



# PUBLIC NOTICE

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## FCC INVITES APPLICATIONS FOR CERTIFICATION TO PARTICIPATE IN THE NATIONAL DEAF-BLIND EQUIPMENT DISTRIBUTION PROGRAM FOR KENTUCKY AND ILLINOIS

### CG Docket No. 10-210

Under the National Deaf-Blind Equipment Distribution Program (NDBEDP), also called “iCanConnect,” the Federal Communications Commission (FCC or Commission) may provide up to \$10 million annually from the Interstate Telecommunications Relay Service Fund (TRS Fund) to support programs that distribute equipment to low-income individuals who are deaf-blind, so that these individuals can access telecommunications service, Internet access service, and advanced communications services.<sup>1</sup>

In 2017, the FCC’s Consumer and Governmental Affairs Bureau (CGB or Bureau) certified Eastern Kentucky University (EKU) and The Chicago Lighthouse Serving the Blind, Visually Impaired, Disabled and Veteran Communities (The Chicago Lighthouse) to distribute equipment under the NDBEDP for Kentucky and Illinois, respectively, for a period of five years, from July 1, 2017 through June 30, 2022.<sup>2</sup> Recently, EKU and The Chicago Lighthouse informed the Commission that they would not continue participating in the NDBEDP and that they would relinquish their certifications effective June 30, 2019.<sup>3</sup> By this notice, the Commission invites applications from entities interested in being certified through June 30, 2022, to distribute equipment under the NDBEDP to eligible individuals in Kentucky and Illinois.<sup>4</sup> The Commission will accept applications for this purpose until July 10, 2019.

This notice summarizes the qualifications for obtaining certification to participate in the

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<sup>1</sup> 47 U.S.C. § 620; *see also* 47 CFR §§ 64.6201-64.6219; *Implementation of the Twenty-First Century Communications and Video Accessibility Act of 2010, Section 105, Relay Services for Deaf-Blind Individuals*, Report and Order, 31 FCC Rcd 9178 (2016) (*NDBEDP Permanent Program Order*).

<sup>2</sup> *See Commission Announces Entities Certified to Participate in the National Deaf-Blind Equipment Distribution Program for Nine Additional States*, Public Notice, 32 FCC Rcd 5041 (CGB 2017) (including Kentucky); *Commission Announces Entities Certified to Participate in the National Deaf-Blind Equipment Distribution Program for Eight Additional States and the District of Columbia*, Public Notice, 32 FCC Rcd 4999 (CGB 2017) (including Illinois). Collectively, the entities selected to participate in the NDBEDP are referred to as “certified programs” or “state programs.”

<sup>3</sup> Letter from Gus Benson, Director, Sponsored Programs, Eastern Kentucky University, to Jacqueline Ellington, NDBEDP Administrator, Disability Rights Office (DRO), CGB, FCC (Mar. 20, 2019); letter from Janet Szlyk, PhD, President and CEO, The Chicago Lighthouse, to the FCC (Apr. 24, 2019). The last day of the 2018-2019 fund year for the NDBEDP is June 30, 2019. *See 2018-2019 Allocations for the National Deaf-Blind Equipment Distribution Program*, Public Notice, 33 FCC Rcd 6327 (CGB 2018).

<sup>4</sup> 47 CFR §§ 64.6207(b)(3), 64.6207(e) (explaining that, when a certified program is replaced prior to the expiration of its certification period, the successor entity's certification will expire on the date that the replaced entity's certification would have expired).

NDBEDP. All certified programs must comply with the Commission's NDBEDP rules.<sup>5</sup> We encourage each applicant to become familiar with the complete requirements for program participation and the rules governing the NDBEDP before submitting its application.<sup>6</sup>

**BACKGROUND:** For Kentucky and for Illinois, the Commission will certify a single program as the sole entity authorized to receive reimbursement from the TRS Fund for NDBEDP activities in that state.<sup>7</sup> Each certified program will have full responsibility for distributing equipment and providing related services (e.g., outreach, assessments, installation, and training) in that state, either directly or through collaboration, partnership, or contract with other individuals or entities in-state or out-of-state, including other NDBEDP certified programs.<sup>8</sup> The entities selected for certification for Kentucky and Illinois will be reimbursed for eligible NDBEDP-related costs that they incur after their selection and for the duration of their certifications.<sup>9</sup>

**WHO MAY APPLY?** Any public or private entity may apply to the Commission for certification to participate in the NDBEDP and receive reimbursement for NDBEDP activities from the TRS Fund.<sup>10</sup> For example, equipment distribution programs, vocational rehabilitation programs, assistive technology programs, schools for the deaf, blind, or deaf-blind, organizational affiliates, independent living centers, or private educational facilities, may apply.<sup>11</sup> Entities based within or outside a state may apply for certification to administer any NDBEDP state program.<sup>12</sup>

**FILING AN APPLICATION:** There is no application form, fee, or specified format that must be used to apply for NDBEDP certification. However, applications must contain sufficient detail to demonstrate the applicant's ability to meet all criteria required for certification and must commit to comply with all Commission requirements governing the NDBEDP.<sup>13</sup> The Commission will review applications and will determine whether to grant certification based on the ability of an entity to meet the following qualifications, either directly or in coordination with other programs or entities, as evidenced in the application and any supplemental materials:<sup>14</sup>

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<sup>5</sup> 47 CFR §§ 64.6201-64.6219.

