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June 2, 2014

Via Electronic Filing

Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, DC 20554

Re: Notice of Ex Parte Meeting; CG Docket Nos. 13-24, 10-51 and 03-123

Dear Ms. Dortch:

On May 29, 2014, Claude Stout, Executive Director, Telecommunications for the Deaf and Hard of Hearing, Inc. (“TDI”); Steph Buell, Director, TDI; Sheri A. Farinha, Vice Chair, California Coalition of Agencies Serving the Deaf and Hard of Hearing, Inc. (“CCASDHH”); Andrew S. Phillips, National Association of the Deaf (“NAD”); Mark Hill, President, Cerebral Palsy and Deaf Organization (“CPADO”); Lise Hamlin, Director of Public Policy, Hearing Loss Association of America (“HLAA”); Cheryl Heppner, Vice Chair, Deaf and Hard of Hearing Consumer Advocacy Network (“DHHCAD”) and the undersigned participated in a meeting (either in person or by phone) with:

- Kris Monteith, Karen Strauss, Robert Aldrich, Gregory Hlibok, Eliot Greenwald, and Caitlin Vogus of the Consumer & Governmental Affairs Bureau (“CGB”);
- Diane Mason and Andrew Multz of the Office of Managing Director (“OMD”); and
- Jonathan Chambers of the Office of Strategic Planning & Policy Analysis (“OSP”).

During the meeting, the Consumer Group representatives spoke about complaints they have received from consumers regarding the quality of Internet Protocol Captioned Telephone Service (“IP-CTS”) such as delay and mistakes. They discussed the need to collect data about IP-CTS quality concerns, as well as other forms of relay services, and the possibility of using a portion of FCC research funds to analyze quality standards of IP-CTS and other relay services.

The participants talked about the Commission developing a policy statement to reassure its commitment toward fulfilling, maintaining and enhancing functional equivalency for all telecommunications relay service (“TRS”). They proposed establishing more concrete objectives for functional equivalency and emphasized that functional equivalency needs to be addressed for all types of consumers. They acknowledged functional equivalency must be adaptable as technology changes over time

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and must allow the application to be tailored as necessary to the applicable service and/or disability. They suggested using the *Consumer Groups' TRS Policy Statement - Functional Equivalency of Telecommunications Relay Services: Meeting the Mandate of the Americans with Disabilities Act* as a starting point.¹

The Consumer Group representatives raised concerns about TRS registration requirements. Specifically, they asked the Commission to develop registration options for non-Americans who reside in the U.S. and do not have social security numbers ("SSNs") but have equal rights under the Americans with Disabilities Act to use TRS. They proposed reviewing options permitted in the health care industry for those without SSNs to complete necessary paperwork to see whether any of those methods might be adopted as an alternative registration method. They also suggested permitting individuals to register for Video Relay Service ("VRS") without a SSN since signing can be seen to demonstrate the right to use VRS.

The participants generally discussed privacy concerns related to TRS registration requirements. They urged the Commission to undertake more consumer education about the rules that protect confidential and customer proprietary network information ("CPNI"). Fact sheets and other types of written materials for consumers would be helpful. They expressed concerns about providers requiring more information than is required under the Commission's rules for consumers to register. For example, a certain provider has asked registering users for photo copies of driver's licenses and SSN cards. The Commission should take steps to ensure providers do not request confidential consumer information that is not required for registration under the Commission's rules. The question was raised as to how Commission policy and rules co-exist with the Privacy Act.

Finally, the participants suggested that as a policy matter, the Commission treat legal intercept for VRS exactly the same as legal intercept for any other telecommunications service. A third party VRS provider should be required to comply with the robust requirements imposed on telecommunications providers when a legal intercept request is received. These providers should subject any intercept request to the same level of scrutiny as any common carrier does with their own legal intercept requests.

Respectfully submitted,

/s/ Danielle Burt

Danielle Burt

Counsel for TDI

¹ Letter from Tamar E. Finn and Brett P. Ferencak, Counsel to TDI, to Marlene H. Dortch, Secretary, FCC, CG Docket Nos. 03-123 and 10-51, attach. (filed Ap. 12, 2011).

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cc (by e-mail):

Kris Monteith
Karen Strauss
Robert Aldrich
Gregory Hlibok
Eliot Greenwald
Caitlin Vogus
Diane Mason
Andrew Multz
Jonathan Chambers

Claude Stout
Stephanie Buell
Sheri A. Farinha
Andrew S. Phillips
Mark Hill
Lise Hamlin
Cheryl Heppner