

STATEMENT OF COMMISSIONER AJIT PAI

Re: *Transition from TTY to Real-Time Text Technology*, Notice of Proposed Rulemaking, CG Docket No. 16-145; *Petition for Rulemaking to Update the Commission's Rules for Access to Support the Transition from TTY to Real-Time Text Technology*, and *Petition for Waiver of Rules Requiring Support of TTY Technology*, GN Docket No. 15-178

Last week, I had the privilege of visiting Gallaudet University. There, I met with Dr. Christian Vogler, the Director of Gallaudet's Technology Access Program, as well as Research Associate Paula Tucker and Senior Research Engineer Norman Williams. They educated me about the innovative work being done to ensure that communications technologies meet the needs of people with hearing and speech disabilities.

In particular, Dr. Vogler described the research his team has been doing on how real-time text (RTT) is improving the lives of people with disabilities. We even saw some of that technology for ourselves when Dr. Vogler and I had a conversation using RTT. One real advantage of RTT is that text is transmitted instantaneously. Unlike TTY, SMS, or other legacy messaging services, you don't need to type out an entire message with RTT and then press "send" or use an intermediary to communicate. Dr. Vogler explained that this allows for a more natural conversation, since you can see and anticipate what the other person is trying to communicate. It also lets you communicate much more quickly and efficiently than you can with those other messaging services. This is particularly important when it comes to public safety, since 911 exchanges that would take minutes using a legacy technology can be completed in seconds using RTT.

RTT has other benefits as well. It is based on the Internet Protocol, or IP, which means it is a highly adaptable digital technology. It is interoperable across networks and devices, which means that consumers do not need to find or, in some cases, purchase specialized equipment. And it is far more reliable than legacy offerings, which means those who use it can have comfort that it'll work in a moment of need.

Based on my meeting at Gallaudet, the Technology Access Program's meticulous December 2015 technical report on RTT, and other record evidence, I believe RTT represents a significant step forward over legacy technologies, such as TTY.

But as is too often the case, regulation has not kept pace with technological change. An issue I've stressed during my time at the Commission is the need to embrace the IP Transition—to update the FCC's regulations to recognize and encourage the migration from legacy technologies to new ones.

That need is acute in this context. For despite the many benefits of RTT, our rules still require carriers to support antiquated TTY technology. This harms consumers who want to use advanced IP-based offerings, such as Wi-Fi calling or Voice over LTE (VoLTE). That's because TTY does not work—or does not work very well—on IP-based networks. As a result, our TTY requirement has slowed down the deployment of next-generation IP-based offerings. Thankfully, today's *Notice of Proposed Rulemaking (Notice)* proposes to eliminate the TTY requirement, which will bring us closer to an all-IP world. So the *Notice* has my support, and I will be voting to approve.

I am also pleased that the FCC takes a far different approach to text-to-911 than it did just a short while ago. In 2014, I dissented from the Commission's decision to impose a text-to-911 requirement based on fading SMS technology. I noted that "SMS has inherent limitations that, for 911 purposes,

render it inappropriate for use as anything other than an interim, stop-gap measure.”¹ I pointed out that “SMS messages can be delayed, lost, or delivered out of sequence.”² I also pointed out that adopting an SMS-based requirement would take us ““off the path to NG911”” by diverting resources that could otherwise be devoted to IP-based offerings, including reliable, real-time text.³ I thus urged my colleagues to focus instead on “allow[ing] all consumers, including those with speech or hearing disabilities, to have reliable, real-time text communication with emergency responders.”⁴

My views did not carry the day back then, but I’m glad that they are reflected in this rulemaking. The *Notice* acknowledges what it describes as “major concerns” with SMS-based text messaging. It tentatively concludes that RTT will be a more reliable solution for emergency communications. It also recognizes the view that RTT can have a broader and beneficial impact on the NG911 transition. We are finally moving in the right direction on these issues, and I hope that we’re able to finish our work with dispatch for the benefit of all Americans with hearing and speech disabilities.

¹ *Facilitating the Deployment of Text-to-911 and Other Next Generation 911 Applications*, PS Docket No. 11-153, Second Report and Order and Third Further Notice of Proposed Rulemaking, 29 FCC Rcd 9846, 9945 (2014) (Dissenting Statement of Commissioner Ajit Pai).

² *Id.*

³ *Id.* at 9946.

⁴ *Id.* at 9945.