

**FCC DOCKET 03-123**

FROM unknown@mailgate1.fcc.gov wrote on 11/7/2005 11:32:16 AM:

DOCKET FILE COPY ORIGINAL

NOV 18 2005

November 7, 2005  
Federal Communications Commission

Federal Communications Commission  
Office of the Secretary

Dear Federal Communications Commission,

The Americans with Disabilities Act mandates the FCC to ensure that deaf and hard of hearing persons have access to functionally equivalent telecommunications services, through Telecommunications Relay Services (TRS). One such form of TRS is Video Relay Service (VRS).

VRS is an Internet based service which allows deaf, hard of hearing and speech disabled persons to make telephone calls in their natural visual language - American Sign Language (ASL) -- by use of a high speed data line and either a video phone or a personal computer equipped with a video camera.

VRS is more functionally equivalent to the telephone service available to hearing persons because it allows for language inflection and non-verbal cues that are impossible to achieve through traditional text-based TRS.

More importantly, VRS allows a conversation to proceed at its natural speed, while text-based TRS conversations can take several times as long. This often leads hearing persons, especially businesses, to refuse relay calls or to hang up upon receiving a call.

The FCC recognized VRS as a form of TRS as authorized by the ADA in 2000. However, recently, the FCC has shown what can at best be considered indifference to the service. Specifically, in June of 2003, the FCC cut the reimbursement rate for VRS upon 12 hours notice by more than 50 percent.

Prior to the rate cut, VRS was available 24 hours a day. Now it is not.

Prior to the rate cut, deaf and hard of hearing individuals were able to connect with an interpreter after a few seconds wait. Now wait time regularly exceeds a minute, sometimes as long as 20 minutes.

You would not tolerate such shabby service through voice telephony. Why should deaf and hard of hearing persons accept any less? Then in June of this year, the FCC cut the VRS payment rate again.

Officials at the FCC have attempted to blame the long wait times on the growing demand for VRS, not on its rate cuts. Perhaps that is a contributing factor, but it completely fails to explain why we no longer have 24 hours service available.

Moreover, the FCC has taken other recent steps that degrade VRS service. The FCC has ruled that VRS providers cannot provide ASL to Spanish translation on a VRS call. In addition, while the FCC requires that text-relay providers allow deaf persons to retrieve voice mail or messages from an answering machine, the FCC has yet to allow VRS providers to leave video voice mail messages for deaf

10 of copies read  
150 DE

persons. Thus, deaf and hard of hearing persons, as VRS users, have no way to receive a message via VRS which is functionally equivalent to the voice mail you can receive via your voice telephone service.

There are more than 28 million deaf and hard of hearing persons in the United States. While not all of us are fluent in American Sign Language and use VRS, the FCC's refusal to carry out its responsibilities under the ADA is unacceptable.

I am asking you to take action to ensure that the FCC to fulfill its responsibilities under the ADA to make functionally equivalent telecommunications service available to deaf, hard of hearing and speech disabled persons by adequately funding the service and authorizing Video mail service and ASL/Spanish translation. If the FCC refuses to do so, I am asking you to support legislation that would require the mandate of the ADA be fulfilled.

Sincerely,

Michael Dowds  
1324 Cascade Creek Vw Apt 208  
Colorado Springs, CO 80915