

On May 16, 2023, Federal Communications Commission (FCC) Chairwoman Jessica Rosenworcel <u>announced</u> that she shared proposals with her fellow commissioners that would, for the first time, require videoconferencing platforms to comply with accessibility requirements under the Communications Act and agency rules governing interoperable videoconferencing services.

Among other things, Chairwoman Rosenworcel's proposals would (1) treat "interoperable videoconferencing services" as providers of advanced communications services, subjecting them to certain accessibility requirements (including recordkeeping and certification obligations) under the Twenty-First Century Communications and Video Accessibility Act (CVAA) and the FCC's rules; (2) amend the FCC's rules to add accessibility performance objectives for videoconferencing platforms, including text-to-speech capabilities;

speech-to-text (captioning) capabilities; and American Sign Language (ASL) support; and (3) conditionally waive, for one year, a rule that limits video relay service (VRS) users' ability to turn off their video when not actively participating in a videoconference.

In sharing these proposals, Chairwoman Rosenworcel explained that while videoconferencing has played an important role in consumers' lives since the pandemic, it remains difficult for many people with disabilities to effectively use videoconferencing platforms. It is unclear whether (and if so, when) the FCC will take official action on the proposals, and whether the proposals may be further modified prior to publication (to the extent the FCC takes that route). Nevertheless, given the chairwoman's keen interest in this issue and <u>parallel efforts in Congress to extend accessibility requirements to videoconferencing platforms</u>, providers of videoconferencing services should be prepared to take steps in the near term to integrate accessibility support into their platforms.

Authors



Tyler Fergusson

Associate
TFergusson@perkinscoie.com 415.344.7029

Explore more in

Consumer Protection
Blog series

Consumer Protection Review

Consumer Protection Review helps businesses that market and sell to consumers navigate federal and state legal issues related to advertising, privacy, promotions, products liability, government investigations, unfair competition, class actions and general consumer protection.

View the blog