



New Mexico Commission for Deaf & Hard of Hearing

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The 21st Century Communications and Video Accessibility Act of 2010 (CVAA)

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What is the 21st Century Communications and Video Accessibility Act of 2010?

On October 8, 2010, President Barack Obama signed into law the 21st Century Communications and Video Accessibility Act of 2010 (CVAA). The purpose of the CVAA is to “ensure that individuals with disabilities have access to emerging Internet Protocol-based communication and video programming technologies in the 21st century.” With rapidly advancing technology, some goods and services have overlooked the needs of persons with specific disabilities, such as the hearing aid compatibility with cell phones, but through the CVAA complaint process, overlooked accommodations are brought to light and manufacturers will need to find a resolution.

Biennial Reports

The Federal Communications Commission (FCC) must submit a report to Congress every two years after the enactment of the CVAA on October 8, 2010, to assess the level of compliance, evaluation of accessibility barriers that still exist, the number of complaints and actions to resolve those complaints. The biennial report must include accessibility of telecommunications services and equipment, advanced communications services and equipment, and accessibility of internet browsers built into mobile phones.

The FCC has worked with consumer, industry and government stakeholders to confirm effectiveness and timeliness of the new law.

The A&I Initiative

In addition to Public Notices and advisory committees, the FCC Accessibility and Innovation Initiative (A&I Initiative) has sponsored or hosted events or attended conferences to get the word out. Most recently, the A&I Initiative hosted a two-day event called “Developing with Accessibility.” This event was planned to increase cooperation among developers from industry, government sectors, educational entities and consumers.

Exceptions

Telecommunications service and manufacturers of telecommunication equipment have been required to make services and equipment accessible to persons with disabilities since 1996. In the case where that equipment itself is not accessible, then services and equipment must be compatible with existing peripheral devices. This includes, but is not limited to, call waiting, speed dialing, caller I.D., voice mail, cordless and wireless telephones, fax machines, and answering machines.

Advanced communications services (this would include Voice over Internet Protocol or VoIP) and equipment must also be accessible by individuals with disabilities unless doing so is not achievable with reasonable effort or expense. Mobile phone service providers and manufacturers also must make internet browsers built into mobile phones accessible to people who are blind have a visual impairment, unless, once again, that doing so is not achievable with reasonable effort or expense.

The FCC will review waivers when the accommodation is considered “economically burdensome”. However, in the case of one video programming distributor who did not supply closed captioning, the requested waiver was denied.

National Deaf-Blind Equipment Distribution Program

When the CVAA was signed into law in October 2010, the FCC was to set up rules for a program to allow low-income, deaf-blind individuals to have equipment for accessible communication and internet access. Within the six-months, the FCC adopted rules to establish a two-year pilot program called the National Deaf-Blind Equipment Distribution Program (NDBEDP). The NDBEDP, also known as iCanConnect, provides equipment needed to make telecommunications, advanced communications, and the Internet accessible to low-income individuals who are deaf-blind or have both significant vision loss and significant hearing loss. The program serves eligible residents of all 50 states, the District of Columbia, American Samoa, Guam, the Northern Mariana Islands, Puerto Rico, and the U.S. Virgin Islands. In addition to equipment, assessments of specific accessibility needs, equipment installation, training, and other technical support are also available.

Emergency Access Advisory Committee

The Emergency Access Advisory Committee (EAAC) was established by the FCC, under the direction of the CVAA, to find the most effective and efficient technologies for persons with disabilities to have access to emergency services.

Work is continuing on communications with next generation 911 (NG911) so that the public can send emergency communications via text, photo, video, and data.

Additional Information:

For complete information on the 21st Century Communications and Video Accessibility Act, go to:

www.fcc.gov/general/twenty-first-century-communications-and-video-accessibility-act-0

For the complete biennial report of the CVAA released October 7, 2020, go to:

www.fcc.gov/document/2020-cvaa-biennial-report-congress

For more information on the National Deaf-Blind Equipment Distribution Program, visit these websites:

www.fcc.gov/general/national-deaf-blind-equipment-distribution-program

www.icanconnect.org

To view Emergency Access Advisory Committee reports, visit:

www.fcc.gov/general/emergency-access-advisory-committee-eaac