

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
)	
Telecommunications Relay Services and Speech-)	CG Docket No. 03-123
to-Speech Services for Individuals with Hearing)	
and Speech Disabilities)	
)	
T-Mobile Accessibility Petition for Rulemaking)	RM-11931
to Amend 47 CFR § 64.604(b)(1) to Eliminate the)	
Requirement that TTY-Based Relay Service be)	
Capable of Communicating with ASCII Format)	

NOTICE OF PROPOSED RULEMAKING

Adopted: June 26, 2025

Released: June 27, 2025

Comment Date: (30 days after date of publication in the Federal Register)

Reply Comment Date: (45 days after date of publication in the Federal Register)

By the Commission: Chairman Carr and Commissioner Trusty issuing separate statements.

I. INTRODUCTION

1. We propose to amend the Federal Communication Commission’s (Commission) rules to delete the requirement that traditional, TTY-based telecommunications relay services (TRS) be capable of communicating in ASCII format.¹ Once deemed “a superior technology” for TTY transmission,² the ASCII format is rarely used today. The current rules require TRS providers to maintain costly ASCII compatible hardware and software systems, costs that are passed on to the TRS Fund. Removing the ASCII requirement will reduce costs, eliminate an outdated regulatory requirement, and update our standards for TTY-based TRS to be more consistent with current usage of this relay service.

¹ See 47 CFR § 64.604(b)(1) (requiring that “TTY-based relay service shall be capable of communicating with ASCII and Baudot format, at any speed generally in use”). “TTY” is an acronym for “text telephone,” a device that enables text communication on analog voice telephone networks. See *id.* § 64.601(a)(49). The text telephone was initially developed by adapting a teletypewriter (a device formerly used to send and receive telegrams, news service dispatches, and other text communications over analog networks). See generally Karen Peltz Strauss, *A New Civil Right: Telecommunications Equality for Deaf and Hard of Hearing Americans* 7-8 (2006). “ASCII” is an acronym for American Standard Code for Information Interchange. ASCII “employs an eight bit code and can operate at any standard transmission baud rate including 300, 1200, 2400, and higher.” 47 CFR § 64.601(a)(7). Baudot is a seven bit code that operates at a baud rate of 45.5. *Id.* § 64.601(a)(9). The two formats are not compatible with each other.

² See *Telecommunications Services for Individuals with Hearing and Speech Disabilities, and the Americans with Disabilities Act of 1990*, Report and Order and Request for Comments, 6 FCC Rcd 4657, 4661, para. 20 (1991) (1991 TRS Order).

II. BACKGROUND

2. Title IV of the Americans with Disabilities Act of 1990 (ADA), codified at section 225 of the Communications Act,³ as amended, requires the Commission to ensure that TRS is available, “to the extent possible and in the most efficient manner,” to enable people with hearing or speech disabilities to communicate with other telephone users in a manner that is functionally equivalent to voice communication service.⁴ In accordance with this directive, the Commission has adopted mandatory minimum standards for TRS.

3. Before 2000, relay services were limited to converting voice communication to text, and vice versa, and were provided via analog telephone networks, with the text being transmitted using a TTY or TTY-compatible device.⁵ To make a traditional TRS call, a TTY user calls a TRS relay center and types the number of the person he or she wishes to call. A Communications Assistant (CA) at the relay center then makes a voice telephone call to the other party to the call, and relays the call back and forth between the parties by speaking what a text user types, and typing what a voice telephone user speaks.⁶

4. TTYs generally use the Baudot coding format,⁷ and today almost all TTY conversation is transmitted in Baudot.⁸ When the initial rules for TRS were being adopted, however, the ASCII format was widely used to transmit data and text between personal computers over the telephone network, and there was reason to believe that ASCII eventually would supplant Baudot as the preferred format for TTY-based TRS.⁹ To ensure that TTY users could access relay services using any text telephone or personal computer, the Commission required that TRS be able to transmit in both ASCII and Baudot, at any speed generally in use.¹⁰

5. Later, to accommodate advances in communications technology, the Commission recognized other forms of TRS as eligible for compensation from the TRS Fund, including Internet Protocol-based TRS (Internet-based TRS).¹¹ Because Baudot and ASCII are not used on the Internet, the rule requiring use of those formats was not applied to Internet-based TRS.¹²

³ See Americans with Disabilities Act, Pub. L. No. 101-336, § 401, 104 Stat. 327, 336-69 (1990); 47 U.S.C. § 225.

⁴ 47 U.S.C. § 225(a)(3), (b)(1).

⁵ *Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities*, Report and Order, 15 FCC Rcd 5140, 5142, para. 2 (2000) (*2000 TRS Order*). See 47 CFR § 64.601(a)(49).

⁶ *2000 TRS Order*, 15 FCC Rcd at 5142, para. 2.

⁷ See *1991 TRS Order*, 6 FCC Rcd at 4661, para. 20.

⁸ See Gallaudet University Technology Access Program, <https://tap.gallaudet.edu/Text/faq1.html> (last visited October 21, 2024).

⁹ See *1991 TRS Order*, 6 FCC Rcd at 4661, para. 20.

¹⁰ *Id.*; 47 CFR § 64.601(b)(1).

¹¹ See *Telecommunications Relay Services and Speech-to-Speech for Individuals with Hearing and Speech Disabilities; Waivers of iTRS Mandatory Minimum Standards*, Report and Order, Order, Declaratory Ruling, and Further Notice of Proposed Rulemaking, 29 FCC Rcd 10697, 10700-01, para. 4 (2014) (*2014 TRS Exemptions Order*). Internet-based relay services include Internet Protocol Captioned Telephone Service (IP CTS), Internet Protocol Relay Service (IP Relay), and Video Relay Service (VRS).

