The 21st Century Communications and Video Accessibility Act

What the CVAA requires of communications services, devices and video programming, and where it stops

Who this is for: Product, engineering, legal and compliance staff at companies that make or provide messaging, VoIP and video conferencing services, phones, televisions, set-top boxes and streaming devices, and at companies that own or distribute video programming online. It also answers a common question from everyone else: whether the CVAA covers your own videos and website.

Not covered here: The ADA's rules for websites and video, Section 508 for federal agencies, and the FCC's rules for telecommunications relay services in detail.

Current as of November 17, 2026. Federal law. Each section ends with the sources it rests on.

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In brief

- The CVAA was signed on October 8, 2010. It amended the Communications Act, and the Federal Communications Commission writes and enforces its rules.
- Title I covers communications. Advanced communications services, which include VoIP, electronic messaging and interoperable video conferencing, and the equipment and software used for them must be accessible unless that isn't achievable. Browsers built into mobile phones must be accessible to people who are blind or have a visual impairment.
- Covered manufacturers and service providers must keep records of their accessibility efforts, and an officer must file an annual compliance certificate with the FCC.
- Title II covers video. Programming shown on television with captions must keep its captions when it's delivered online, clips included. Broadcasters and pay-TV systems in covered markets owe set hours of audio description, and devices that play video must display captions and make their controls usable without sight.
- The CVAA doesn't reach most websites or video that was never on television, and "video programming" excludes consumer-generated media. The ADA may still require captions and accessible web content.

- Complaints go to the FCC. The statute tells the FCC to conclude an informal complaint investigation within 180 days.

What the law is

The Twenty-First Century Communications and Video Accessibility Act of 2010, Public Law 111-260, has two titles: Title I, Communications Access, and Title II, Video Programming. Most of its provisions were written into the Communications Act of 1934, which is why the FCC's rules refer to them by Communications Act section numbers: section 716 for advanced communications services, 717 for recordkeeping and enforcement, 718 for mobile browsers, and 713 for closed captioning and description.

Source: Pub. L. 111-260, sec. 1, 124 Stat. 2751 (Oct. 8, 2010); 47 U.S.C. 613, 617, 618, 619

The statute borrows the ADA's definition of disability.

Source: 47 U.S.C. 153, "Disability"; 42 U.S.C. 12102

Title I: communications

Advanced communications services

The statute defines advanced communications services to include interconnected VoIP service, non-interconnected VoIP service, electronic messaging service and interoperable video conferencing service, among others. Electronic messaging means real-time or near real-time non-voice messages in text form between individuals. Interoperable video conferencing means real-time video communications, including audio, that let users share information of their choosing.

Source: 47 U.S.C. 153, "Advanced communications services," "Electronic messaging service," "Interoperable video conferencing service"

Two groups carry the duty:

- **Manufacturers** of equipment used for advanced communications services, including end-user equipment, network equipment and software, must make what they offer for sale or distribute in interstate commerce accessible to and usable by people with disabilities, unless that isn't achievable.
- **Service providers** must make the services they offer in or affecting interstate commerce accessible and usable, unless that isn't achievable.

Source: 47 U.S.C. 617(a)-(b); 47 CFR 14.1, 14.20(a)

Either can meet the duty by building accessibility in, or by using third-party applications, peripheral devices, software or equipment that are available to the consumer at nominal cost and that people with disabilities can access. If neither is achievable, the product or service must be compatible with the peripheral devices and specialized equipment people with disabilities commonly use, unless that isn't achievable either.

Source: 47 U.S.C. 617(a)(2), (b)(2), (c); 47 CFR 14.20(a)(3)

What "achievable" means

Achievable means "with reasonable effort or expense," as the FCC determines. The FCC weighs four factors: the nature and cost of the steps needed for the specific product or service; the technical and economic impact on the company and on the product, including on new technology; the type of operations of the company; and the extent to which the company offers accessible products or services with varying functions and features at differing price points.

