

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of)
)
Telecommunications Relay Services) CC Docket No. 98-67
And Speech-to-Speech Services for)
Individuals with Hearing and Speech)
Disabilities)

**NATIONAL VIDEO RELAY SERVICE COALITION
PETITION FOR MANDATORY VIDEO RELAY SERVICE
ON BEHALF OF
THE DEAF AND HARD OF HEARING COMSUMERS
OF THE UNITED STATES OF AMERICA**

The National Video Relay Service Coalition (the “Coalition”), on behalf of the Deaf and Hard of Hearing consumers of the United States of America, and pursuant to Section 1.415 of the Federal Communications Commission’s (“Commission”) Rules,¹ hereby submits the attached petition for mandatory Video Relay Service (“VRS”) in support of the Petition for Rulemaking submitted in this proceeding by the California Coalition of Agencies Serving the Deaf and Hard of Hearing (“CCASDHH”) on May 27, 2004. In its Further Notice of Proposed Rulemaking (“FNPRM”)² the Commission sought comment on whether it should require VRS as a mandatory form of Telecommunications Relay Service (“TRS”),³ whether VRS should be required to be

¹ 47 C.F.R. § 1.415.

² *Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities*, Report and Order, Order on Reconsideration and Further Notice of Proposed Rulemaking, CC Docket No. 90-571, CC Docket No. 98-67, CG Docket No. 03-123, FCC 04-137 (rel. June 30, 2004).

³ *Id.* at ¶¶ 243-245.

offered 7 days a week, 24 hours a day,⁴ whether a particular speed of answer requirement should be adopted for VRS,⁵ and invited comment on the Petition for Rulemaking filed by CCASDHH.⁶

I. The Petition for Mandatory VRS

Attached hereto is the Preamble to the petition of the Deaf and Hard of Hearing consumers. The Preamble supports the Petition for Rulemaking filed by CCASDHH and asks the Commission to mandate the provision of VRS on the grounds that it is the form of TRS that comes closest to functionally equivalent telephone service with today's available technologies. The Preamble goes on to explain why traditional text-to-voice relay is not functionally equivalent telephone service as compared to VRS, and that the Americans with Disabilities Act ("ADA") requires the Commission to take advantage of new technologies that can improve access to the telephone network by people who are deaf or hard of hearing.⁷ The Preamble supports high quality VRS with the following features: (1) service availability 7 days a week, 24 hours a day; (2) mandated average speeds of answer; (3) user friendly interfaces; (4) competent interpreters; (5) E911 access; (6) video mail that is functionally equivalent to voice mail; and (7) interoperability across VRS providers. The Preamble calls for funding sufficient to support these services.

Also attached hereto is the list of 5509 signatories to the Preamble. A number of the signatories submitted comments along with their signatures. The Coalition hereby requests that the Commission treat the Preamble, the list of signatories and the individual comments written

⁴ *Id.* at ¶ 245.

⁵ *Id.* at ¶ 246.

⁶ *Id.* at n.667.

⁷ 47 U.S.C. § 225(d)(2).

by the signatories as comments to both the FNPRM and the Petition for Rulemaking filed by CCASDHH. The Coalition is separately filing its own comments to both the FNPRM and the Petition for Rulemaking filed by CCASDHH.

II. The Coalition Member Organizations

The National Video Relay Service Coalition is an *ad hoc* group that was formed to address VRS issues and includes the following organizations: Telecommunications for the Deaf, Inc. (“TDI”), Deaf and Hard of Hearing Consumer Advocacy Network (“DHHCAN”), National Association of the Deaf (“NAD”), The Association for Late-Deafened Adults (“ALDA”), the American Association of People with Disabilities (“AAPD”), Deaf and Hard of Hearing in Government (“DHHIG”), the California Coalition of Agencies Serving the Deaf and Hard of Hearing (“CCASDHH”), the Student Body Government of Gallaudet University (“SBG”), and the Registry of Interpreters for the Deaf, Inc. (“RID”).

TDI is a national advocacy organization that seeks to promote equal access in telecommunications and media for the 28 million Americans who are deaf, hard-of-hearing, late-deafened, or deaf-blind so that they may attain the opportunities and benefits of the telecommunications revolution to which they are entitled. TDI believes that only by ensuring equal access for all Americans will society benefit from the myriad skills and talents of persons with disabilities.

DHHCAN, established in 1993, serves as the national coalition of organizations⁸ representing the interests of deaf and/or hard of hearing citizens in public policy and legislative

⁸ The member organizations of DHHCAN include the American Association of the Deaf-Blind (AADB), the American Deafness and Rehabilitation Association (ADARA), the Association of Late-Deafened Adults (ALDA), the American Society for Deaf Children (ASDC), the Conference of Educational Administrators of Schools and Programs for the Deaf (CEASD), Communication Service for the Deaf (CSD), Deaf Seniors of America (DSA), Gallaudet University, Gallaudet University Alumni Association (GUAA), National Association of the Deaf

issues relating to rights, quality of life, equal access, and self-representation. DHHCAN also provides a forum for proactive discussion on issues of importance and movement toward universal, barrier-free access with emphasis on quality, certification, and standards.

