

STATEMENT OF COMMISSIONER ROBERT M. MCDOWELL

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

Our Consumer and Governmental Affairs Bureau has made great strides under the leadership of Chairman Martin to improve the availability and choices of important services that allow individuals with hearing and speech disabilities to obtain “functionally equivalent” communications services. I support this Order as an important first step toward comprehensive review of the Telecommunications Relay Services (TRS) rate-setting process and the ultimate establishment of clear, rational rules that allow providers to recover the reasonable costs caused by TRS, as was envisioned by Congress when it created TRS in Title IV of the Americans with Disabilities Act of 1990.¹

The goal of comprehensive reform of the TRS compensation rules cannot simply be eliminating economic uncertainty for providers seeking to provide TRS. We must balance the need for economic certainty with our obligation to see that rates are set and funds dispersed in a responsible manner, and that a program under which a provider is entitled only to cost recovery doesn’t fall prey to waste, fraud, or abuse. The need for such balance is of particular concern when the costs of a government program increase dramatically, as those of the TRS program have.² Hopefully, at the end of the day, we find that the growth in the program comes from increasing and improving services to those with hearing and speech disabilities, rather than from waste or misuse. Requiring a more transparent process will help us to make that determination.

I thank Monica Desai and the staff of the Consumer and Governmental Affairs Bureau for all their hard work on these issues. I look forward to working with my colleagues, bureau staff, the TRS Advisory Committee, TRS providers and users, and consumer groups who support the TRS fund as we address these issues so critical to providing access to functionally equivalent communications services for Americans with hearing and speech disabilities.

¹ See 47 U.S.C. § 225.

² See [Relay Services’ Reimbursement Rate, Contribution Factor & Fund Size History](http://www.neca.org) at www.neca.org, tracking TRS fund growth from roughly \$40 million in 1999 to more than \$440 million in 2005.