¹² *Id.* at 10701, para. 5. The rule also has not been applied to analog Captioned Telephone Service (CTS) and Speech-to-Speech Service (STS), as the ASCII and Baudot formats were not needed for those services either. *Id.* The *2014 TRS Exemptions Order* amended the Commission’s rules to codify previously granted waivers of certain minimum TRS standards for the newer forms of TRS, including waivers of the requirement to use ASCII and Baudot.

6. On August 24, 2022, T-Mobile Accessibility (T-Mobile) filed a Petition for Rulemaking asking the Commission to initiate a rulemaking to further amend section 64.604(b)(1) of the Commission's rules by eliminating the reference to ASCII, on the grounds that ASCII is an obsolete and infrequently used format.¹³ T-Mobile states that ASCII-based TTY calls have represented "a tiny fraction of T-Mobile Accessibility's overall TRS call minutes" over the past several years.¹⁴ In addition, T-Mobile notes that meeting its ASCII obligations requires it to incur hardware costs and expend resources it would otherwise be able to direct elsewhere.¹⁵ Finally, the Petition states that continuing to comply with the ASCII requirement makes it more difficult for T-Mobile to upgrade its network and implement service enhancements.¹⁶ The Commission sought comment on the T-Mobile Accessibility Petition. Hamilton Relay Inc. (Hamilton)—the only other provider of nationwide TTY service—supports the Petition, and a coalition of accessibility advocacy and research organizations (AARO) agrees that there is no compelling reason to retain the ASCII requirement.¹⁷

7. On November 22, 2024, the Consumer and Governmental Affairs Bureau (Bureau) granted T-Mobile and Hamilton conditional waivers of the Commission's rule requiring providers of TTY-based TRS to offer a service capable of communicating with devices using ASCII format.¹⁸ The Bureau waived the rule for two years or until the Commission addresses T-Mobile's request to amend section 64.604(b)(1) and eliminate the ASCII compliance requirement, whichever is earlier.¹⁹

III. NOTICE OF PROPOSED RULEMAKING

8. We propose to delete the requirement, codified in section 64.604(b)(1) of the Commission's rules, that TTY-based relay services support the ASCII format. The record indicates that the amount of usage of TTY-based TRS in the ASCII format is exceedingly small. For example, over a three-month period (April through June 2022), T-Mobile reports that it handled only 60 total minutes of ASCII TRS calls, and no more than five users placed ASCII calls in any month.²⁰ Hamilton, the only other provider of TTY-based TRS, claims similarly low ASCII usage, reporting "single-digit" usage rates

¹³ See T-Mobile Accessibility Petition for Rulemaking to amend 47 C.F.R. § 64.604(b)(1) to Eliminate the Requirement that TTY-Based Relay Service Be Capable of Communicating with ASCII Format, CG Docket No. 03-123 (filed Aug. 24, 2022), <https://www.fcc.gov/ecfs/search/search-filings/filing/108241016422142> (T-Mobile Petition).

¹⁴ *Id.* at 4.

¹⁵ *Id.* at 6.

¹⁶ *Id.* at 7.

¹⁷ See Comments of Hamilton Relay, Inc. (Hamilton), CG Docket No. 03-123, RM-11931 (filed Oct. 24, 2022) (Hamilton Comments); Reply Comments of Accessibility Advocacy and Research Organizations, CG Docket Nos. 03-123, 16-145, GN Docket Nos. 15-178, 21-140, RM-11931 (filed Nov. 8, 2022) (AARO Reply Comments). For purposes of this proceeding, AARO includes Telecommunications for the Deaf and Hard of Hearing, Inc. (TDI), Communications Service for the Deaf (CSD), Hearing Loss Association of America (HLAA), and National Association of the Deaf (NAD). AARO's Reply Comments also sought to address the transition from TTY to Real-Time Text (RTT) services. Because that issue is the subject of a pending rulemaking, it will not be addressed here. See *Transition from TTY to Real-Time Text Technology*; *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 the Rules Requiring Support for TTY Technology*, CG Docket No. 16-145, GN Docket No. 15-178, Report and Order and Further Notice of Proposed Rulemaking 31 FCC Rcd 13568 (2016).

¹⁸ See *Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities*; *T-Mobile Accessibility Petition for Rulemaking*, CG Docket No. 03-123, RM-11931, Order, DA 24-1180 (CGB Nov. 22, 2024) (2024 ASCII Waiver Order).

¹⁹ *Id.*, para. 1.

²⁰ T-Mobile Petition at 4-5. These figures do not include "test calls" made using ASCII format.

for the same three months.²¹ Based on these reports, it appears that total ASCII usage of TTY-based TRS did not exceed 87 minutes in April-June 2022,²² or approximately 0.01% of total TTY-based TRS minutes for that period.²³ Consistent with this estimate, AARO comments that there is only “limited interest in ASCII” among its members.²⁴

9. There also does not appear to be any prospect of a resurgence in usage of ASCII. According to T-Mobile, there are no new ASCII-compatible TTY devices currently available in the market.²⁵ Further, there is evidence that the ASCII requirement imposes costs on TRS providers and hinders them from implementing service enhancements.²⁶

10. Therefore, we tentatively conclude that the objective of section 225—to make TRS available to the extent possible, and in the most efficient manner—is no longer served by requiring that TTY-based TRS be capable of communicating in the ASCII format. We seek comment on our proposal and this tentative conclusion.

