

§ 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 interchange 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,¹ 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.)

Editorial Notes**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 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.

¹ So in original. Probably should be “section.”.

(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—

(1) the term “television broadcast station” has the meaning given such term in section 325 of the Communications Act of 1934 (47 U.S.C. 325); and

(2) the terms “cable operator” and “multichannel video programming distributor” have the meanings given such terms in section 602 of Communications Act of 1934 (47 U.S.C. 522).

(Pub. L. 111-311, § 2, Dec. 15, 2010, 124 Stat. 3294.)

Editorial Notes**REFERENCES IN TEXT**

The Communications Act of 1934, referred to in subsec. (a), is act June 19, 1934, ch. 652, 48 Stat. 1064, which is classified principally to this chapter. For complete classification of this Act to the Code, see section 609 of this title and Tables.

This Act, referred to in subsec. (b)(3), is Pub. L. 111-311, Dec. 15, 2010, 124 Stat. 3294, known as the Commercial Advertisement Loudness Mitigation Act or the CALM Act, which enacted this section and provisions set out as a note under section 609 of this title.

CODIFICATION

Section was enacted as part of the Commercial Advertisement Loudness Mitigation Act, or the CALM Act, and not as part of the Communications Act of 1934 which comprises this chapter.

§ 622. Optional electronic labeling of communications equipment

(a) Definitions

In this section—

(1) the term “electronic labeling” means displaying required labeling and regulatory information electronically; and

(2) the term “radiofrequency device with display” means any equipment or device that—

(A) is required under regulations of the Commission to be authorized by the Commission before the equipment or device may be marketed or sold within the United States; and

(B) has the capability to digitally display required labeling and regulatory information.

(b) Requirement to promulgate regulations for electronic labeling

Not later than 9 months after November 26, 2014, the Commission shall promulgate regulations or take other appropriate action, as necessary, to allow manufacturers of radiofrequency devices with display the option to use electronic labeling for the equipment in place of affixing physical labels to the equipment.

(June 19, 1934, ch. 652, title VII, §720, as added Pub. L. 113–197, §3, Nov. 26, 2014, 128 Stat. 2055.)

Statutory Notes and Related Subsidiaries

SAVINGS CLAUSE

Pub. L. 113–197, §4, Nov. 26, 2014, 128 Stat. 2056, provided that: “The amendment made by section 3 [enacting this section] shall not be construed to affect the authority of the Federal Communications Commission under section 302 of the Communications Act of 1934 (47 U.S.C. 302a) to provide for electronic labeling of devices.”

FINDINGS

Pub. L. 113–197, §2, Nov. 26, 2014, 128 Stat. 2055, provided that: “Congress finds the following:

“(1) The Federal Communications Commission (referred to in this section as the ‘Commission’) first standardized physical labels for licensed products such as computers, phones, and other electronic devices in 1973, and the Commission has continually refined physical label requirements over time.

“(2) As devices become smaller, compliance with physical label requirements can become more difficult and costly.

“(3) Many manufacturers and consumers of licensed devices in the United States would prefer to have the option to provide or receive important Commission labeling information digitally on the screen of the device, at the discretion of the user.

“(4) An electronic labeling option would give flexibility to manufacturers in meeting labeling requirements.”

§ 623. Configuration of multi-line telephone systems for direct dialing of 9–1–1.

(a) System manufacture, importation, sale, and lease

A person engaged in the business of manufacturing, importing, selling, or leasing multi-line telephone systems may not manufacture or import for use in the United States, or sell or lease or offer to sell or lease in the United States, a multi-line telephone system, unless such system

is pre-configured such that, when properly installed in accordance with subsection (b), a user may directly initiate a call to 9–1–1 from any station equipped with dialing facilities, without dialing any additional digit, code, prefix, or post-fix, including any trunk-access code such as the digit “9”, regardless of whether the user is required to dial such a digit, code, prefix, or post-fix for other calls.

(b) System installation, management, and operation

A person engaged in the business of installing, managing, or operating multi-line telephone systems may not install, manage, or operate for use in the United States such a system, unless such system is configured such that a user may directly initiate a call to 9–1–1 from any station equipped with dialing facilities, without dialing any additional digit, code, prefix, or post-fix, including any trunk-access code such as the digit “9”, regardless of whether the user is required to dial such a digit, code, prefix, or post-fix for other calls.

(c) On-site notification

A person engaged in the business of installing, managing, or operating multi-line telephone systems shall, in installing, managing, or operating such a system for use in the United States, configure the system to provide a notification to a central location at the facility where the system is installed or to another person or organization regardless of location, if the system is able to be configured to provide the notification without an improvement to the hardware or software of the system.

(d) Effect on State law

Nothing in this section is intended to alter the authority of State commissions or other State or local agencies with jurisdiction over emergency communications, if the exercise of such authority is not inconsistent with this chapter.

(e) Enforcement

This section shall be enforced under subchapter V, except that section 501 of this title applies only to the extent that such section provides for the punishment of a fine.

(f) Multi-line telephone system defined

In this section, the term “multi-line telephone system” has the meaning given such term in section 1471 of this title.

(June 19, 1934, ch. 652, title VII, §721, as added Pub. L. 115–127, §2(a), Feb. 16, 2018, 132 Stat. 326.)

Editorial Notes

REFERENCES IN TEXT

This chapter, referred to in subsec. (d), was in the original “this Act”, meaning act June 19, 1934, ch. 652, 48 Stat. 1064, known as the Communications Act of 1934, which is classified principally to this chapter. For complete classification of this Act to the Code, see section 609 of this title and Tables.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE

Pub. L. 115–127, §2(b), Feb. 16, 2018, 132 Stat. 327, provided that: “The amendment made by subsection (a)