

**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	)	CG Docket No. 03-123
	)	
Structure and Practices of the Video Relay Service Program	)	CG Docket No. 10-51
	)	
	)	

**ORDER**

**Adopted: June 22, 2020**

**Released: June 22, 2020**

By the Chief, Consumer and Governmental Affairs Bureau:

1. In light of the ongoing COVID-19 national emergency,<sup>1</sup> with this Order, on our own motion, the Consumer and Governmental Affairs Bureau (Bureau) of the Federal Communications Commission (Commission) extends through August 31, 2020, the temporary waivers<sup>2</sup> granted by the Bureau of certain rules governing the Telecommunications Relay Service (TRS).<sup>3</sup>

2. *Background.* In the *March 16 TRS Waiver Order*, the *April 3 TRS Waiver Order*, and the *May 14 TRS Waiver Order*, the Bureau found good cause to temporarily waive certain rules governing TRS to ensure the uninterrupted availability of TRS during the extraordinary circumstances presented by the COVID-19 pandemic. We found these waivers necessary to ensure the ability of persons with speech

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<sup>1</sup> See Executive Office of the President, Proclamation on Declaring a National Emergency Concerning the Novel Coronavirus Disease (COVID-19) Outbreak (Mar. 13, 2020), <https://www.whitehouse.gov/presidentialactions/proclamation-declaring-national-emergency-concerning-novel-coronavirus-disease-covid-19-outbreak>.

<sup>2</sup> See *Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities; Structure and Practices of Video Relay Service Program*, CG Docket Nos. 03-123 and 10-51, Order, 35 FCC Rcd 2715 (CGB 2020) (temporarily waiving multiple TRS rules to ensure continued services at increased demand levels during the COVID-19 emergency) (*March 16 TRS Waiver Order*); *Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities; Structure and Practices of Video Relay Service Program*, CG Docket Nos. 03-123 and 10-51, Order, 35 FCC Rcd 3018 (CGB 2020) (temporarily waiving rule restricting VRS providers from contracting for interpretation services with non-VRS certified entities during COVID-19 emergency) (*April 3 TRS Waiver Order*); *Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities; Structure and Practices of the Video Relay Service Program*, CG Docket Nos. 03-123 and 10-51, Order, DA 20-517 (CGB rel. May 14, 2020) (extending previous COVID-19 TRS Waiver Orders, temporarily waiving provisions of emergency call handling rules for IP Relay CAs working from home, and modifying March 16 TRS Waiver Order provision pertaining to international VRS calls) (*May 14 TRS Waiver Order*).

<sup>3</sup> See 47 CFR § 1.3 (providing for suspension, amendment, or waiver of Commission rules, in whole or in part, on the Commission's own motion or pursuant to a petition, for good cause shown). Good cause may be found if special circumstances warrant a deviation from the general rule and such deviation will serve the public interest. *Northeast Cellular Tel. Co. v. FCC*, 897 F.2d 1164, 1166 (D.C. Cir. 1990); see also *WAIT Radio v. FCC*, 418 F.2d 1153, 1159 (D.C. Cir. 1969), *cert. denied*, 409 U.S. 1027 (1972).

or hearing disabilities to communicate using TRS. As a result of the pandemic and states' responsive emergency regulations, traffic levels have increased, and TRS providers' ability to staff call centers have been sharply reduced, severely challenging providers' ability to answer and process TRS calls.<sup>4</sup> By granting emergency waivers of the Commission's speed-of-answer requirement and at-home call-handling rules, the Bureau has allowed TRS service providers greater flexibility to provide service during this difficult period, while facilitating a transition to greater reliance on communications assistants (CAs) working at home.<sup>5</sup> To address consumer needs arising from worldwide restrictions on travel,<sup>6</sup> an additional waiver has allowed registered Video Relay Service (VRS) users to make calls from outside the United States to locations within the United States.<sup>7</sup> These waivers are effective through June 30, 2020.<sup>8</sup> We noted that we would continue to monitor this situation and address in a further order any necessary extension of this relief.<sup>9</sup>

