

ALERT

FCC Proposes Expansion of Audio Description Requirements

March 24, 2023

The Federal Communications Commission (FCC) has adopted a Further Notice of Proposed Rulemaking seeking comment on whether to expand its audio description mandate to television stations in all Nielsen Designated Market Areas (DMAs) by 2035.

Audio description benefits persons who are blind or visually impaired by inserting narration for non-dialogue scenes during natural pauses in a program's dialogue. Under the Twenty-First Century Communications and Video Accessibility Act of 2010, the mandate applied to stations in the top 60 DMAs. The FCC extended that mandate to 40 more markets in 2020, adding 10 markets per year through 2024.

Now, the FCC is seeking comment on whether to impose the requirements on DMAs 101 through 210. Beginning in 2025, the agency would extend the mandate to an additional 10 DMAs per year, concluding in 2035.

Significantly, the FCC must examine whether the cost of audio description for smaller markets is reasonable. Comments and reply comments on the Further Notice will be due 30 and 45 days, respectively, after it is published in the Federal Register.

For additional information, or if you are interested in submitting comments, please contact one of the authors listed on this alert or the Wiley attorney who regularly handles your FCC matters.

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