

(2) to make Internet content, applications, or services accessible or usable (other than enabling individuals with disabilities to use an included browser to access such content, applications, or services).

**(b) Industry flexibility**

A manufacturer or provider may satisfy the requirements of subsection (a) with respect to such telephone or services by—

(1) ensuring that the telephone or services that such manufacture or provider offers is accessible to and usable by individuals with disabilities without the use of third party applications, peripheral devices, software, hardware, or customer premises equipment; or

(2) using third party applications, peripheral devices, software, hardware, or customer premises equipment that is available to the consumer at nominal cost and that individuals with disabilities can access.

(June 19, 1934, ch. 652, title VII, § 718, as added Pub. L. 111-260, title I, § 104(a), Oct. 8, 2010, 124 Stat. 2761.)

EFFECTIVE DATE

Pub. L. 111-260, title I, § 104(b), Oct. 8, 2010, 124 Stat. 2761, provided that: “Section 718 of the Communications Act of 1934 [47 U.S.C. 619], as added by subsection (a), shall take effect 3 years after the date of enactment of this Act [Oct. 8, 2010].”

**§ 620. Relay services for deaf-blind individuals**

**(a) In general**

Within 6 months after October 8, 2010, the Commission shall establish rules that define as eligible for relay service support those programs that are approved by the Commission for the distribution of specialized customer premises equipment designed to make telecommunications service, Internet access service, and advanced communications, including inter-exchange services and advanced telecommunications and information services, accessible by low-income individuals who are deaf-blind.

**(b) Individuals who are deaf-blind defined**

For purposes of this subsection,<sup>1</sup> the term “individuals who are deaf-blind” has the same meaning given such term in the Helen Keller National Center Act, as amended by the Rehabilitation Act Amendments of 1992 (29 U.S.C. 1905(2)).

**(c) Annual amount**

The total amount of support the Commission may provide from its interstate relay fund for any fiscal year may not exceed \$10,000,000.

(June 19, 1934, ch. 652, title VII, § 719, as added Pub. L. 111-260, title I, § 105, Oct. 8, 2010, 124 Stat. 2762; amended Pub. L. 111-265, § 2(4), (5), Oct. 8, 2010, 124 Stat. 2795.)

REFERENCES IN TEXT

The Helen Keller National Center Act, referred to in subsec. (b), is title II of Pub. L. 98-221, Feb. 22, 1984, 98 Stat. 32, which is classified principally to chapter 21 (§ 1901 et seq.) of Title 29, Labor. The term “individuals who are deaf-blind” is defined in section 206(2) of the

<sup>1</sup> So in original. Probably should be “section.”

Act, as amended by Pub. L. 102-569, which is classified to section 1905(2) of Title 29. For complete classification of this Act to the Code, see Short Title note set out under section 1901 of Title 29 and Tables.

AMENDMENTS

2010—Subsec. (a). Pub. L. 111-265, § 2(5), inserted “low-income” after “accessible by”.

Pub. L. 111-265, § 2(4), made technical amendment to reference in original act which appears in text as reference to “October 8, 2010”.

**§ 621. Rulemaking on loud commercials required**

**(a) Rulemaking required**

Within 1 year after December 15, 2010, the Federal Communications Commission shall prescribe pursuant to the Communications Act of 1934 (47 U.S.C. 151 et seq.) a regulation that is limited to incorporating by reference and making mandatory (subject to any waivers the Commission may grant) the “Recommended Practice: Techniques for Establishing and Maintaining Audio Loudness for Digital Television” (A/85), and any successor thereto, approved by the Advanced Television Systems Committee, only insofar as such recommended practice concerns the transmission of commercial advertisements by a television broadcast station, cable operator, or other multichannel video programming distributor.

**(b) Implementation**

**(1) Effective date**

The Federal Communications Commission shall prescribe that the regulation adopted pursuant to subsection (a) shall become effective 1 year after the date of its adoption.

**(2) Waiver**

For any television broadcast station, cable operator, or other multichannel video programming distributor that demonstrates that obtaining the equipment to comply with the regulation adopted pursuant to subsection (a) would result in financial hardship, the Federal Communications Commission may grant a waiver of the effective date set forth in paragraph (1) for 1 year and may renew such waiver for 1 additional year.

**(3) Waiver authority**

Nothing in this section affects the Commission’s authority under section 1.3 of its rules (47 C.F.R. 1.3) to waive any rule required by this Act, or the application of any such rule, for good cause shown to a television broadcast station, cable operator, or other multichannel video programming distributor, or to a class of such stations, operators, or distributors.

**(c) Compliance**

Any broadcast television operator, cable operator, or other multichannel video programming distributor that installs, utilizes, and maintains in a commercially reasonable manner the equipment and associated software in compliance with the regulations issued by the Federal Communications Commission in accordance with subsection (a) shall be deemed to be in compliance with such regulations.

**(d) Definitions**

For purposes of this section—