11. In addition, as a housekeeping matter, we propose to delete the second sentence of section 64.604(b)(1), which states that “[o]ther forms of TRS are not subject to this requirement.” Because the first sentence of the provision already makes clear that the ASCII-Baudot rule applies only to TTY-based TRS, the second sentence is unnecessary surplusage. We seek comment on this proposed housekeeping edit, reflected below in Appendix A.

A. Benefits and Costs

12. We also seek comment on the specific costs and benefits of our proposal and any alternatives suggested by commenters.

13. *Benefits.* The record indicates that eliminating this requirement, so that providers of TTY-based TRS need only support the Baudot format, would reduce providers’ hardware costs.²⁷ We seek comment on the amount of hardware costs that would be saved by eliminating the ASCII requirement. In addition, T-Mobile states that complying with the ASCII requirement makes it more difficult for T-Mobile to upgrade its network and implement service enhancements.²⁸ We seek comment on the amount of cost savings associated with network upgrades that would flow from this policy change.²⁹

²¹ Hamilton Comments at 2.

²² Based on its claim of “single-digit” usage rates in each month, it appears that Hamilton’s total ASCII minutes for the three-month period did not exceed 27 minutes, while T-Mobile reports 60 ASCII minutes.

²³ It can be reasonably estimated that there were approximately 971,300 total minutes of TTY-based TRS in April-June 2022. For the three-month period of April-June 2022, *intrastate* minutes were approximately 665,600. *See* 2023 TRS Fund Report, Exh. 1-1 (showing that total intrastate TTY minutes for the *12 months* of calendar year 2022 were 2,662,487). *Interstate* minutes for April-June 2022 were approximately 305,700. *See* 2022 TRS Fund Report, Exh. 2 (projecting 203,799 interstate TTY minutes for the *two-month* period of May-June 2022).

²⁴ AARO Reply Comments at 2.

²⁵ T-Mobile Waiver Request at 7.

²⁶ T-Mobile Petition at 6-7; *see also* T-Mobile Waiver Request at 5-6 (confidential).

²⁷ T-Mobile Petition at 6.

²⁸ *Id.* at 7.

²⁹ Alternatively, given that the ASCII requirement is currently waived, commenters may provide estimates of the hardware and network upgrade costs that would be imposed if the waiver were to expire with no change in the applicable rule.

14. *Costs.* Are there any remaining benefits from the availability of TRS in the ASCII format that could justify the cost of maintaining ASCII capability, notwithstanding the extremely low usage of that format? Is there an identifiable number of consumers who continue to use TTY-based TRS in the ASCII format?³⁰ If so, why are these consumers still using that format, rather than alternatives such as Baudot-format TRS, real-time text (RTT), IP Relay,³¹ or VRS?

15. What are the costs and burdens to any consumers who still need to transition from the ASCII format to an alternative? T-Mobile and Hamilton both state that migrating their remaining ASCII users to alternative options would be “seamless,” “straightforward,” and have “minimal impact on users.”³² What steps could be taken to mitigate or otherwise limit the costs and burdens to ASCII-users in transitioning to an alternative format or service? Should the Commission encourage TRS providers to provide affected consumers with advance notice and information about other options for continuing access to TTY services?

16. We also note that two of the three alternative relay services mentioned above, VRS and IP Relay, are Internet-based services, preventing migration to those services by current users of TTY-based TRS in the ASCII format that may not yet have access to broadband services. For such consumers, continuing to use TTY-based service, while switching to the Baudot format, may be the most viable option. We seek comment on the cost to a consumer of switching from ASCII to Baudot format. Specifically, are consumers that currently use the ASCII format likely to have devices with a Baudot setting, or would they need to purchase a Baudot-compatible device, and if the latter, what is the average cost of such devices? For those TRS users living in states with equipment distribution programs that include TTY devices, should we require TRS providers terminating support for the ASCII format to provide information on the program and how to apply? Or, to avoid imposing an undue burden on any TTY user, should we require the TRS provider to offer to make available a Baudot-format TTY at its own expense and without cost to the user? Given how few ASCII-format TTY users there are, would the cost of such a requirement be minimal for the TRS provider? How would this potential one time cost to transition customers compare to the longer term savings associated with retiring obsolete hardware and software?

17. With the information currently available, we tentatively conclude that the cost savings for TTY service providers outweigh any costs that would be incurred if a small number of ASCII-based TTY users still need to transition to an alternative service. We seek comment on this tentative conclusion. Comments should be accompanied by data and analysis supporting claimed costs and benefits.

IV. PROCEDURAL MATTERS

18. *Paperwork Reduction Act.* The *Notice* contains proposed new and modified information collection requirements. The Commission, as part of its continuing effort to reduce paperwork burdens, invites the general public and the Office of Management and Budget (OMB) to comment on the information collection requirements contained in this document, as required by the Paperwork Reduction Act of 1995.³³ In addition, pursuant to the Small Business Paperwork Relief Act of 2002, we seek

³⁰ The record indicates that the number of consumers using ASCII format TRS is very small. *See supra* para. 8. As a result of the waiver granted in November 2024, the number of ASCII-format TRS users may now be zero.

³¹ IP Relay is similar to TTY in that it permits people with hearing or speech disabilities to communicate using text. Like TTY, a CA reads the text to the hearing caller, and types the caller’s response to the IP Relay user. However, unlike TTY, an IP Relay call uses an Internet Protocol-enabled device to reach a CA via the Internet. *See 2014 TRS Exemptions Order*, 29 FCC Rcd at 10697, para. 4, n.27. Thus, a consumer wishing to use IP Relay must have broadband Internet access service.

