



NEWS

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

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

This is an unofficial announcement of Commission action. Release of the full text of a Commission order constitutes official action.
See MCI v. FCC. 515 F 2d 385 (D.C. Circ 1974).

For Immediate Release:
February 25, 2010

News Media Contact:
Rosemary Kimball at (202) 418-0511
e-mail: rosemary.kimball@fcc.gov

FCC REAFFIRMS RULES AND POLICIES OF VIDEO RELAY SERVICE

Washington, D.C. -- Today, as a step toward comprehensive reform of Video Relay Service (VRS), the Commission's Consumer and Governmental Affairs Bureau issued a Declaratory Ruling to reaffirm the FCC's rules and policies concerning VRS reimbursement and calling practices, and maximize efficiency and effectiveness of this program to ensure that the communications needs of deaf and hard-of-hearing consumers are met.

Bureau Chief Joel Gurin said: "Today's action is a first step in fixing a system that is broken. It is essential to keep VRS on a sound footing. Consumers who are deaf or hard of hearing have come to rely on VRS as a service that lets them communicate easily, fluently, and expressively. The Telecommunications Relay Service Fund was established to support exactly that kind of communication. But the Fund can't be used to support practices that are designed only to increase payments to VRS providers, rather than providing a necessary service for people who need it. We're taking a strong first step today to stop these practices and ensure that the Fund is always used to benefit the deaf and hard-of-hearing consumers it was designed to help."

VRS is a form of Telecommunications Relay Service (TRS) that enables deaf and hard-of-hearing persons who use American Sign Language (ASL) to communicate with voice telephone users through video equipment, rather than through typed text. Video equipment links the VRS user with an operator who understands ASL and can serve as an intermediary between a person using ASL and a hearing person using his or her voice. Because the conversation between the VRS user and the operator flows much more quickly than with a text-based TRS call, VRS has become an enormously popular form of TRS.

Today's action emphasized that VRS calls made or arranged to generate per-minute fees for the providers are not and have never been compensable from the TRS Fund, which funds all forms of relay service. This includes a number of calls initiated by or on behalf of VRS providers, including calls made to podcasts or recorded messages.

In the Declaratory Ruling, the Bureau addressed three specific reimbursement and calling practices. Specifically, the Bureau emphasized that:

- Calls made by or to employees of VRS providers and their subcontractors are not eligible for compensation from the TRS Fund on a per-minute basis. Instead, costs of these calls are compensable as a business expense – and only if the VRS provider can demonstrate that they are legitimate business calls. In the past, some providers sought compensation for these costs twice, both at the per-minute rate and as business expenses submitted to the Fund administrator. Today’s ruling emphasizes that these costs are compensable only as business expenses, that the expenses must be justified, and that the costs cannot be recovered twice.
- VRS Voice Carry Over (or VCO) is a service that allows a person who is deaf or hard of hearing to use his or her own voice to speak to a hearing party on a VRS call. The VRS operator will then translate the hearing person’s response into ASL for the deaf person on the call. It is possible to abuse VCO to make free long distance calls between two people using their voices. Today’s ruling states that such calls cannot be paid for by the Fund.
- VRS calls that both originate *and* terminate outside of the United States are not compensable from the Fund.

Action by the Chief, Consumer and Governmental Affairs Bureau, February 25, 2010 by Declaratory Ruling (DA 10-314).

- FCC -

CG Docket No. 10-51

CGB Contact: Greg Hlibok at (202) 559-5158 (voice/videophone);
e-mail gregory.hlibok@fcc.gov