Source: 47 U.S.C. 617(g)

The statute doesn't require every feature and function of every device or service to be accessible for every disability.

Source: 47 U.S.C. 617(j)

What a covered company has to do

- Consider the FCC's performance objectives at the design stage, as early as possible, and identify barriers to accessibility as part of product evaluation.
- Pass through the industry-standard codes and formats needed for accessibility, and not let compression strip out information needed for access.
- Not install network features that impede accessibility, and not impair the accessibility of content when accessibility has been built into it.
- Make user guides, bills, installation guides and product support communications accessible, if achievable, and give people with disabilities access to call centers and customer support at no extra cost.

Source: 47 CFR 14.20(a)(4)-(5), (b)-(d)

Mobile phone browsers

If a manufacturer includes an internet browser in a phone used with public mobile services, or a mobile provider arranges for a browser to be included in phones it sells, the browser's functions, including the ability to launch it, must be accessible to and usable by people who are blind or have a visual impairment, unless that isn't achievable.

Source: 47 U.S.C. 619(a); 47 CFR 14.60-14.61

Limits and exemptions

- **Customized equipment or services** that aren't offered directly to the public aren't covered.
- **Multipurpose devices.** The FCC can waive the rules for equipment or services that can access advanced communications but are designed primarily for other purposes.
- **Section 255 products.** Equipment and services that were already subject to Section 255 of the Communications Act on October 7, 2010, including interconnected VoIP, stay under Section 255 and its rules in 47 CFR Parts 6 and 7.
- **Intermediaries.** A company isn't liable to the extent it only transmits, routes or stores another provider's communications, or only provides a directory, menu, guide or link through which a user reaches them. That protection doesn't extend to a company that relies on a third party's product to meet its own obligations.

Source: 47 U.S.C. 617(f), (h)(1), (i); 47 CFR 14.2, 14.3, 14.5

> **No standing small-business exemption.** The statute lets the FCC exempt small entities. The FCC's temporary exemption expired no later than October 8, 2013, and the FCC removed it from the rules in a 2026 cleanup, effective June 15, 2026. Size now enters through the achievable factors.

Source: 47 U.S.C. 617(h)(2); 47 CFR 14.4 (removed and reserved), 91 FR 20372 (Apr. 16, 2026)

Records and the annual certificate

Each manufacturer and service provider subject to these rules must keep records, in the ordinary course of business and for two years after a product stops being manufactured or a service stops being offered, of how it sought input from people with disabilities, the accessibility features of its products and services, and their compatibility with peripheral devices and specialized equipment. An officer must sign and file an annual compliance certificate with the FCC, supported by an affidavit or declaration under penalty of perjury, naming who in the company is authorized to resolve accessibility complaints and the agent designated for service. The certificate is due each April 1 for the previous calendar year.

Source: 47 U.S.C. 618(a)(5); 47 CFR 14.31(a)-(b)

Hearing aid compatibility, relay services and equipment for people who are deaf-blind

The CVAA extended hearing aid compatibility requirements to customer premises equipment used with advanced communications services that's designed for two-way voice communication through a built-in speaker held to the ear. It defined telecommunications relay services to include people who are deaf-blind. And it authorized FCC support, from the interstate relay fund, for programs that distribute specialized equipment to low-income people who are deaf-blind, capped at $10,000,000 a year.

Source: 47 U.S.C. 610(b)(1); 47 U.S.C. 225(a)(3); 47 U.S.C. 620(a), (c)

Title II: video programming

Captions when television programming goes online

All nonexempt full-length video programming delivered using internet protocol must carry closed captions if it was published or exhibited on television in the United States with captions on or after the rule's compliance dates. The phase-in ran from September 30, 2012 to September 30, 2013 for new programming. Programming already in a distributor's online library must be captioned within 15 days after it's shown on television with captions. That window started at 45 days in 2014 and has been 15 days since March 30, 2016.