³² *See* T-Mobile Accessibility Petition at 5-6; Hamilton Comments at 2. AARO agrees that “phasing out ASCII will be a relatively simple process.” AARO Reply Comments at 3.

³³ 44 U.S.C. §§ 3501-3520.

specific comment on how we might further reduce the information collection burden for small business concerns with fewer than 25 employees.³⁴

19. *Regulatory Flexibility Act.* The Regulatory Flexibility Act of 1980, as amended (RFA),³⁵ requires that an agency prepare a regulatory flexibility analysis for notice and comment rulemakings, unless the agency certifies that “the rule will not, if promulgated, have a significant economic impact on a substantial number of small entities.”³⁶ Accordingly, the Commission has prepared an Initial Regulatory Flexibility Analysis (IRFA) concerning the possible or potential impact of the rule and policy changes contained in this *Notice*. The IRFA is contained in Appendix B. The Commission invites the general public, in particular small businesses, to comment on the IRFA. Comments must be filed by the deadlines for comments on the *Notice* indicated on the first page of this document and must have a separate and distinct heading designating them as responses to the IRFA.

20. *Providing Accountability Through Transparency Act.* The Providing Accountability Through Transparency Act requires each agency, in providing notice of a rulemaking, to post online a brief plain-language summary of the proposed rule.³⁷ Accordingly, the Commission will publish the required summary of this Notice of Proposed Rulemaking on <https://www.fcc.gov/proposed-rulemakings>.

21. *Comment Filing Procedures.* Pursuant to sections 1.415 and 1.419 of the Commission’s rules, 47 CFR §§ 1.415, 1.419, interested parties may file comments and reply comments on or before the dates indicated on the first page of this document.

- Electronic Filers: Comments may be filed electronically using the Internet by accessing the Commission’s Electronic Comment Filing System (ECFS) at <https://www.fcc.gov/ecfs/>.
- Paper Filers: Parties who choose to file by paper must file an original and one copy of each filing.
 - Filings can be sent by hand or messenger delivery, by commercial courier, or by the U.S. Postal Service. All filings must be addressed to the Secretary, Federal Communications Commission.
 - Hand-delivered or messenger-delivered paper filings for the Commission’s Secretary are accepted between 8:00 a.m. and 4:00 p.m. by the FCC’s mailing contractor at 9050 Junction Drive, Annapolis Junction, MD 20701. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes and boxes must be disposed of before entering the building.
 - Commercial courier deliveries (any deliveries not by the U.S. Postal Service) must be sent to 9050 Junction Drive, Annapolis Junction, MD 20701.
 - Filings sent by U.S. Postal Service First-Class Mail, Priority Mail, and Priority Mail Express must be sent to 45 L Street NE, Washington, DC 20554.

22. *Ex Parte Rules.* The proceeding this Notice initiates shall be treated as a “permit-but-disclose” proceeding in accordance with the Commission’s *ex parte* rules.³⁸ Persons making *ex parte*

³⁴ *Id.* § 3506(c)(4).

³⁵ 5 U.S.C. § 603. The RFA, 5 U.S.C. §§ 601–612, was amended by the Small Business Regulatory Enforcement Fairness Act of 1996 (SBREFA), Pub. L. No. 104-121, Title II, 110 Stat. 857 (1996).

³⁶ 5 U.S.C. § 605(b).

³⁷ *Id.* § 553(b)(4). The Providing Accountability Through Transparency Act, Pub. L. No. 118-9 (2023), amended section 553(b) of the Administrative Procedure Act.

³⁸ 47 CFR § 1.1200 *et seq.*

presentations must file a copy of any written presentation or a memorandum summarizing any oral presentation within two business days after the presentation (unless a different deadline applicable to the Sunshine period applies). Persons making oral *ex parte* presentations are reminded that memoranda summarizing the presentation must (1) list all persons attending or otherwise participating in the meeting at which the *ex parte* presentation was made, and (2) summarize all data presented and arguments made during the presentation. If the presentation consisted in whole or in part of the presentation of data or arguments already reflected in the presenter's written comments, memoranda or other filings in the proceeding, the presenter may provide citations to such data or arguments in his or her prior comments, memoranda, or other filings (specifying the relevant page and/or paragraph numbers where such data or arguments can be found) in lieu of summarizing them in the memorandum. Documents shown or given to Commission staff during *ex parte* meetings are deemed to be written *ex parte* presentations and must be filed consistent with section 1.1206(b). In proceedings governed by section 1.49(f) or for which the Commission has made available a method of electronic filing, written *ex parte* presentations and memoranda summarizing oral *ex parte* presentations, and all attachments thereto, must be filed through the electronic comment filing system available for that proceeding, and must be filed in their native format (e.g., .doc, .xml, .ppt, searchable .pdf). Participants in this proceeding should familiarize themselves with the Commission's *ex parte* rules.

23. *Materials in Accessible Formats.* To request materials in accessible formats for people with disabilities (Braille, large print, electronic files, audio format), send an e-mail to fcc504@fcc.gov or call the Consumer and Governmental Affairs Bureau at 202-418-0530 (voice).

24. *Additional Information.* For additional information on this proceeding, contact Ike Ofobike of the Consumer and Governmental Affairs Bureau, Disability Rights Office, at Ike.Ofobike@fcc.gov or (202) 418-1028.

V. ORDERING CLAUSES

25. Accordingly, **IT IS ORDERED**, pursuant to sections 1, 4(i), 4(j), and 225 of the Communications Act of 1934, as amended, 47 U.S.C. §§ 151, 154(i), 154(j), 225, that this Notice of Proposed Rulemaking is hereby **ADOPTED**.

