



After sharing its initial proposals on videoconferencing platform accessibility (described in our [previous blog post](#)), on June 8, 2023, the Federal Communications Commission (FCC) voted to require videoconferencing platforms to comply with accessibility requirements under the Communications Act and agency rules governing interoperable videoconferencing services (IVCS).

The corresponding [Report and Order](#) (R&O) was released on June 12, 2023, as well as a [Notice of Proposed Rulemaking](#) (NPRM) that seeks, among other things, to amend the FCC's rules to better define the steps necessary to make an IVCS accessible to those with disabilities. The FCC also issued a separate [Order](#) granting telecommunications relay services (TRS) providers a limited waiver of the video relay services (VRS) privacy screen rule, which limits when VRS users can turn off their video when not actively participating in a video

conference.

The R&O resolves a long-debated question as to what kinds of services qualify as IVCS. The FCC concluded that all videoconferencing platforms—regardless of whether they are interoperable with any other services—constitute IVCS. As a result, these platforms are subject to the accessibility requirements in section 716 of the Communications Act and Part 14 of the FCC's rules, which generally require that real-time voice, video, and text communications known as "advanced communications services" be accessible to people with disabilities. Providers of videoconferencing platforms should be prepared to comply with these requirements and will have one year from the effective date of the rules to do so (the rules will become effective 30 days after the summary of the rules is published in the *Federal Register*). Examples of requirements that will be applicable to IVCS providers include:

- Ensuring that the IVCS and any related equipment are accessible to and usable by people with disabilities, unless doing so is not achievable.
- Maintaining records of the IVCS provider's efforts to implement section 716's accessibility requirements.
- Filing an annual compliance certification with the FCC that addresses the IVCS provider's compliance with Section 716's recordkeeping requirements.

The NPRM, in addition to proposing concrete accessibility objectives like enabling captions for video conferences, text-to-speech functionality, and providing a video connection for sign language interpretation, seeks to amend the rules for TRS to facilitate the use of VRS in video conferences and to clarify when multiple communications assistants can be assigned to a TRS call involving users of different types of TRS. The FCC is accepting comments on the proposed changes for 30 days after publication in the *Federal Register*. Reply comments may be submitted for 60 days after publication.

If you would like to learn more about these new requirements, please feel free to contact us.

Authors



[Tyler Fergusson](#)

Associate

TFergusson@perkinscoie.com [415.344.7029](tel: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](#)