



# NEWS

**Federal Communications Commission**  
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This is an unofficial announcement of Commission action. Release of the full text of a Commission order constitutes official action.  
See MCI v. FCC, 515 F.2d 385 (D.C. Circ 1974).

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## FCC TAKES FURTHER STEPS TOWARD FULFILLING GOALS OF ADA BY REFINING RULES GOVERNING PROVISION OF TRS

Washington, DC -- The FCC today has taken the latest in a series of steps to ensure that consumers with hearing and speech disabilities have convenient and affordable access to telephone services through use of the telecommunications relay services (TRS). Today's action is a further step toward fulfilling the goals of Title IV of the Americans with Disabilities Act of 1990 (ADA).

(TRS enables an individual with a hearing or speech disability to communicate by telephone with a person without such a disability. This is accomplished through TRS facilities that are staffed by specially trained communications assistants (CAs) using special technology. The CA relays conversations between persons using various types of assistive communication devices and persons who do not require such assistive devices. In a traditional text-based TRS call, the caller types the number of the TRS facility and, after reaching the facility, types the number of the party he or she desires to call. The CA, in turn, places an outbound voice call to the called party. The CA serves as the "link" in the conversation, converting all TTY messages from the caller into voice messages, and all voice messages from the called party into typed messages for the TTY user. The process is performed in reverse when a voice telephone user initiates a traditional TRS call to a TTY user. TRS also includes Video Relay Services (VRS), Internet Protocol (IP) relay, and Speech-to-Speech (STS).)

The ADA requires common carriers offering telephone voice transmission services to also provide TRS throughout the area in which they offer service so that persons with disabilities will have access to telecommunications services, and provides that they will be compensated for their costs of doing so. Over the past decade, the Commission has taken many actions addressing the provision of TRS. The Commission has steadily expanded the scope of TRS and the features and services available to both persons with hearing and speech disabilities, and to other persons who desire to communicate by telephone with persons with hearing or speech disabilities.

Among other things, the action taken today:

- (1) continues, on an interim basis, the per-minute cost recovery methodology for VRS, and adopts the per-minute cost recovery methodology for IP Relay;
- (2) addresses the TRS features, requirements, and issues raised in the June 2003 Second Improved TRS Order and NPRM and directs the Consumer & Governmental Affairs Bureau to increase its own TRS outreach efforts while declining to permit the Interstate TRS Fund to fund such a campaign, and also declines to adopt new rules at this time providing that the Commission can certify providers as eligible for compensation from the Interstate TRS Fund;
- (3) grants Sprint's 711 Petition by declaring that providing access to pay-per-call services through 711 access is consistent with Commission rules;
- (4) denies petitions requesting limited waiver of the rule that prohibits CAs from refusing to handle calls in the context of VRS calls that are part of legal depositions or other state legal proceedings, and requesting the imposition of cost parity for toll calls via payphones made by TRS users and made by non-TRS users; and
- (5) partially grants petitions for reconsideration filed in response to the June 17, 2003, Second Improved TRS Order & NPRM with respect to the requirement that TRS facilities route emergency wireline TRS calls to an "appropriate" PSAP.

In addition the Commission adopts a Further Notice of Proposed Rulemaking (FNPRM) seeking public comment on various matters concerning IP Relay and VRS, including:

- (1) the appropriate cost recovery methodology for VRS;
- (2) whether the Commission can set forth a jurisdictional separation of costs for IP Relay and VRS;
- (3) the treatment of VRS and IP relay costs for reimbursement from the federal fund;
- (4) whether IP Relay and VRS should become mandatory TRS services;
- (5) whether IP Relay and VRS should be required to be offered 7 days a week, 24 hours a day; and
- (6) whether a "speed of answer" rule should be applied to the provision of VRS.

The FNPRM also seeks comment on redefining the composition, functions, and responsibilities of the TRS Advisory Council, and on issues relating to the abuse of CAs by persons using TRS.

Copies of this press release in accessible formats are available to persons with disabilities (Braille, large print, electronic files, audio format), by sending an E-mail to [fcc504@fcc.gov](mailto:fcc504@fcc.gov) or by calling the Consumer & Governmental Affairs Bureau at 202-418-0531 (voice), 202-418-7365 (TTY).

Action by the Commission June 10, 2004, by Report and Order, Order on Reconsideration and Further Notice of Proposed (FCC 04-137). Chairman Powell, Commissioners Abernathy and Martin, with Commissioners Copps and Adelstein Approving in Part, Dissenting in Part. Separate statements issued by Chairman Powell, Commissioners Abernathy, Copps, and Adelstein.

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CC Docket No. 90-571

CC Docket No. 98-67

CG Docket No. 03-123