26. **IT IS FURTHER ORDERED** that, pursuant to applicable procedures set forth in sections 1.415 and 1.419 of the Commission's Rules, 47 CFR §§ 1.415, 1.419, interested parties may file comments on the Notice of Proposed Rulemaking on or before 30 days after publication in the Federal Register, and reply comments on or before 45 days after publication in the Federal Register.

27. **IT IS FURTHER ORDERED** that the Petition for Rulemaking filed by T-Mobile USA, Inc., in the Commission's rulemaking proceeding RM-11931 is GRANTED to the extent specified herein, that RM-11931 is incorporated into this proceeding, CG Docket No. 03-123, and that RM-11931 is TERMINATED.

28. **IT IS FURTHER ORDERED** that the Commission's Office of the Secretary SHALL SEND a copy of this *Notice of Proposed Rulemaking*, including the Initial Regulatory Flexibility Analysis, to the Chief Counsel for Advocacy of the Small Business Administration.

FEDERAL COMMUNICATIONS COMMISSION

Marlene H. Dortch
Secretary

APPENDIX A
Proposed Rules

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The Federal Communications Commission proposes to amend 47 CFR part 64 as follows:

PART 64 – Miscellaneous Rules Relating to Common Carriers

1. The authority citation for part 64 continues to read as follows:

AUTHORITY: 47 U.S.C. §§ 151, 152, 154, 201, 202, 217, 218, 220, 222, 225, 226, 227, 227b, 228, 251(a), 251(e), 254(k), 255, 262, 276, 403(b)(2)(B), (c), 616, 620, 716, 1401-1473, unless otherwise noted; Pub. L. 115-141, Div. P, sec. 503, 132 Stat. 348, 1091; Pub. L. 117-338, 136 Stat. 6156.

2. The authority citation for subpart F continues to read as follows:

Authority: 47 U.S.C. [to be completed prior to publication in the Federal Register], unless otherwise noted.

3. Amend § 64.604 by revising paragraph (b)(1) to read as follows:

(b) Technical Standards —

(1) *Baudot*. TTY-based relay service shall be capable of communicating with ~~ASCH and Baudot~~ format, ~~at any speed generally in use. Other forms of TRS are not subject to this requirement.~~

APPENDIX B

Initial Regulatory Flexibility Analysis

1. As required by the Regulatory Flexibility Act of 1980, as amended (RFA),¹ the Federal Communications Commission (Commission) has prepared this Initial Regulatory Flexibility Analysis (IRFA) of the possible significant economic impact on a substantial number of small entities by the policies and rules proposed in the Notice of Proposed Rulemaking (*Notice*). Written public comments are requested on this IRFA. Comments must be identified as responses to the IRFA, and those comments must be filed by the deadlines in the *Notice*. The Commission will send a copy of the *Notice*, including this IRFA, to the Chief Counsel for Advocacy of the Small Business Administration (SBA).² In addition, the *Notice* and the IRFA (or summaries thereof) will be published in the Federal Register.³

A. Need for, and Objectives of, the Proposed Rules

2. In the *Notice*, the Commission proposes to amend its rules to eliminate the requirement that Text Telephony (TTY) relay service providers offer users the service in the American Standard Code for Information Interexchange (ASCII) format, as it has become an outdated and infrequently used format.⁴ TTY-based telecommunications relay service (TRS) is a text-based relay service. To make a call, a TTY user calls a TRS center and types the number of the person he or she wishes to call. A Communications Assistant (CA) at the relay center then makes a voice telephone call to the other party to the call, and relays the call back and forth between the parties by speaking what a text user types, and typing what a voice telephone user speaks.⁵

3. In addition to the near-obsolescence of the ASCII format, the Commission takes these steps because TTY users also have access to Baudot format,⁶ which is more commonly used. At present, there are only two providers of TTY-based telecommunications relay service, and usage of ASCII-format TTY totaled less than 100 minutes during three months in 2022, with less than 10 users placing calls in any month.⁷ Based on these reports, it appears that total ASCII usage of TTY-based TRS was limited to approximately 0.01% of total TTY-based minutes for that period, while Baudot format TTY would account for the remaining TTY-based minutes.⁸ Furthermore, retaining the requirement to support ASCII-format TTY relay service limits the ability of TTY providers to upgrade and improve their networks for delivery of enhanced services.⁹ Eliminating the ASCII-support requirement will ultimately benefit both TTY users and providers by facilitating network upgrades by providers while TTY users can continue communicating with Baudot-format TTY or other forms of text-based TRS.

¹ See 5 U.S.C. § 603. The RFA, *see id.* §§ 601-612, was amended by the Small Business Regulatory Enforcement Fairness Act of 1996 (SBREFA), Pub. L. No. 104-121, Title II, 110 Stat. 857 (1996).

² See 5 U.S.C. § 603(a).

³ See *id.*

⁴ 47 CFR § 64.604(b)(1). ASCII format “employs an eight bit code and can operate at any standard transmission baud rate including 300, 1200, 2400, and higher.” *Id.* § 64.601(a)(7) (definition of ASCII).

⁵ *Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities*, CC Docket No. 98-67, Report and Order, 15 FCC Rcd 5140, 5142, para. 2 (2000).

⁶ 47 CFR § 64.604(b)(1) (requiring TTY providers to offer the service in both ASCII and Baudot formats). Baudot format is defined as a “seven bit code, only five of which are information bits. Baudot is used by some text telephones to communicate with each other at a 45.5 baud rate.” *Id.* § 64.601(a)(9). Other forms of TRS are not required to offer ASCII or Baudot format. *Id.* § 64.604(b)(1).

