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1ST DISTRICT, WASHINGTON



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GLOBAL WARMING

Congress of the United States  
House of Representatives  
Washington, DC 20515-4701

November 19, 2009

Julius Genachowski  
Chair, Federal Communications Commission  
445 12th Street SW  
Washington, DC 20554

Dear Mr. Genachowski:

It has come to my attention that a major media outlet has stated its intent to shortly release a news story likely critical of the conduct of several video relay companies.

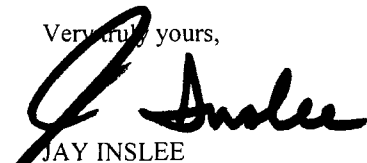
I understand that the FCC will appropriately decline to discuss ongoing investigations regarding the conduct of some video relay companies, but I have concerns that this story may impede the continued access to important telecommunications services for millions of Americans who are deaf, hard of hearing, or have a speech impairment. It is my hope that the FCC will work to highlight the benefits of appropriate use of telecommunications relay services, and the Americans with Disabilities Act (ADA) requirement that relay calls are not to be discriminated against.

As you are aware, in the past, relay consumers experienced impediments to telecommunications access when relay services received negative publicity in the media. In the absence of FCC action, relay consumers found themselves unable to communicate with their banks and other businesses and service providers as policies were inappropriately implemented encouraging the rejection of relay calls due to exaggerated concerns that any such calls were likely fraudulent. Consequently, many consumers found the significant improvements in telecommunications access they had just begun to gain were regressing—a harmful situation that required significant effort, including ADA complaints and a lawsuit, to undo.

While I wholeheartedly believe that relay services must not be abused, video relay services serve an essential consumer need and enable millions of Americans to enjoy telecommunications equality which would otherwise be unavailable to them.

I recognize that there are problems with the current system, largely as a result of the actions of a few relay providers. To avoid situations in the future where poor conduct by some relay providers reflect negatively on all providers and by extension impede telecommunications access for their consumers, I am working on legislative solutions to strengthen oversight of the telecommunications relay industry. In the meantime, I urge the FCC to protect access to relay services both through education of their benefits and regulation of those who abuse these services. I also urge the FCC to discourage any attempt to reject relay calls or otherwise impede the access of Americans who are deaf, hard of hearing, or have speech impediments, to these services by making it clear that it is against a federal law, the ADA, to decline to accept relay calls. I look forward to working with you on this issue.

Very truly yours,

  
JAY INSLEE  
Member of Congress

cc: Cathy Seidel, Chief, Consumer & Government Affairs Bureau  
cc: Tom Chandler, Chief, Disability Rights Office  
cc: Greg Hlibok, Disability Rights Office  
cc: Terri Glaze, Director, Office of Legislative Affairs  
cc: Jim Balaguer, Office of Legislative Affairs

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