

**STATEMENT OF  
COMMISSIONER JESSICA ROSENWORCEL,  
CONCURRING**

Re: *Misuse of Internet Protocol (IP) Captioned Telephone Service*, CG Docket No. 13-24; *Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities*, CG Docket No. 03-123; *Structure and Practices of the Video Relay Service Program*, CG Docket No. 10-51

Functional equivalency is a clunky phrase. But as a concept, it has elegant force. That's because it is the foundation of communications policy under the Americans with Disabilities Act. For more than thirty years, the policies that honor this phrase have made it possible for millions of Americans with hearing and speech impairments to have the right and ability to communicate, connect, and participate more fully in the world.

Among the services that is designed to provide functional equivalency is Internet Protocol Captioned Telephone Service, or IP CTS. It allows those with some residual hearing to use their own voice to speak during a call but then read captions on their device when the other participant in the call responds. This means that people with hearing loss can do the things that so many of us take for granted—picking up the phone and seeking emergency help; securing a job; making a doctor's appointment; following up with a child's teacher; and keeping up with family and friends.

It was two years ago when the Federal Communications Commission last updated its policies for IP CTS. Today the FCC continues this effort, reducing rates and proposing new service quality standards. Programs like IP CTS do not thrive without continuous review and care, so our attention is warranted. But our decision today has some shortcomings. It goes on at length about reducing compensation and aligning service with costs. This is important. But it is vital to remember—as I fear this does not—that the governing principle here is functional equivalency. Likewise, it is problematic that we are still working on service quality standards for new IP CTS services well after making them eligible for funding. If functional equivalency is the requirement, logic suggests those should have been in place before we allowed funds to flow.

I hope going forward we fix these things. This program is critical for those who are hard-of-hearing and rely on it. That is especially true during this pandemic, when IP CTS usage is clearly up. So I appreciate that my colleagues, at Commissioner Starks' request, agreed to extend many of our pandemic-related waivers for telecommunications relay services, including IP CTS. But because I think we have to do more to honor the law and spirit of functional equivalency, I choose to concur.