

Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of)
)
Telecommunications Relay Services)
And Speech-to-Speech Services for)
Individuals with Hearing and Speech)
Disabilities)

CC Docket No. 98-67

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Comments to the Notice of Proposed Rulemaking

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Introduction

The USA Deaf Sports Federation is an organization recognized by the United States Olympic Committee as representing sports among deaf athletes. We have over 15,000 members in various sports specific organizations. Our membership has a very deep interest in the improvement of telecommunication services, especially that of video relay interpreting (VRI).

Coverage

(14) We concur that Congress intended that TRS should be an evolving service that would expand and improve relay services as technologies developed. Unfortunately, the NPRM appears to restrict this improvement to only two services – STS and VRI – completely ignoring the many other improvements requested by consumers in their comments. Further, the FCC is proposing that STS be made available within two years but does not extend a similar rule to VRI. We protest to this and request that the FCC should, at the very least, strongly encourage the expansion of VRI using such technologies as are currently available.

VRI

(32) It is interesting that the FCC requires that persons disagreeing with their decision not to mandate VRI at this time “should provide specific evidence demonstrating the feasibility of implementing effective and affordable VRI on a nationwide basis.” No such requirement is imposed on STS discussions.

(34) We agree that the definition of “qualified interpreter” should be that used by the Department of Justice in its Titles II and III regulations. We also strongly endorse the proposal that TRS confidentiality, conversation content and “type of call” rules apply to VRI calls. And since VRI calls are a relay service, the costs should be fully recoverable.

We strongly urge the FCC to mandate VRI on the same basis as STS. A very large segment of the deaf population is currently un-served or under-served due to their

limited written English skills. Only VRI can properly serve this population.

Multilingual Relay Services

(39) We agree with the conclusions of the FCC in regard to these services. However, this must not in any way apply to translation of ASL to written English where this occurs. Such translation should be fully recoverable.

Access to Emergency Services

(41) Frankly, we do not understand why there should be any discussion or questions about this! It should be a given that access to emergency services through TRS should always be possible and that full **ANI** information should be passed on. The definition of emergency calls should be the same as for persons with no hearing impairment.

Access to Enhanced Services

(45) We respectfully disagree with the Commission's conclusion that it does not have jurisdiction over access to enhanced services. It is quite clear in the discussion of the bill that Congress did intend that it include such services. From the *Congressional Record – House, May 17, 1990, H2434*: the discussion between Mr. Hoyer and Mr. Luken makes this quite clear. To quote Mr. Luken: “. . . While the legislation does not require access to audiotext services at this time, if future technology can make these services available utilizing a relay service, **it is our intent to ensure such access**” (our emphasis). The technology is there, so why delay in making such services accessible?

(46) This proposal is pretty much already the norm and, as consumers have made abundantly clear, does not at all resolve the problem.

Mandatory Minimum Standards

Speed-of-Answer

(50) We feel that the rule requiring providers to answer 85% of calls within 10 seconds is too generous. This is nowhere near being functionally equivalent to a dialtone. With a computer connection, the time is much closer to 25 seconds as things are now. This needs much stronger regulation.

(53) We disagree with the proposal to exclude redialed or abandoned calls in the

speed-of-answer reports. We feel that the majority of such calls are due to receiving a busy signal or failure to answer within the IO second time frame, therefore they should be counted. If the Commission feels that counting is not fair to the providers, then at least tally such calls and report them separately.

CA Quality and Training

(58) How can one expect improvement in TRS if the Commission refrains from mandating improvements? Typing speed is a major limitation in TRS calls. Quality of typing and spelling are major complaints of just about every TRS user. Improvements are feasible and technology supports such improvements. The Commission should step boldly forward and mandate their use and raise the standards. Most state PUCs award their contracts based on the minimum standards set by the FCC. Unless these are raised, there is little incentive to do so.

(59) The rules should be amended to address clear and articulate voice communication as one of the skills required of **CAs**. A professional who uses TRS is in danger of making a very wrong impression when it is delivered by a CA with poor voice communication. Unfortunately, as long as **CAs** are not compensated very highly, it will be difficult to achieve improvements in this area.

(60) The Commission concludes that it should not adopt further CA requirements because "TRS is still a relatively new service." Well, if one compares it to the standard telephone use, this is an indisputable statement. However, relay services have been around for more than 15 years (on a voluntary basis) and it has been 5 years since TRS has been uniformly available on a nationwide basis. In this day and age of rapid changes in technology, this is hardly "new". There is a wealth of experience in the use of TRS and the Commission should heed the comments and appeals of the users. These are clearly in support of raising the minimum standards set back in 1991.

In-Call Replacement of CAs

(62) We feel that transfers of calls to a new CA are disruptive and confusing to the hearing party and thus should be minimized. We further recognize that **CAs** need adequate breaks and rest periods. A 15-minute rule would appear to be satisfactory for

the majority of calls. Where a specific gender of CA has been requested at the onset of the call, any transfers should be to a CA of the same gender. This should be mandated with an exception allowed for those **cases** where no such CA is available (in which case the change in gender must be made clear to the caller).

Competition Issues

Multivendoring

(65) The Commission's hesitation is noted with respect. Nevertheless, Congress has made it quite clear that it is in support of competition in the marketplace. This competition is currently not provided for the deaf TRS consumer.

The Commission asks the TRS providers and state TRS administrators to comment on the single-vendor model. Talk of the fox and the chicken coop! These two parties have a vested interest in continuing the single-provider model. Listen to the consumer! The single-provider is the norm in just about every state and the consumers in those states are the ones complaining about poor services and low CA standards.

Multivendoring may not be the ultimate solution to the problems and complaints raised by the users, but at least it would offer them a choice – something which they do not have at the present time. The consumer is basically shut out of the vendor selection and certification processes, thus the vendors have no incentive to be attentive to their concerns.

Treatment of TRS Customer Information

(72) When relay providers are changed, the transfer from one vendor to another should be seamless. We agree that information about a relay customer's preferences is proprietary but assert that is the proprietary information of the customer and as such should be transferred to the new provider.

Enforcement and Certification Issues

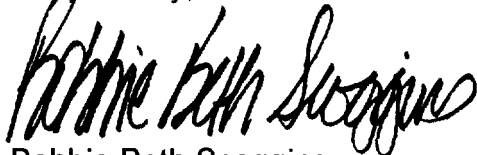
(76) As consumers, we feel very strongly that any recertification process should require that each state consult actively with consumer organizations. This requirement is sadly lacking in almost every state. Further, each state should have on file and publicize a location, address and telephone number, where customers can file

complaints. We ask that the FCC post this information on its Disabilities Issues Task Force web site.

Other Issues

The Commission has chosen to brush aside the many other customer complaints and requests. All of these would involve readily achievable improvements in TRS services. We ask the Commission why they have chosen to ignore us, and pose the oft-asked question "If not now, when?"

Respectfully,



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July 15, 1998