

UPDATE

August 12, 2026

Upcoming Compliance Deadline: Closed Captioning Readily Accessible Requirements **Go into Effect August 17, 2026**

Beginning August 17, 2026, all multichannel video programming distributors (“MVPDs”) must ensure that closed captioning display settings be “readily accessible” on “covered apparatus” to viewers who are deaf or hard of hearing.

These new requirements stem from the FCC’s 2024 [Third Report and Order](#) and are intended to address longstanding concerns that consumers who are deaf or hard of hearing have difficulty locating and using caption customization features. MVPDs should review their equipment, user interfaces, and menus to confirm that viewers can readily locate and adjust closed captioning display settings.

Background. The FCC’s 2024 Report and Order requires MVPDs and device manufacturers to make closed captioning display settings “readily accessible” on “covered apparatus” – devices that are designed to receive or play back video programming transmitted simultaneously with sound if manufactured in the USA or imported for use in the USA and using a picture screen of any size. MVPDs must make display settings readily accessible not only on devices they provide to subscribers but also through their own preinstalled applications (but not consumer-installed or 3rd party applications).

While the FCC did not dictate a specific menu design, the FCC will evaluate whether settings are readily accessible based on four factors: proximity, discoverability, previewability, and consistency and persistence.

Proximity. Closed captioning display settings must be located in one area of the settings that can be accessed through a means reasonably comparable to a button, key, or icon. Settings that are accessible solely or primarily through voice control likely will not satisfy this requirement. Voice control may be used, however, if an alternative means of access reasonably comparable to a button, key, or icon is also available.

Discoverability. MVPDs and device manufacturers must conduct usability testing with consumers and disability groups, make good-faith efforts to fix problems identified during testing, and train customer-facing employees on caption display settings.

Previewability. Consumers must be able to preview the appearance of closed captions on programming on their screen while changing the closed captioning display settings.

Consistency and Persistence. For navigation devices provided by an MVPD, an MVPD must make closed caption display settings available through an application programming

interface (“API”) or similar method that an over-the-top application provider can use when launching its application. If the MVPD provides its own video programming application on a 3rd party device, the MVPD must use the device’s operating-system-level closed caption settings.

Who Is Covered. For MVPDs, the rule applies to covered apparatus that an MVPD provides or distributes to subscribers, including set-top boxes and other equipment used to receive or play back video programming. The rules do not apply to 3rd party or consumer-installed applications, display-only monitors, professional or commercial equipment, or equipment for which compliance is not achievable or technically feasible. The rules also do not apply to devices manufactured before August 17, 2026.

What Should You Do Now.

- MVPDs should review their set-top boxes and other navigation devices, user interfaces, and video applications to determine whether closed captioning display settings satisfy each of the four factors.
- MVPDs should also begin or confirm the required usability testing, document efforts to address issues identified through testing, ensure customer-facing personnel are appropriately trained, and assess whether any necessary API or similar functionality is available.
- The FCC declined to adopt a blanket exemption for legacy navigation devices. However, the rules do not apply to apparatus manufactured before the compliance deadline, and MVPDs may seek case-by-case waivers or exemptions where compliance is not achievable or technically feasible.

If you have questions about the new closed captioning display settings requirements or your accessibility compliance obligations in general, please contact Scott Friedman at (608) 469-3596 or sfriedman@cinnamonmueller.com.

Please visit our website at www.cinnamonmueller.com to learn more about our lawyers and practice. You can reach Cinnamon Mueller at (314) 462-9000. *This update is provided by the law firm of Cinnamon Mueller. The document is intended for informational purposes only as a service to clients of Cinnamon Mueller. It is not intended to provide specific legal advice or to substitute obtaining appropriate legal counsel. We encourage you to consult with counsel to address special compliance issues and for assistance in negotiating or handling any such matter referred to in the update.*