

FCC Releases Third Biennial Report to Congress on Communications Accessibility for People with Disabilities

October 11, 2016

On October 7, 2016, the Federal Communications Commission (FCC) released the [third iteration of its Biennial Report](#) to Congress on the state of communications technology accessibility for people with disabilities as required by the Twenty-First Century Communications and Video Accessibility Act of 2010 (CVAA). To inform the conclusions in the 2016 CVAA Biennial Report, the FCC sought input by way of two Public Notices, one general and another outlining its tentative findings. One of the findings was that 31% of the requests for dispute assistance (RDA) involved lack of accessibility features in mobile phones provided by Lifeline service providers.

Here is a summary of the key findings in the 2016 CVAA Biennial Report:

- **Accessibility of Telecommunications Service and Equipment (sec. 255).** Solutions are needed to help make equipment used with interconnected voice over Internet protocol (VoIP) accessible to individuals who are blind or visually impaired. Additionally, the FCC found there has been little progress towards making more “non-smartphone” devices, like basic and low-end mobile phones, accessible to consumers who are blind or visually impaired. The FCC stated that there have been a large number of RDAs to the lack of accessibility features in mobile phones provided by Lifeline service providers. However, an increasing number of smartphones, including traditional telecommunications features, are made accessible for a wide variety of consumer disabilities.
- **Accessibility to Advanced Communications Service (ACS) and ACS Equipment (sec. 716).** The FCC found there has been little, if any, progress regarding ACS accessibility on non-smartphone devices for individuals who are blind or visually impaired. In comparison, smartphones and other devices used for ACS, such as tablets, laptops, and personal computers have experienced significant progress with respect to their accessibility for people with a range of disabilities including vision, hearing, dexterity, and cognitive. The FCC also noted there were only a few RDAs in this category, none of them resulting in informal complaints.
- **Accessibility of Mobile Phone Internet Browsers (sec. 718).** The accessibility of Internet browsers built into mobile phones has improved for individuals who are blind or visually impaired. However, the FCC asserted there needs to be sustained progress towards making Internet browsers on low-end and mid-range devices more accessible.
- **Accessibility Gaps.** Accessibility gaps remain and there must be continued diligence to avoid loss of accessibility in the course of system and software upgrades and new communications technology deployment.

- **Availability of Information, Documentation, and Training.** Industry has made important strides towards ensuring information and documentation about covered products and services is accessible and customer personnel are trained about accessibility features. The FCC determined that more is still needed to address remaining concerns about the knowledgeability of point-of-sales personnel to help consumers make informed purchases regarding accessible products and services.
- **Accessibility Barriers in New Communications Technologies.** While new communications technologies hold significant promise to improve communications access by individuals with disabilities, there are already barriers to some of these new technologies as they are being developed and deployed.
- **Complaints Received (sec. 717).** During the covered time period, 45 RDAs were filed with the FCC; 58% dealt with equipment accessibility and 42% involved service accessibility. Of the 45 RDAs, 31% involved lack of accessibility on wireless handsets distributed in conjunction with Lifeline program subscriptions. The FCC was able to facilitate a resolution for most of the complaints and none resulted in a consumer deciding to escalate to an informal complaint for investigation by the FCC's Enforcement Bureau.

Effect of Recordkeeping and Enforcement Requirements (sec. 717). There is no data demonstrating that section 717's recordkeeping and enforcement requirements have hindered the development and deployment of communications technologies. Furthermore, there has been continued growth in the number and types of communications technologies in this space, which indicates the requirements have not been a burden.