



PUBLIC NOTICE

Federal Communications Commission
445 12th St., S.W.
Washington, D.C. 20554

News Media Information 202 / 418-0500
Internet: <http://www.fcc.gov>
TTY: 1-888-835-5322

DA 06-2386

Released: November 28, 2006

DISMISSAL OF PETITION FOR CLARIFICATION CONCERNING PROVISION OF AMERICAN SIGN LANGUAGE (ASL) TO SPANISH VIDEO RELAY SERVICE (VRS)

CG DOCKET NO. 03-123

On February 6, 2006, Communication Service for the Deaf (CSD) filed a petition for clarification¹ concerning whether providers of ASL-to-Spanish VRS, a form of telecommunications relay service (TRS),² must offer service 24 hours a day, 7 days a week (24/7) to be eligible for compensation from the Interstate TRS Fund (Fund). The CSD Petition was placed on public notice,³ and several comments were filed.⁴ On October 19, 2006, CSD filed a letter with the Commission withdrawing its petition.⁵ Accordingly, the Consumer and Governmental Affairs Bureau dismisses the CSD Petition.

In July 2005, the Commission released two orders addressing VRS issues. First, in the *ASL-to-Spanish VRS Order*, the Commission concluded that ASL-to-Spanish VRS service – *i.e.*, relay service in which the CA translates what is signed in ASL into spoken Spanish (rather than English), and *vice versa* – is a form of TRS eligible for compensation from the Fund.⁶ Second, in the *VRS 24/7 Order*, the

¹ See CSD Petition for Clarification on Spanish VRS, CG Docket No. 03-123, filed February 6, 2006 (CSD Petition).

² See 47 U.S.C. § 225. TRS, created by Title IV of the Americans with Disabilities Act of 1990, enables a person with a hearing or speech disability to access the nation's telephone system to communicate with voice telephone users. VRS is a form of TRS that allows persons who use sign language to communicate with the communications assistant (CA) in sign language via a video link, rather than through typed text. See 47 C.F.R. § 64.601(17) (defining VRS); see also *Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities*, CG Docket No. 03-123, Order on Reconsideration, 20 FCC Rcd 13140 (2005) (*ASL-to-Spanish VRS Order*) (recognizing ASL-to-Spanish VRS service as a form of TRS).

³ See *Federal Communications Commission Seeks Comment on Petition for Clarification Concerning the Provision of ASL-to-Spanish Video Relay Service (VRS)*, CG Docket No. 03-123 and CC Docket No. 98-67, Public Notice, 21 FCC Rcd 1656 (2006).

⁴ Comments were filed on April 7, 2006 by Communications Access Center for the Deaf and Hard of Hearing, Sorenson Communications, Inc., Telecommunications for the Deaf and Hard of Hearing, Inc., and Verizon. Sprint Nextel Corporation filed reply comments on April 24, 2006.

⁵ Letter from Karen Peltz Strauss, Legal Consultant for CSD, to Monica Desai, Chief, Consumer and Governmental Affairs Bureau, Federal Communications Commission (Oct. 19, 2006).

⁶ *ASL-to-Spanish VRS Order*, 20 FCC Rcd at 13140, para. 1. The Commission also concluded that, like VRS, ASL-to-Spanish VRS is not a mandatory service “at this time.” *Id.* at 13154-55, para. 32.

Commission concluded that, given the rapid growth in the use of the service and the importance of the 24/7 rule to functional equivalency, providers of VRS seeking compensation from the Fund must offer the service 24/7 beginning January 1, 2006.⁷ Pursuant to these orders, VRS, if offered, must be offered 24/7, regardless of the languages involved, *i.e.*, ASL-to-English or ASL-to-Spanish. There is no exception to the 24/7 rule for ASL-to-Spanish VRS. Providers choosing to offer this service and receive compensation from the Fund must meet all mandatory minimum standards applicable to this service.

A copy of this *Public Notice* and related documents are available for public inspection and copying during regular business hours at the FCC Reference Information Center, Portals II, 445 12th Street, SW., Suite CY-A257, Washington, D.C. 20554, (202) 418-0270. These documents also may be purchased from the Commission's duplicating contractor, Best Copy and Printing, Inc. (BCPI), Portals II, 445 12th Street, SW., Room CY-B402, Washington, D.C. 20554. Customers may contact BCPI at their web site: www.bcpweb.com or by calling 1-800-378-3160. Filings also may be found by searching on the Commission's Electronic Comment Filing System (ECFS) at <http://www.fcc.gov/cgb/ecfs> (insert CG Docket No. 03-123 into the Proceeding block).

To request materials in accessible formats for people with disabilities (Braille, large print, electronic files, audio format), send an e-mail to fcc504@fcc.gov or call the Consumer and Governmental Affairs Bureau at (202) 418-0530 (voice), (202) 418-0432 (TTY). This *Public Notice* also can be downloaded in Word or Portable Document Format (PDF) at: <http://www.fcc.gov/cgb/dro>.

For further information regarding this *Public Notice*, please contact Gregory Hlibok, Consumer & Governmental Affairs Bureau, Disability Rights Office, at (866) 410-5787 x16757 (voice), (202) 418-0431 (TTY), or e-mail at Gregory.Hlibok@fcc.gov.

-FCC-

⁷ *Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities*, CG Docket No. 03-123 and CC Docket No. 98-67, Report and Order, 20 FCC Rcd 13165 (2005) (*VRS 24/7 Order*).