<sup>6</sup> *Id.*; see also *NDBEDP Permanent Program Order*, 31 FCC Rcd 9178.

<sup>7</sup> 47 CFR § 64.6207.

<sup>8</sup> *Id.*

<sup>9</sup> 47 CFR § 64.6213 (setting forth the reimbursement process and requirements). The certification period will end June 30, 2022, unless the certification is relinquished, suspended, revoked, or renewed. See 47 CFR § 64.6207(e), (g)-(h).

<sup>10</sup> 47 CFR § 64.6207(a).

<sup>11</sup> *Id.*

<sup>12</sup> *NDBEDP Permanent Program Order*, 31 FCC Rcd at 9191, para. 25. For example, an out-of-state entity that works with in-state partners to provide services may function well in states that lack sufficient resources. When making its certification selections, CGB will consider the benefits that a local entity can bring to its state's residents, such as through established relationships with state networks and the ability to meet consumers' needs as they arise, especially when weighing the merits of equally qualified applicants. *Id.*, 31 FCC Rcd at 9191, para. 26.

<sup>13</sup> 47 CFR § 64.6207(c); see also *NDBEDP Permanent Program Order*, 31 FCC Rcd at 9187-91, paras. 17-27.

<sup>14</sup> 47 CFR § 64.6207(c)(1)-(7). Applicants may also include letters of recommendation from members of the deaf-blind community in their state, experts, or others with direct knowledge of the applicants' capabilities and qualifications.

- Expertise in the field of deaf-blindness, including familiarity with the culture and etiquette of individuals who are deaf-blind.<sup>15</sup>
- The ability to communicate effectively with individuals who are deaf-blind (for training and other purposes), by, among other things, using sign language, providing materials in Braille, ensuring that information made available online is accessible, and using other assistive technologies and methods to achieve effective communication.
- Administrative and financial management experience needed to effectively operate a state's NDBEDP program.<sup>16</sup>
- Staffing and facilities sufficient to administer the program, including the ability to distribute equipment and provide related services to low-income individuals who are deaf-blind throughout the state, including those living in remote areas.
- Experience with the distribution of specialized customer premises equipment, especially to individuals who are deaf-blind.
- Experience in training consumers on how to use the equipment and how to set up the equipment for its effective use.
- Familiarity with telecommunications service, Internet access service, and advanced communications services.

In addition to the qualifications listed above, an applicant for certification must disclose in its application any relationship, arrangement, or agreement with a manufacturer or provider of equipment or related services that poses an actual or potential conflict of interest, as well as the steps the applicant will take to eliminate such actual or potential conflict or to minimize the associated risks.<sup>17</sup> If an applicant for certification learns of a potential or actual conflict while its application is pending, it must immediately disclose such conflict to the Commission.<sup>18</sup>

Applications should be submitted electronically to [NDBEDP@fcc.gov](mailto:NDBEDP@fcc.gov). If electronic filing is not available, applications may be mailed to the following address:

NDBEDP Administrator  
Disability Rights Office  
Consumer and Governmental Affairs Bureau  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW  
Washington, DC 20554

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<sup>15</sup> The Commission defines the phrase “expertise in the field of deaf-blindness, including familiarity with the culture and etiquette of people who are deaf-blind” to include expertise regarding the language and communication needs of individuals who are deaf-blind. *NDBEDP Permanent Program Order*, 31 FCC Rcd at 9187, n.53.

<sup>16</sup> For example, applicants should have experience and expertise in managing programmatic funds, recordkeeping, and generally accepted accounting principles. *Id.*, 31 FCC Rcd at 9189, para. 22. Applicants should also have the financial resources and the administrative experience to support the equipment purchase, control, and inventory processes, the reimbursement process, and the annual audit. *See id.*, 31 FCC Rcd at 9189-90, n.73.

<sup>17</sup> 47 CFR § 64.6207(d)(1); *see also NDBEDP Permanent Program Order*, 31 FCC Rcd at 9190, paras. 23-24. The Commission may reject an application for NDBEDP certification, or may require an applicant, as a condition of certification, to take additional steps to eliminate, or to minimize the risks associated with, an actual or potential conflict of interest, if relationships, arrangements, or agreements affecting the applicant are likely to impede its objectivity in the distribution of equipment or its ability to comply with NDBEDP requirements. 47 CFR § 64.6207(d)(1).

<sup>18</sup> 47 CFR § 64.6207(d)(1).

**ACCESSIBLE FORMATS:** 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 and Governmental Affairs Bureau at 202-418-0530 (voice) or 202-418-0432 (TTY).

**FOR FURTHER INFORMATION:** Contact Jackie Ellington, Disability Rights Office, Consumer and Governmental Affairs Bureau, at 202-418-1153 or [Jackie.Ellington@fcc.gov](mailto:Jackie.Ellington@fcc.gov); or Rosaline Crawford, Disability Rights Office, Consumer and Governmental Affairs Bureau, at 202-418-2075 or [Rosaline.Crawford@fcc.gov](mailto:Rosaline.Crawford@fcc.gov).

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