Source: 47 CFR 79.4(b)(1); 47 U.S.C. 613(c)(2)

Clips are covered too. When a distributor posts a clip of programming it showed on television with captions, the clip must be captioned. The requirement reached single-excerpt clips on January 1, 2016, montages on January 1, 2017, and clips of live and near-live programming on July 1, 2017, with captions due within 12 hours for live programming and 8 hours for near-live programming.

Source: 47 CFR 79.4(b)(2)

The duty is split. Video programming owners must send program files to distributors with captions of at least the same quality as the television captions. Distributors and providers, including entities that make programming available directly to end users over the internet, must enable the captions to render or pass through.

Source: 47 CFR 79.4(c); 47 U.S.C. 613(c)(2)(D)(iii)

Audio description

The FCC's rules (which now call it audio description; the statute's term is video description) require broadcast stations affiliated with ABC, CBS, Fox or NBC in covered markets, and pay-TV systems with 50,000 or more subscribers on the top five nonbroadcast networks, to provide 50 hours of audio description each calendar quarter in prime time or children's programming, plus 37.5 more hours between 6 a.m. and 11:59 p.m. Network affiliates must pass through description the network provides when they have the technical capability. The broadcast requirement covered the top 90 markets and extends by ten markets every January 1 through 2035; on January 1, 2026 it reached markets 111 through 120.

Source: 47 CFR 79.3(b)(1), (3), (4); 47 U.S.C. 613(h)(1)

Emergency information

Emergency information in the audio of a program must be made accessible to people with hearing disabilities through captioning or another visual method. Emergency information shown visually must be made accessible to people who are blind or visually impaired, including, outside newscasts, through a secondary audio stream preceded by a tone. Devices must be able to make that information available.

Source: 47 CFR 79.2(b)(1)-(2); 47 CFR 79.105; 47 U.S.C. 303(u)(1)(C)

Devices: captions, description and controls

- **Display and decoding.** Apparatus that receives or plays back video with sound, with a picture screen of any size, must be able to display closed captions, decode video description, and make emergency information accessible, if technically feasible. Screens smaller than 13 inches must meet the requirements only if achievable, and display-only monitors with no playback are exempt.
- **Recording devices** must pass through captions, description and emergency information so viewers can turn captions and description on and off during playback, if achievable. Connections between devices must carry the information needed to display captions and make description audible.
- **User interfaces.** On digital apparatus, the controls for built-in functions must be accessible to people who are blind or have low vision, with audio output for on-screen menus, if achievable. Built-in captioning and description must be reachable through a mechanism reasonably comparable to a button, key or icon.
- **Program guides.** On-screen menus and guides of navigation devices for multichannel programming must be audibly accessible on request, if achievable, with comparable access to captioning controls.

Source: 47 U.S.C. 303(u), (z), (aa), (bb); 47 CFR 79.100-79.110

Where the CVAA stops

Three limits answer most questions from organizations that aren't communications or media companies.

- **Video that was never on television.** The online captioning rule applies to programming published or exhibited on television with captions. A company's own marketing video, webinar or training clip that never aired on television isn't covered by it.
- **Consumer-generated media.** The statute's definition of video programming excludes consumer-generated media: content consumers create and post to websites and online services.
- **Websites in general.** A website isn't covered by the CVAA because it's a website. The CVAA reaches advanced communications services, such as a messaging or video conferencing feature, the equipment and software used for them, browsers built into phones, and video programming and devices.

Source: 47 CFR 79.4(b); 47 U.S.C. 613(h)(2); 47 U.S.C. 153, "Consumer generated media"; 47 U.S.C. 617, 619

> **The ADA picks up where the CVAA stops.** A state or local government's web content must meet WCAG 2.1 Level AA under the Title II rule from its compliance date, and WCAG 2.1 requires captions for prerecorded synchronized media at Level A, and captions for live synchronized media and audio description for prerecorded video at Level AA. Businesses open to the public owe effective communication under Title III. Neither depends on the CVAA.