3. At this time, the COVID-19 national emergency continues. Although many states have lifted "stay-at-home" orders through various phased reopening approaches, many restrictions, including "social distancing" measures, remain in effect with uncertain timetables for their removal.<sup>10</sup> Federal, state, and local governments remain engaged in planning how they will allow schools, businesses, and

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<sup>4</sup> *March 16 TRS Waiver Order*, 35 FCC Rcd at 2715-76, para. 2; *May 14 TRS Waiver Order* at paras. 2, 4.

<sup>5</sup> *March 16 TRS Waiver Order*, 35 FCC Rcd at 2715-76, para. 2; *April 3 TRS Waiver Order*, 35 FCC Rcd at 3018, para. 2; *May 14 TRS Waiver Order* at paras. 4-5.

<sup>6</sup> See, e.g., *COVID-19 Travel Recommendations by Country* (last visited June 8, 2020) <https://www.cdc.gov/coronavirus/2019-ncov/travelers/map-and-travel-notice.html#travel-1>; *Global Level 4 Health Advisory – Do Not Travel* (Mar. 31, 2020) <https://travel.state.gov/content/travel/en/traveladvisories/ea/travel-advisory-alert-global-level-4-health-advisory-issue.html>; U.S. Embassy in Argentina, *COVID-19 Information* (last accessed June 8, 2020) <https://ar.usembassy.gov/covid-19> (noting that "only sporadic and specially approved international flight options currently exist in Argentina" and that U.S. Citizens "should be prepared to remain abroad for an indefinite period.").

<sup>7</sup> *May 14 TRS Waiver Order* at para. 6.

<sup>8</sup> *Id.* at para. 1.

<sup>9</sup> *Id.* at para. 8.

<sup>10</sup> See, e.g., White House Briefings, *Guidelines for Opening Up America Again* (Apr. 16, 2020), <https://www.whitehouse.gov/openingamerica> (proposing a three phased approach to recovery from the COVID-19 pandemic); see also *Safe Start Washington, A Phased Approach to Recovery* (May 4, 2020) [https://www.governor.wa.gov/sites/default/files/SafeStartWA\\_4May20\\_1pm.pdf](https://www.governor.wa.gov/sites/default/files/SafeStartWA_4May20_1pm.pdf) (establishing a four phased approach to recovery); *Restore Illinois, A Public Health Approach to Safely Reopen Our State* (May 5, 2020) (executing a five phased approach to recovery) <https://coronavirus.illinois.gov/sfc/servlet.shepherd/document/download/069t000000BadS0AAJ?operationContext=S1>; Rachel Chason, Dana Hedgpeth, and Antonio Olivo, *Prince George's Will Loosen Restrictions Next Week, While Northern VA Enters Phase 2 on Friday* (June 11, 2020) [https://www.washingtonpost.com/local/coronavirus-maryland-prince-georges-virginia-dc-phase-2/2020/06/11/0b88bd34-abe7-11ea-9063-e69bd6520940\\_story.html](https://www.washingtonpost.com/local/coronavirus-maryland-prince-georges-virginia-dc-phase-2/2020/06/11/0b88bd34-abe7-11ea-9063-e69bd6520940_story.html) (noting the need to continue social distancing to make reopening safer, with Maryland's Prince George's County "tread[ing] carefully in its next stage, warning residents that it won't mean going back to a pre-covid lifestyle"); Ethan May, *Indianapolis Will Move to its Next Reopening Phase on June 19. Here's What to Know* (June 11, 2020) <https://www.indystar.com/story/news/local/indianapolis/2020/06/11/coronavirus-indiana-indianapolis-reopening-stage-4/5341726002/> ("While professional office buildings may reopen with precautions, [the Director of the Marion County Public Health Department] encouraged workers, especially those at the highest risk, to continue working from home.").

localities to reopen.<sup>11</sup> And, even with the loosening of restrictions by the states, many employers continue to maintain much of their workforce working remotely.<sup>12</sup> Many international travel restrictions also remain in place.<sup>13</sup> Given the absence of material change in the circumstances justifying the grant of these waivers, the absence of any evidence of abuse, and the vital importance of providing robust, reliable TRS for persons who are deaf, hard of hearing, deafblind, or have speech disabilities, and consistent with other Commission actions related to the pandemic,<sup>14</sup> we find good cause to extend the previously-granted TRS rule waivers through August 31, 2020.