Established in 1880, the NAD is the nation's oldest and largest constituency organization safeguarding the accessibility and civil rights of 28 million deaf, hard of hearing, late deafened, and deaf-blind Americans in a variety of areas, including education, employment, health care, and telecommunications. A private, non-profit organization, the NAD is a dynamic federation of state associations and organizational affiliates and direct members. Primary areas of focus include grassroots advocacy and empowerment, captioned media, deafness-related information and publications, legal rights technical assistance, policy development and research, and youth leadership development. The NAD works closely with deafness related national organizations and is a member of several coalitions representing the interests of deaf, hard of hearing, late deafened, and deaf-blind individuals.

AAPD is a national non-profit membership organization promoting political and economic empowerment for all children and adults with all types of disabilities. AAPD has a strong interest in accessible communications so that people with disabilities can participate fully in all aspects of society.

Formed in Chicago, Illinois in 1987, ALDA works collaboratively with other organizations around the world serving the needs of late-deafened people. Through its chapters and groups around the country, ALDA promotes public and private programs designed to alleviate the problems of late-deafness and for reintegrating late-deafened adults into all aspects

(NAD), National Black Deaf Advocates (NBDA), National Catholic Office of the Deaf (NCOD), Registry of Interpreters for the Deaf (RID), Telecommunications for the Deaf Inc.(TDI), USA Deaf Sports Federation (USADSF), and The Caption Center/WGBH.

of society. ALDA also provides educational information concerning issues affecting late-deafened adults, as well as advocacy on behalf of, and support for, late-deafened adults and their families and friends.

DHHIG is a national nonprofit organization addressing the needs and concerns of deaf and hard of hearing Government employees. Its purpose is to support full communication access, advancement, and retention of deaf and hard of hearing employees in Government, and dismantling communication barriers in the workplace.

CCASDHH was established in 1988 and incorporated as a nonprofit statewide membership organization. Its members include eight nonprofit community-based organizations providing various social services “of by and for” deaf and hard-of-hearing Californians -- NorCal Center on Deafness; Greater Los Angeles Agency on Deafness; Deaf Counseling, Advocacy and Referral Agency; Deaf Community Services of San Diego; Deaf and Hard of Hearing Services; Center on Deafness: Inland Empire; Orange County Deaf Equal Access Foundation and Tri-County GLAD; and the California Association of the Deaf, a statewide membership organization representing deaf and hard-of-hearing consumers.

On an annual basis, CCASDHH’s member agencies ensure that a variety of social services are available serving over 300,000 deaf and hard of hearing individuals regardless of where they live throughout all 58 counties in California. Through its member agencies’ diverse workforce, including Native American, Hispanic, Asian, Russian, Hmong, and African-American individuals who are deaf or hard of hearing, CCASDHH works hard to improve the quality of lives of Californians who are deaf or hard of hearing and who otherwise would not have full access to such services as telecommunications, education, certified sign language interpreters, parent-to-parent support for newborns identified with a hearing loss, literacy,

employment development, and advocacy. Member agencies and the California Association of the Deaf were the primary forces in state legislation that established the TTY equipment distribution program and the California Relay Service, long before the Americans with Disabilities Act was passed. As direct service providers, CCASDHH member agencies have the pulse of the community they serve to best determine needs and priorities.

SBG, Gallaudet University was established in 1948. Even though there were other organizations that provided numerous opportunities for leadership, personal growth and development, and fellowship for the Gallaudet student body, there was still a need for a single venue from which the students can formally maintain relations with the University administration. Thus, SBG was established as a representative group to advocate for campus policy changes. Structured via three functional branches - executive, judicial, and legislative, the SBG remains a strong entity on campus with biweekly Student Congress meetings and daily Executive Branch and Judicial Branch operations. Their past achievements include the successful Deaf President Now movement in 1988, management changes in the student infirmary, protests for better TV and movie captioning, and the establishment of the Rathskellar/Abbey.

The philosophy of RID is that excellence in the delivery of interpretation and transliteration services among people who are Deaf or Hard of Hearing and people who are hearing will ensure effective communication. As the professional association for interpreters and transliterators, the RID serves as an essential arena for its members in their pursuit of excellence.

III. Conclusion

For the reasons stated in the Preamble, the National Video Relay Service Coalition respectfully requests that the Commission grant the petition for mandatory VRS of the Deaf and Hard of Hearing consumers of the United States of America. As stated above, the Coalition is

separately filing its own comments to both the FNPRM and the Petition for Rulemaking filed by CCASDHH.

Respectfully submitted,

/S/

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