



Necessity, for the pandemic weary, was the mother of invention. And yet, with the widespread adoption of video-conferencing came a new problem: how to ensure captioning access for this new and ubiquitous technology.

HAAA Fights for the Next Step in Communications Accessibility

BY LISE HAMLIN

Captioning for television programming is one story of a technological achievement that needed a public policy push before it became the widely available accessibility tool it is today.

Even though closed television captioning was developed in the 1970s, it wasn't until the late 1970s that we began to see a few captioned television shows. Not only that, but to see those captions, you had to buy a separate, expensive, very bulky, decoder box that sat on top of the television linked by a wire plugged into the back of the TV. That ungainly box unlocked the captions that allowed families to laugh and sigh together as television programming became more widely watched in homes across America.

With the passage of the Television Decoder Circuitry Act of 1990, closed-caption decoder chips were required to be built into TV sets. Those big, ugly boxes were no longer needed. Closed-captioned television programming blossomed, with a little help from the U.S. Department of Education, providing grants for captioning. But all that came with a caveat: only televisions with screens 13 inches or larger were required to have decoder chips. Not the whole enchilada, but a whole lot more than nothing.

It wasn't until 2010 that the 21st Century Communications and Video Accessibility Act (CVAA) arrived, signed into law by President Obama. The drafters of that bill had the foresight to understand that there could be a need for captions on programming no matter how big or little the screen you used to view it. People scoffed at that time, deriding the idea of reading tiny captions on a small, handheld device. I don't have to tell you that everyone, including people with no hearing loss at all, reads captions on their smartphones and tablets now. Nobody, least of all the drafters, had any idea how prescient they were.

CVAA was another high point in the road toward accessible television programming. In fact, CVAA resulted in massive improvements in the way technology companies designed and developed their products and services to make them accessible to their customers with disabilities. The CVAA made sure that accessibility laws enacted in the 1980s and 1990s were brought up to date with 21st century technologies, including new digital, broadband and mobile innovations.

Thirteen years later, much has changed in how we use technologies in our daily lives. The Coalition of Organizations for Accessible Technology (COAT), the original coalition that spearheaded the CVAA, has reunited and is now working with Congress to address accessibility gaps in a new bill that updates the CVAA, the Communications, Video and Technology Accessibility Act (CVTA).

Introduced by Senator Edward Markey (D-MA) and Congresswoman Anna Eshoo (D-CA) in 2022, CVTA updates and amends the CVAA to keep pace with the proliferation of emerging technologies that have come online since Senator Markey's original 2010 bill was passed with bipartisan support.

Back then, few thought a worldwide pandemic would change the world forever. Fewer still imagined that remote video meetings would proliferate, bridging the gap between billions of people forced to live and work so far apart.

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These and other technology advances are the newest catalysts for drafting legislation that will push accessibility to the next level. CVTA will enhance communications, video and technology accessibility for individuals with disabilities by requiring: a) closed captioning for online video programming, mirroring current televised video programming requirements; b) audio description for both online and televised video programming; c) videoconferencing services to have built-in accessibility features, such as automatic captioning functions, and the ability to connect sign language interpreters and assistive technologies that are designed to increase access for people with disabilities (for example, refreshable Braille displays); and d) manufacturers of devices that display video programming, such as televisions and computers, to include features that allow easy activation and customization of closed-captioning and audio description preferences. That, and more, is part of CVTA.

HLAA is on board, supporting this new legislation. We need you, too! The bill is slated to be reintroduced in spring or early summer 2023. You can help by reaching out to your Congressional representatives, asking them to co-sponsor this important legislation.

Karen Peltz Strauss, former deputy bureau chief at the Federal Communications Commission (FCC), an attorney advocate for people with hearing loss and the Deaf for more than 40 years, as well as a co-founder of the original 300-plus member coalition that advocated for passage of the CVAA, briefed the HLAA board of directors on CVTA in March. In 2007, Karen was interviewed by former executive director of HLAA, Brenda Battat, who asked, “What do you see as the biggest challenge facing people with hearing loss today?” Karen responded:

“Keeping up with new technologies. Technology is changing so rapidly and unless it is designed from the start to be accessible, people with hearing loss will eternally be playing catch up. We also need strong advocates to be front and center as new policies are formulated. We need more trained, committed future leaders to maintain a stake in policy debates.”

That was true in 2007 and it’s still true today. That’s why HLAA supports CVTA.

More information can be found at the COAT website: cvtaccess.org or reach out to advocacy@hearingloss.org. **HL**

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HLAA board members watch a recorded message from Senator Edward Markey (D-MA).

Right: Karen Peltz Strauss briefs the HLAA board of directors on CVTA.



Below: Senator Edward Markey thanks the HLAA board for their support of CVTA.