4. We remain committed to the integrity of the TRS program, to guarding against waste, fraud, and abuse, and to ensuring that funds disbursed through the TRS program are used for appropriate purposes. We find that the overwhelming public interest in ensuring the continued availability of TRS services during this national emergency justifies allowing the temporary waivers granted in the *March 16 TRS Waiver Order*, *April 3 TRS Waiver Order*, and *May 14 TRS Waiver Order* to remain in effect through August 31, 2020. The Bureau will continue to monitor the emergency situation and will consider and take additional actions as warranted. In the event that the circumstances described in this Order appear likely to persist or evolve beyond the expiration of the extended waiver period, we will address in a further order any necessary additional extension of or modification to any of the temporary waivers granted in those orders.

5. *People with Disabilities.* 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](mailto:fcc504@fcc.gov) or call the Consumer & Governmental Affairs Bureau at 202-418-0530.

6. *Additional Information.* For further information regarding this item, please contact William Wallace, Disability Rights Office, Consumer and Governmental Affairs Bureau, at 202-418-2716 or by email to [William.Wallace@fcc.gov](mailto:William.Wallace@fcc.gov).

7. Accordingly, IT IS ORDERED that, pursuant to sections 1, 2, 4(i), 4(j), and 225 of the Communications Act of 1934, as amended, 47 U.S.C. §§ 151, 152, 154(i), 154(j), 225, and sections 0.141, 0.361, and 1.3 of the Commission's rules, 47 CFR §§ 0.141, 0.361, and 1.3, the temporary waivers granted in the *March 16 TRS Waiver Order*, the *April 3 TRS Waiver Order*, and the *May 14 TRS Waiver Order*, shall remain in effect through August 31, 2020.

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<sup>11</sup> See, e.g., Josie Fischels, *University of Iowa to Begin Phased Reopening of Select Campus Operations*, Daily Iowan (May 26, 2020) <https://dailyiowan.com/2020/05/22/university-of-iowa-to-begin-phased-reopening-of-select-campus-operations> (announcing the University of Iowa's pilot program for a phased reopening which "is being instituted in smaller settings in order to gauge how to implement recommended health and safety guidelines on a larger scale.").

<sup>12</sup> See, e.g., Shannon Murray, *Many Large Companies Plan to Keep Employees Working from Home for Now* (June 4, 2020) <https://www.fox4news.com/news/many-large-companies-plan-to-keep-employees-working-from-home-for-now>.

<sup>13</sup> See, e.g., Geir Moulson, Associated Press, "Europe Reopening Many Borders but not to Americans, Asians" (June 14, 2020), ABC News website at <https://abcnews.go.com/Health/wireStory/europe-reopens-borders-americans-asians-71243229>.

<sup>14</sup> See, e.g., *Lifeline and Link Up Reform and Modernization*, WC Docket No.11-42, Order, DA 20-577, paras. 3, 12-15 (WCB rel. Jun. 1, 2020) (extending prior waivers of the Lifeline program's recertification, reverification, general de-enrollment, usage requirements, and income documentation requirements through August 31, 2020).

8. IT IS FURTHER ORDERED that, pursuant to section 1.102(b)(1) of the Commission rules, 47 CFR § 1.102(b)(1), this Order SHALL BE EFFECTIVE upon release.

FEDERAL COMMUNICATIONS COMMISSION

Patrick Webre, Chief  
Consumer and Governmental Affairs Bureau