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November 26, 2008

Via Electronic Filing

Marlene H. Dortch
Federal Communications Commission
445 Twelfth Street, S.W.
Washington, DC 20554

**Re: CC Docket No. 98-67, CG Docket No. 03-123, WC Docket No. 05-196
NENA and APCO Request for Expedited Clarification of
Section 64.604(a)(2) of the Rules**

Dear Ms. Dortch:

Telecommunications for the Deaf and Hard of Hearing, Inc. (“TDI”), National Association for the Deaf (“NAD”), Deaf and Hard of Hearing Consumer Advocacy Network (“DHHCAN”), Hearing Loss Association of America (“HLAA”), Association of Late-Deafened Adults, Inc. (“ALDA”), American Association of People with Disabilities (“AAPD”), and American Association of the Deaf-Blind (“AADB”) (collectively, “Consumer Groups”) submit for filing in the above-captioned proceeding these comments urging the Commission to grant the National Emergency Number Association (“NENA”) and the Association of Public-Safety Communications Officials International (“APCO”) Request for Expedited Clarification of Section 64.604(a)(2) of the Commission’s rules.¹

During a 911 call via video relay service (“VRS”), an interpreter should be able to provide visual and auditory descriptions to a public safety responder that would assist with an emergency response. A visual or auditory description during an emergency call is not part of the relayed conversation content that an interpreter is prohibited from disclosing, pursuant to Section 64.604(a)(2), nor would such a description alter content. An interpreter would merely be relaying factual details that he or she observes or hears during the course of the emergency call. Allowing an interpreter to provide this information to a public safety responder during an emergency call would be similar to a public safety responder hearing and assessing ambient sounds during a 911 call without

¹ NENA and APCO Request for Expedited Clarification of Section 64.604(a)(2) of the Rules, CC Docket No. 98-67, CG Docket No. 03-123, WC Docket No. 05-196 (Oct. 24, 2008) (“Request”).

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relay service. Moreover, to the extent that public safety responders have authority to record 911 calls, they should be able to records emergency calls via VRS that are facilitated by an interpreter. The Commission should therefore clarify its rules to ensure that an interpreter can provide visual and auditory descriptions that would assist public safety professionals responding to 911 calls by VRS users.

Moreover, a visual or auditory description would help a public safety responder better analyze a potential life and death situation, particularly if a caller becomes incapacitated or hysterical. Examples of visual or auditory descriptions that an interpreter should be allowed to provide to a public safety responder during an emergency call might include a gun, a gunshot, smoke or fire, and an explosion. Providing such relevant visual and auditory descriptions would allow public safety responders to take action in a safe manner and would assist a caller with obtaining prompt action in critical situations.

For these reasons, the Consumer Groups support the Request and ask the Commission to promptly clarify its rules, especially given the upcoming December 31, 2008 deadline for implementation of certain E911 services.

Respectfully submitted,

/s/ Danielle Burt

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Counsel to Telecommunications for the Deaf and Hard of Hearing, Inc.

cc: Chairman Martin
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Robert M. Gurs, Director Legal and Government Affairs, APCO
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