Source: 28 CFR 35.200(b); W3C, WCAG 2.1, success criteria 1.2.2, 1.2.4, 1.2.5; 28 CFR 36.303(c)

Complaints and enforcement

For advanced communications services, mobile browsers and Section 255 products, a consumer first files a Request for Dispute Assistance with the FCC's Consumer and Governmental Affairs Bureau, which forwards it to the company using the contact details in its annual certificate and works toward a settlement. Thirty days later, if the dispute isn't settled, the consumer can file an informal complaint with the Enforcement Bureau. The statute directs the FCC to conclude its investigation of an informal complaint within 180 days with an order that decides whether a violation occurred, and allows it to order the company to bring the service, or the next generation of the equipment, into compliance within a reasonable time.

Source: 47 CFR 14.32, 14.34; 47 U.S.C. 618(a)(3)

For online captioning, a complaint goes in writing to the FCC or to the distributor responsible for rendering the captions within 60 days after the problem.

Source: 47 CFR 79.4(e)(1)

Sections 255 and 713 of the Communications Act state that they don't authorize any private right of action, and they give the FCC exclusive jurisdiction over complaints under them. The FCC reports to Congress every two years on compliance with sections 255, 716 and 718, and the statute required it to set up a public clearinghouse of information on accessible products and services.

Source: 47 U.S.C. 255(f); 47 U.S.C. 613(j); 47 U.S.C. 618(b), (d)

A product team's checklist

1. Decide which of your products are advanced communications services or equipment, which are Section 255 products, and which are neither, and write the reasoning down.
2. Put accessibility performance objectives into design reviews early, and record the barriers you find and how you resolved them.
3. Keep the records 14.31 requires for two years after a product or service ends, and make sure an officer files the annual certificate by April 1 with current complaint contacts.
4. Make documentation, bills and support channels accessible, and route accessibility questions to people who can answer them.
5. If you distribute television programming online, confirm caption pass-through on every player and app, and track clip timing for live and near-live programming.
6. If you make video devices, test captions, description and menu audio output with blind and low-vision users, and give captions and description a button-like control.

Common questions

Does the CVAA require captions on our company's own videos?

Not if the videos were never shown on television with captions; the online captioning rule covers programming that was. The ADA may still require captions: WCAG 2.1, which the Title II web rule adopts, requires captions for prerecorded video at Level A.

Source: 47 CFR 79.4(b); 28 CFR 35.200(b); W3C, WCAG 2.1, success criterion 1.2.2

Does the CVAA apply to our website?

Not because it's a website. It applies to advanced communications services and the equipment and software used for them, such as a messaging or video conferencing feature, wherever they run, and to the other products named above.

Source: 47 U.S.C. 153, "Advanced communications services"; 47 U.S.C. 617

Is there a small business exemption?

Not anymore. The FCC's temporary small-entity exemption expired by October 8, 2013, and the rule was removed in 2026. The achievable factors take a company's type of operations and the cost of compliance into account.

Source: 47 U.S.C. 617(g), (h)(2); 91 FR 20372 (Apr. 16, 2026)

Can a consumer sue us under the CVAA?

Complaints under these provisions go to the FCC. Sections 255 and 713 say they create no private right of action and give the FCC exclusive jurisdiction over complaints under them.

Source: 47 U.S.C. 255(f); 47 U.S.C. 613(j); 47 U.S.C. 618(a)(3)

Who checks whether we filed the annual certificate?

The FCC. It serves dispute requests using the contact details in the certificate, and a company that fails to file or keep the contact information current can't use lack of service as a defense.

Source: 47 CFR 14.31(b), 14.32(c)

Primary sources

- Public Law 111-260, the CVAA (govinfo)
- FCC, 21st Century Communications and Video Accessibility Act
- 47 U.S.C. 617, advanced communications services (govinfo)
- 47 U.S.C. 613, closed captioning and video description (govinfo)
- 47 CFR Part 14, advanced communications services rules
- 47 CFR Part 79, captioning, audio description and apparatus rules
- FCC rule removing obsolete provisions, 91 FR 20372
- FCC Consumer Complaint Center

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