

ONE HUNDRED ELEVENTH CONGRESS  
**Congress of the United States**  
**House of Representatives**  
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**Statement of Rep. Henry A. Waxman**  
**Chairman, Committee on Energy and Commerce**  
**H.R. 3101, the Twenty-First Century Communications and Video Accessibility Act of 2009**  
**Subcommittee on Communications, Technology, and the Internet**  
**June 10, 2010**

Today marks the first step in a process to ensure that Americans with disabilities can more fully participate in our evolving Internet-based society. We will do so by updating the laws concerning access by persons with disabilities to communications services and to video programming. The last update of these laws occurred in 1996, when most phone calls were made over a copper line, and when TV signals were broadcast in analog. As members of this committee are acutely aware, dramatic changes have occurred since 1996. We need to bring, at long last, our fellow Americans with disabilities across the digital divide.

I am pleased that Ranking Member Barton, Subcommittee Chairman Boucher, and Ranking Member Stearns share my commitment to moving legislation that addresses these issues on a bipartisan, consensus basis, and committee staff has been working together to achieve that goal.

Ideally, we would like to have a bipartisan bill on the House floor during the week of July 26. That week marks the 20<sup>th</sup> anniversary of the enactment of the landmark Americans with Disabilities Act. I can think of no better way to mark that anniversary than by bringing to the House floor bipartisan legislation that increases access to digital communications and media for those with disabilities.

With that in mind, today I want this hearing to outline and clarify where agreement exists on the provisions contained in H.R. 3101, and where some adjustment may be necessary. Our intent is to encourage industry and other stakeholders towards consensus quickly. I am aware that some industry participants and associations have not fully engaged in the discussions to date or have been unable to come up with a position on this matter. I urge these companies and associations to engage immediately on the pending legislation.

There are many success stories concerning the development of accessible technologies absent a legislative mandate. For example, Apple makes many of its products accessible. And when the D.C. Circuit threw out the FCC's first set of video description rules, CBS did not stop making that service available, and continues to do so today. These initiatives are to be applauded.

But more can – and should – be done. Just as accessibility is designed into new buildings, the same should be true with regard to communications devices and services.

Ultimately, our goal is to find a legislative solution that meets the needs of the disabled community and gives industry the flexibility and incentives that it needs to move forward successfully. We can take the benefits of laws for disabled Americans, put them together with the best initiatives from the private sector, and pass legislation that will bring 21<sup>st</sup> century communications and media technology to Americans with disabilities.

I want to thank Mr. Markey for introducing this important legislation and Mr. Boucher for scheduling this timely hearing.