⁷ *Notice*, para. 8.

⁸ *Id.*

⁹ *Id.*, para. 9.

B. Legal Basis

4. The authority for this proposed rulemaking is contained in sections 1, (4)(i), (4)(j), and 225 of the Communications Act of 1934, as amended.¹⁰

C. Description and Estimate of the Number of Small Entities Impacted to Which the Proposed Rules will Apply

5. The RFA directs agencies to provide a description of, and where feasible, an estimate of the number of small entities that may be affected by the proposed rules, if adopted.¹¹ The RFA generally defines the term “small entity” as having the same meaning as the terms “small business,” “small organization,” and “small governmental jurisdiction.”¹² In addition, the term “small business” has the same meaning as the term “small business concern” under the Small Business Act.¹³ A “small business concern” is one which: (1) is independently owned and operated; (2) is not dominant in its field of operation; and (3) satisfies any additional criteria established by the SBA.¹⁴

6. If the proposed amendment is adopted, the rule will affect the obligations of providers of TTY relay services. Currently, there are only two providers of TTY relay service: Hamilton Relay, Inc. and T-Mobile US, Inc. These services can be included within the economic categories listed below.

7. *Small Businesses, Small Organizations, Small Governmental Jurisdictions.* Our actions, over time, may affect small entities that are not easily categorized at present. We therefore describe, at the outset, three broad groups of small entities that could be directly affected herein.¹⁵ First, while there are industry specific size standards for small businesses that are used in the regulatory flexibility analysis, according to data from the Small Business Administration’s (SBA) Office of Advocacy, in general a small business is an independent business having fewer than 500 employees.¹⁶ These types of small businesses represent 99.9% of all businesses in the United States, which translates to 33.2 million businesses.¹⁷

8. Next, the type of small entity described as a “small organization” is generally “any not-for-profit enterprise which is independently owned and operated and is not dominant in its field.”¹⁸ The Internal Revenue Service (IRS) uses a revenue benchmark of \$50,000 or less to delineate its annual electronic filing requirements for small exempt organizations.¹⁹ Nationwide, for tax year 2022, there

¹⁰ 47 U.S.C. §§ 151, 154(i), 154(j), 225.

¹¹ 5 U.S.C. § 603(b)(3).

¹² *Id.* § 601(6).

¹³ *Id.* § 601(3) (incorporating by reference the definition of “small-business concern” in the Small Business Act, 15 U.S.C. § 632). Pursuant to 5 U.S.C. § 601(3), the statutory definition of a small business applies “unless an agency, after consultation with the Office of Advocacy of the Small Business Administration and after opportunity for public comment, establishes one or more definitions of such term which are appropriate to the activities of the agency and publishes such definition(s) in the Federal Register.”).

¹⁴ 15 U.S.C. § 632.

¹⁵ 5 U.S.C. § 601(3)-(6).

¹⁶ See SBA, Office of Advocacy, “What’s New With Small Business?,” <https://advocacy.sba.gov/wp-content/uploads/2023/03/Whats-New-Infographic-March-2023-508c.pdf> (Mar. 2023).

¹⁷ *Id.*

¹⁸ 5 U.S.C. § 601(4).

¹⁹ The IRS benchmark is similar to the population of less than 50,000 benchmark in 5 U.S.C § 601(5) that is used to define a small governmental jurisdiction. Therefore, the IRS benchmark has been used to estimate the number of small organizations in this small entity description. See Annual Electronic Filing Requirement for Small Exempt Organizations – Form 990-N (e-Postcard), “Who must file,” <https://www.irs.gov/charities-non-profits/annual->

were approximately 530,109 small exempt organizations in the U.S. reporting revenues of \$50,000 or less according to the registration and tax data for exempt organizations available from the IRS.²⁰

9. Finally, the small entity described as a “small governmental jurisdiction” is defined generally as “governments of cities, counties, towns, townships, villages, school districts, or special districts, with a population of less than fifty thousand.”²¹ U.S. Census Bureau data from the 2022 Census of Governments²² indicate there were 90,837 local governmental jurisdictions consisting of general purpose governments and special purpose governments in the United States.²³ Of this number, there were 36,845 general purpose governments (county,²⁴ municipal, and town or township²⁵) with populations of less than 50,000 and 11,879 special purpose governments (independent school districts²⁶) with enrollment populations of less than 50,000.²⁷ Accordingly, based on the 2022 U.S. Census of Governments data, we estimate that at least 48,724 entities fall into the category of “small governmental jurisdictions.”²⁸

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[electronic-filing-requirement-for-small-exempt-organizations-form-990-n-e-postcard](#). We note that the IRS data does not provide information on whether a small exempt organization is independently owned and operated or dominant in its field.

²⁰ See Exempt Organizations Business Master File Extract (EO BMF), “CSV Files by Region,” <https://www.irs.gov/charities-non-profits/exempt-organizations-business-master-file-extract-eo-bmf>. The IRS Exempt Organization Business Master File (EO BMF) Extract provides information on all registered tax-exempt/non-profit organizations. The data utilized for purposes of this description was extracted from the IRS EO BMF data for businesses for the tax year 2022 with revenue less than or equal to \$50,000 for Region 1-Northeast Area (71,897), Region 2-Mid-Atlantic and Great Lakes Areas (197,296), and Region 3-Gulf Coast and Pacific Coast Areas (260,447) that includes the continental U.S., Alaska, and Hawaii. This data includes information for Puerto Rico (469).

