommendation for technical standards to address the protocols, technical capabilities, and technical procedures identified under subparagraph (B).

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

(2) CONSIDERATION OF WORK BY STANDARDS-SETTING ORGANIZATIONS.—The recommendations of the Advisory Committee contained in the report submitted under paragraph (1) shall, to the extent possible, incorporate the standards, protocols, and pro-
cedures that have been adopted by recognized industry standard-setting organizations for each of the purposes described in that paragraph.

(g) MEETINGS.—

(1) INITIAL MEETING.—The initial meeting of the Advisory Committee shall take place not later than 45 days after the date on which the Chair appoints the members of the Advisory Committee under subsection (c).

(2) OTHER MEETINGS.—After the initial meeting of the Advisory Committee under paragraph (1), the Advisory Committee shall meet at the call of the Chair.

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

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

(B) open to the public.

(h) PROCEDURAL RULES.—

(1) QUORUM.—The presence of \( \frac{1}{3} \) of the members of the Advisory Committee shall constitute a quorum for conducting the business of the Advisory Committee.

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

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

(i) INAPPLICABILITY OF FEDERAL ADVISORY COMMITTEE ACT.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply with respect to the Advisory Committee or the activities of the Advisory Committee.

SEC. 305. REAL-TIME TEXT.

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

“SEC. 716A. REAL-TIME TEXT.

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

“(1) the delivery of real-time text with other wireless and wireline VoIP services; and
“(2) connectivity of real-time text to public safety answering points, as defined in section 222(h).”.

SEC. 306. ADVANCED COMMUNICATIONS SERVICES SOFTWARE.

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

“(3) Revision of regulations.—Not later than 1 year after the date of enactment of this paragraph, the Commission shall update the regulations prescribed under this subsection to require that all obligations applicable to equipment used for advanced communications services extend to software used for those services, without regard to whether that software is pre-installed on equipment used for those services.”.

TITLE IV—EMERGING TECHNOLOGY

SEC. 401. EMERGING TECHNOLOGY.

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

“SEC. 723. EMERGING TECHNOLOGY ACCESSIBILITY.

“(a) Definitions.—In this section:
“(1) AUGMENTATIVE AND ALTERNATIVE COMMUNICATION.—The term ‘augmentative and alternative communication’ means any tool, method, technology, strategy, service, training, coaching, or other support used to supplement or replace speech.

“(2) DISABILITY.—The term ‘disability’ has the meaning given the term in section 3 of the Americans with Disabilities Act of 1990 (42 U.S.C. 12102).

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

“(1) the extent to which any accessibility barriers exist for individuals with disabilities, including individuals who are blind, deaf, or DeafBlind or have low vision, an auditory processing disorder, a cortical or cerebral visual impairment, a speech disability, including individuals who use augmentative and alternative communication, a mobility disability, or a cognitive disability, with respect to emerging communications and video programming technologies
and services, including communication and video 
programming technologies that use augmented re-
ality, virtual reality, extended reality, dual reality, 
spatial computing, artificial intelligence, and other 
advanced machine learning, wireless technologies, in-
cluding Wi-Fi and Bluetooth, robotics, the Internet 
of Things, and other forms of advanced computing 
power; and

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

“(A) are accessible to individuals with dis-
abilities; and

“(B) provide the necessary hardware and 
software to achieve compatibility with periph-
eral devices or specialized customer premises 
equipment commonly used by individuals with 
disabilities to achieve access.

“(c) CONSIDERATION OF EFFECT ON INDIVIDUALS 
WITH PARTICULAR BARRIERS.—In preparing each report 
required under subsection (b), the Commission shall con-
sider the effect of emerging technologies on individuals 
with disabilities who use those technologies and have par-
ticular barriers to participation and communication with
those technologies, including individuals with disabilities using those technologies—

“(1) who have limited language or limited English language;

“(2) who have significant, targeted, or multiple disabilities, including individuals who have a speech disability, including individuals who use augmentative and alternative communication, individuals who are DeafBlind, and individuals who have mobility disabilities;

“(3) who have disabilities limiting communication;

“(4) who lack access to broadband services and technology; or

“(5) who face heightened barriers due to race, ethnicity, national origin, age, sex, sexual orientation, gender identity, Tribal affiliation, or socio-economic status.

“(d) REGULATIONS.—Not later than 2 years after the date on which the Commission submits each report required under subsection (b), the Commission shall issue new or update existing regulations for ensuring the accessibility of emerging communications and video programming technologies and services by individuals with disabilities where doing so is necessary to further the goals of
the statutory provisions implemented by the regulations
of the Commission under parts 6, 7, 14, and 79 of title
47, Code of Federal Regulations, or any successor regu-
tion, intended to fulfill these goals.”.

TITLE V—ENFORCEMENT AND
REPORTING

SEC. 501. ACCESSIBILITY ENFORCEMENT.
(a) IN GENERAL.—Section 503(b)(5) of the Commu-
ications Act of 1934 (47 U.S.C. 503(b)(5)) is amended
by inserting after “uses that tower” the following: “, or
in the case of violations of this Act related to requirements
of accessibility for individuals with disabilities, including
violations of section 225, section 255, section
276(b)(1)(A), subsections (u) through (aa) of section 303,
section 330(b), section 710, section 711, section 713, or
sections 715 through 719”.

(b) OTHER LAWS.—The violation of any provision of
the Communications Act of 1934 (47 U.S.C. 151 et seq.),
as amended by this Act, related to requirements of accessi-
bility for individuals with disabilities, including a violation
of section 225, section 255, section 276(b)(1)(A), sub-
sections (u) through (aa) of section 303, section 330(b),
section 710, section 711, section 713, or sections 715
through 719 of the Communications Act of 1934 (47
U.S.C. 225, 255, 276(b)(1)(A), 303, 330(b), 610, 611,
shall not be used as a basis to preclude enforcement of violations of other State or Federal disability rights and civil rights laws, including the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) and the Rehabilitation Act of 1973 (29 U.S.C. 701 et seq.), stemming from the same conduct.

SEC. 502. REPORTS TO CONGRESS.

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

(1) in section 717 (47 U.S.C. 618)—

(A) by striking subsection (b);

(B) by redesignating subsections (c), (d), and (e) as subsections (b), (c), and (d), respectively; and

(C) in subsection (d), as so redesignated, by striking “subsection (d)” and inserting “subsection (e)”;

(2) by adding at the end the following:

“SEC. 724. ACCESSIBILITY REPORTING REQUIREMENTS.

“Not later than 2 years after the date of enactment of this section, and every 2 years thereafter, the Commission shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on
Energy and Commerce of the House of Representatives

- The number and nature of complaints received pursuant to subsection (u), (z), or (aa) of section 303, section 330(b), section 713, and section 716(a) during the period covered by the report.

- A description of the actions taken to resolve the complaints described in paragraph (1), including forfeiture penalties assessed.

- The length of time that was taken by the Commission to resolve each such complaint.

- The number, status, nature, and outcome of each action for mandamus filed pursuant to section 717(a)(6) and the number, status, nature, and outcome of each appeal filed pursuant to section 402(b)(10).