

**STATEMENT OF
COMMISSIONER MICHAEL J. COPPS**

Re: *Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech*, Declaratory Ruling and Further Notice of Proposed Rulemaking (CG Docket No. 03-123)

The Americans with Disabilities Act charges the Commission with doing everything we can to ensure that people with disabilities have access to functionally equivalent services. For the millions of Americans with disabilities, functional equivalency is a huge step towards equal opportunity. It means an equal right to access the tools they need to contribute to our communities, participate in our economy and ensure that their talents and energies have a fighting chance to reach their full potential. Because today's decision honors the mandate of functional equivalency, I am pleased to support it.

This Declaratory Ruling follows from a petition filed last year by the California Coalition of Agencies Serving the Deaf and Hard of Hearing. In it, the deaf and hard of hearing community described a situation they were facing with Video Relay Service (VRS) that would have been untenable for anyone accustomed to using voice communications. Imagine if your primary means of communication blocked access to any other voice provider. You'd be unable to make calls seamlessly to anyone in the country. You'd be limited to calling only others who subscribe to the same provider. Your desk at work and your coffee table at home could be cluttered with a jumble of calling equipment from multiple providers—just to ensure that you could call someone who might use a different network provider. And because VRS requires the use of a Communications Assistant, if none were available from your provider you could be forced to wait—perhaps for a long, long time—until one became available to make your call. If your call is to public safety or 911, that waiting could be life-threatening.

Today's decision remedies this injustice by requiring VRS providers that receive compensation from the interstate TRS fund to ensure consumers can place calls to and from any VRS consumer. Doing so restores integrated VRS communications and ensures the kind of functional equivalency the disabilities community must have.

I appreciate my colleagues' willingness to make adjustments to this Declaratory Ruling. In particular, I am pleased that our prohibition on **blocking** calls also restricts any attempts at **degrading** service quality for connections to the service of other VRS providers. Similarly, I think it is significant that we clarify here that new providers will need to ensure that their services are **interoperable** with the services of existing providers.

With communications technologies evolving at a blistering pace, we have a special duty to ensure that our rules relating to functional equivalency are reviewed with a speed and vigor that reflects changes in the larger marketplace. This is not an easy task. But it is our obligation under the Americans with Disabilities Act. It is one we live up to

in this Declaratory Ruling and Further Notice of Proposed Rulemaking and for this reason I am pleased to support this item. Thanks to the Bureau, to my colleagues, and—most of all—to our friends in the affected communities who worked so hard to resolve this problem.