²¹ 5 U.S.C. § 601(5).

²² 13 U.S.C. § 161. The Census of Governments survey is conducted every five (5) years compiling data for years ending with “2” and “7”. See also Census of Governments, <https://www.census.gov/programs-surveys/economic-census/year/2022/about.html>.

²³ See U.S. Census Bureau, 2022 Census of Governments – Organization Table 2. Local Governments by Type and State: 2022 [CG2200ORG02], <https://www.census.gov/data/tables/2022/econ/gus/2022-governments.html>. Local governmental jurisdictions are made up of general purpose governments (county, municipal and town or township) and special purpose governments (special districts and independent school districts). See also tbl.2. CG2200ORG02 Table Notes_Local Governments by Type and State_2022.

²⁴ See *id.* at tbl.5. County Governments by Population-Size Group and State: 2022 [CG2200ORG05], <https://www.census.gov/data/tables/2022/econ/gus/2022-governments.html>. There were 2,097 county governments with populations less than 50,000. This category does not include subcounty (municipal and township) governments.

²⁵ See *id.* at tbl.6. Subcounty General-Purpose Governments by Population-Size Group and State: 2022 [CG2200ORG06], <https://www.census.gov/data/tables/2022/econ/gus/2022-governments.html>. There were 18,693 municipal and 16,055 town and township governments with populations less than 50,000.

²⁶ See *id.* at tbl.10. Elementary and Secondary School Systems by Enrollment-Size Group and State: 2022 [CG2200ORG10], <https://www.census.gov/data/tables/2022/econ/gus/2022-governments.html>. There were 11,879 independent school districts with enrollment populations less than 50,000. See also tbl.4. Special-Purpose Local Governments by State Census Years 1942 to 2022 [CG2200ORG04], CG2200ORG04 Table Notes_Special Purpose Local Governments by State_Census Years 1942 to 2022.

²⁷ While the special purpose governments category also includes local special district governments, the 2022 Census of Governments data does not provide data aggregated based on population size for the special purpose governments category. Therefore, only data from independent school districts is included in the special purpose governments category.

²⁸ This total is derived from the sum of the number of general purpose governments (county, municipal and town or township) with populations of less than 50,000 (36,845) and the number of special purpose governments -

(continued....)

10. *All Other Telecommunications.* This industry is comprised of establishments primarily engaged in providing specialized telecommunications services, such as satellite tracking, communications telemetry, and radar station operation.²⁹ This industry also includes establishments primarily engaged in providing satellite terminal stations and associated facilities connected with one or more terrestrial systems and capable of transmitting telecommunications to, and receiving telecommunications from, satellite systems.³⁰ Providers of Internet services (e.g. dial-up ISPs) or Voice over Internet Protocol (VoIP) services, via client-supplied telecommunications connections are also included in this industry.³¹ The SBA small business size standard for this industry classifies firms with annual receipts of \$35 million or less as small.³² U.S. Census Bureau data for 2017 show that there were 1,079 firms in this industry that operated for the entire year.³³ Of those firms, 1,039 had revenue of less than \$25 million.³⁴ Based on this data, the Commission estimates that the majority of “All Other Telecommunications” firms can be considered small.

D. Description of Projected Reporting, Recordkeeping, and Other Compliance Requirements for Small Entities

11. The changes proposed in the *Notice*, if adopted, would not impose new or modified reporting, recordkeeping, or other compliance obligations on certain small entities that provide TTY relay service.

12. Currently, there are only two providers of TTY relay service. To facilitate a transition to TTY-based service using the Baudot format, for consumers without access to broadband services, the Commission seeks comment on whether to require small and other TTY providers to provide information about State equipment distribution programs that make Baudot-format TTY-devices available, where available. It also seeks comment on whether to require TRS providers to make available a Baudot-format TTY device to ASCII-format TTY users, without cost to the user.³⁵ Other than changes resulting from these proposals, TRS compliance requirements would remain unchanged. The Commission requests comment on whether the cost of compliance for these requirements will be minimal for small TRS providers. The information we receive in comments will help the Commission identify and evaluate relevant compliance matters, costs, and other burdens for small entities that may result from the proposals and inquiries made in the *Notice*.

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independent school districts with enrollment populations of less than 50,000 (11,879), from the 2022 Census of Governments - Organizations tbls. 5, 6 & 10.

²⁹ See U.S. Census Bureau, 2017 NAICS Definition, “517919 All Other Telecommunications,” <https://www.census.gov/naics/?input=517919&year=2017&details=517919>.

³⁰ *Id.*

³¹ *Id.*

³² See 13 CFR § 121.201, NAICS Code 517919 (as of 10/1/22, NAICS Code 517810).

³³ See U.S. Census Bureau, 2017 Economic Census of the United States, Selected Sectors: Sales, Value of Shipments, or Revenue Size of Firms for the U.S.: 2017, Table ID: EC1700SIZEREVFIRM, NAICS Code 517919, <https://data.census.gov/cedsci/table?y=2017&n=517919&tid=ECNSIZE2017.EC1700SIZEREVFIRM&hidePreview=false>.

³⁴ *Id.* The available U.S. Census Bureau data does not provide a more precise estimate of the number of firms that meet the SBA size standard. We also note that according to the U.S. Census Bureau glossary, the terms receipts and revenues are used interchangeably, see https://www.census.gov/glossary/#term_ReceiptsRevenueServices.

³⁵ See *Notice*, para. 11.

