

relay services are adopted by providers of such relay services; and

(8) that take into account what is technically and economically feasible.

(d) Meetings

(1) Initial meeting

The initial meeting of the Advisory Committee shall take place not later than 45 days after the completion of the member appointment process by the Chairman of the Commission pursuant to subsection (b).

(2) Other meetings

After the initial meeting, the Advisory Committee shall meet at the call of the chairs, but no less than monthly until the recommendations required pursuant to subsection (c) are completed and submitted.

(3) Notice; open meetings

Any meetings held by the Advisory Committee shall be duly noticed at least 14 days in advance and shall be open to the public.

(e) Rules

(1) Quorum

One-third of the members of the Advisory Committee shall constitute a quorum for conducting business of the Advisory Committee.

(2) Subcommittees

To assist the Advisory Committee in carrying out its functions, the chair may establish appropriate subcommittees composed of members of the Advisory Committee and other subject matter experts as determined to be necessary.

(3) Additional rules

The Advisory Committee may adopt other rules as needed.

(f) Chapter 10 of title 5

Chapter 10 of title 5 shall not apply to the Advisory Committee.

(g) Implementing recommendations

The Commission shall have the authority to promulgate regulations to implement the recommendations proposed by the Advisory Committee, as well as any other regulations, technical standards, protocols, and procedures as are necessary to achieve reliable, interoperable communication that ensures access by individuals with disabilities to an Internet protocol-enabled emergency network, where achievable and technically feasible.

(h) Definitions

In this section—

(1) the term “Commission” means the Federal Communications Commission;

(2) the term “Chairman” means the Chairman of the Federal Communications Commission; and

(3) except as otherwise expressly provided, other terms have the meanings given such terms in section 153 of this title.

(Pub. L. 111-260, title I, §106, Oct. 8, 2010, 124 Stat. 2762; Pub. L. 117-286, §4(a)(298), Dec. 27, 2022, 136 Stat. 4338.)

Editorial Notes

REFERENCES IN TEXT

Section 158(e)(4) of the National Telecommunications and Information Administration Organization Act, referred to in subsec. (c)(7), probably means section 158(f)(4) of title I of Pub. L. 102-538, which was formerly classified to section 942(f)(4) of this title and was omitted from the Code.

CODIFICATION

Section was enacted as part of the Twenty-First Century Communications and Video Accessibility Act of 2010, and not as part of the Communications Act of 1934 which comprises this chapter.

AMENDMENTS

2022—Subsec. (f). Pub. L. 117-286 substituted “Chapter 10 of title 5” for “Federal Advisory Committee Act” in heading and “Chapter 10 of title 5” for “The Federal Advisory Committee Act (5 U.S.C. App.)” in text.

§ 616. Internet protocol-based relay services

Within one year after October 8, 2010, each interconnected VoIP service provider and each provider of non-interconnected VoIP service shall participate in and contribute to the Telecommunications Relay Services Fund established in section 64.604(c)(5)(iii) of title 47, Code of Federal Regulations, as in effect on October 8, 2010, in a manner prescribed by the Commission by regulation to provide for obligations of such providers that are consistent with and comparable to the obligations of other contributors to such Fund.

(June 19, 1934, ch. 652, title VII, §715, as added Pub. L. 111-260, title I, §103(b), Oct. 8, 2010, 124 Stat. 2755.)

§ 617. Access to advanced communications services and equipment

(a) Manufacturing

(1) In general

With respect to equipment manufactured after the effective date of the regulations established pursuant to subsection (e), and subject to those regulations, a manufacturer of equipment used for advanced communications services, including end user equipment, network equipment, and software, shall ensure that the equipment and software that such manufacturer offers for sale or otherwise distributes in interstate commerce shall be accessible to and usable by individuals with disabilities, unless the requirements of this subsection are not achievable.

(2) Industry flexibility

A manufacturer of equipment may satisfy the requirements of paragraph (1) with respect to such equipment by—

(A) ensuring that the equipment that such manufacturer 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

(B) if such manufacturer chooses, using third party applications, peripheral devices, software, hardware, or customer premises equipment that is available to the consumer