E. Steps Taken to Minimize the Significant Economic Impact on Small Entities, and Significant Alternatives Considered

13. The RFA requires an agency to describe any significant alternatives that could minimize impacts to small entities that it has considered in reaching its proposed approach, which may include the following four alternatives (among others): “(1) the establishment of differing compliance or reporting requirements or timetables that take into account the resources available to small entities; (2) the clarification, consolidation, or simplification of compliance and reporting requirements under the rule for such small entities; (3) the use of performance rather than design standards; and (4) an exemption from coverage of the rule, or any part thereof, for such small entities.”³⁶

14. The proposed amendment to the Commission’s rules governing TRS is designed to facilitate upgrades to providers’ networks by eliminating the requirement to support rarely-used ASCII format. This amendment would only affect two TTY relay service providers and a handful of ASCII-format TTY users, who account for a very small number of TTY call minutes. Among the alternatives considered that may impact small entities, the *Notice* inquires as to whether the Commission should require TRS providers to incur the costs of making Baudot-format TTY devices available given the small number of ASCII-format TTY users. We believe that any burdens on small entities will be offset by decreasing the costs to the networks of supporting the outmoded ASCII format.³⁷

15. The *Notice* seeks comment from all interested parties, particularly those of small business entities. Small entities are encouraged to bring to the Commission’s attention any specific concerns they may have with the proposals outlined in the *Notice* and outline any suggested alternatives. The Commission expects to consider the economic impact on small entities, as identified in comments filed in response to the *Notice*, in reaching its final conclusions and taking action in this proceeding.

F. Federal Rules that May Duplicate, Overlap, or Conflict with, the Proposed Rules

16. None.

³⁶ 5 U.S.C. § 603(c)(1)-(4).

³⁷ *Notice*, paras. 8-9.

**STATEMENT OF
CHAIRMAN BRENDAN CARR**

Re: *Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities; T-Mobile Accessibility Petition for Rulemaking to Amend 47 CFR § 64.604(b)(1) to Eliminate the Requirement that TTY-Based Relay Service be Capable of Communicating with ASCII Format*, Notice of Proposed Rulemaking, CG Docket No. 03-123, RM-11931 (June 26, 2025).

Next month, on July 26, we will mark the 35th anniversary of the Americans with Disabilities Act. As the first comprehensive law ever passed for people with disabilities, the ADA has been a historic legislative act. And the FCC has played a key role in advancing the success of the ADA. In particular, the FCC implements and enforces the portion of the ADA that requires providers to offer Telecommunications Relay Services. TRS offerings allow people who are deaf, hard-of-hearing, or speech impaired to communicate by telephone in a manner that is functionally equivalent to persons without disabilities. These services vary in technology, but they all employ a communications assistant or other intermediary, including ASR technologies, to facilitate telephone calls for hundreds of thousands of Americans every year.

Since the 1960s, when teletypewriters or TTYs were introduced to the deaf community, relay services have evolved significantly. But the FCC's original rules governing TTY services, which were adopted in 1991, haven't fully kept up. Those rules require that TTY-based devices must be capable of communicating in two coding formats: Baudot and ASCII. When those rules were adopted, ASCII was broadly considered "a superior technology" for TTY transmission. In fact, it was estimated that ASCII would transmit words at twice the speed per minute. The market delivered a different verdict. It turned out that ASCII was more Betamax than VHS.

Today, ASCII calls account for approximately 0.01% of TTY-based communications. And the two nationwide providers of TTY-based relay services both report that the number of monthly users placing ASCII calls is in the single digits. They also report that the FCC's rules impose real costs on TRS providers to maintain costly ASCII-compatible hardware and software systems.

Today, in response to a petition seeking relief from the ASCII requirement, which received widespread support including from a coalition of accessibility advocacy organizations, the Commission proposes removing the ASCII requirement from our TTY rules. If adopted, TRS providers will not have to maintain costly ASCII-compatible hardware and software systems and can invest in their provision of service instead.

Thank you to the staff who worked on this item, including Robert Aldrich, Ed Bartholme, Ike Ofobike, and Michael Scott.

**STATEMENT OF
COMMISSIONER OLIVIA TRUSTY**

Re: *Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities; T-Mobile Accessibility Petition for Rulemaking to Amend 47 CFR § 64.604(b)(1) to Eliminate the Requirement that TTY-Based Relay Service be Capable of Communicating with ASCII Format*, Notice of Proposed Rulemaking, CG Docket No. 03-123, RM-11931 (June 26, 2025).

Under the Communications Act, the Commission is tasked with making sure individuals with hearing or speech disabilities can communicate with other telephone users. This is required to be done in a way that is functionally equivalent to voice communication “to the extent possible and in the most efficient manner.” To date, the Commission has done good work in making this possible through Telecommunications Relay Services.

Consistent with the statute, this item takes an important step forward in enabling providers to allocate resources to technology that the majority of individuals with hearing or speech disabilities rely upon. Although the legacy standard for Telecommunications Relay Services was once widely used when relay services were limited to text-to-voice or voice-to-text, TRS has since evolved. Today consumers have overwhelmingly embraced newer, alternative, forms of communication. This item rightly recognizes advancements in technology and changes in consumer behavior, and proposes appropriate action toward adopting a more modern framework for TRS rules. Providers that otherwise would have used funds to comply with legacy standards and requirements may – under this proposed item – be able to use those funds to update their networks and implement service enhancements that will benefit individuals with hearing or speech disabilities.

Importantly, this item advances a policy of fiscal prudence and responsibility, while alleviating unnecessary regulatory burdens and delivering better quality and more accessible communications services for consumers. I thank the Consumer and Governmental Affairs Bureau for their important work on this item. It has my full support.