

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

In the Matter of

Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities

Delete, Delete, Delete

CG Docket No. 03-123

GN Docket No. 25-133

REPORT AND ORDER

Adopted: August 21, 2026

Released: August 25, 2026

By the Commission: Chairman Carr issuing a statement.

I. INTRODUCTION

1. In this Report and Order, the Federal Communications Commission (Commission) amends its rules to eliminate the requirement that traditional, Text Telephone (TTY)-based telecommunications relay services (TRS) be capable of communicating in the American Standard Code for Information Interchange (ASCII) format.¹ By removing this outdated regulatory mandate, we relieve TRS providers of the obligation to maintain costly and obsolete ASCII-compatible hardware and software systems. Eliminating this requirement will reduce inefficiencies, preserve the integrity of the TRS Fund, and allow providers to redirect resources toward modern relay technologies, all without adversely impacting functional equivalence for consumers who rely on TTY-based TRS.

II. BACKGROUND

2. Title IV of the Americans with Disabilities Act of 1990 (ADA), codified at section 225 of the Communications Act, 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 in a manner that is functionally equivalent to voice communication service.² In accordance with this directive, the Commission has adopted mandatory minimum standards for TRS.³

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.⁴ To make a TTY-based 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.⁵

¹ 47 CFR § 64.604(b)(1).

² 47 U.S.C. § 225(a)(3), (b)(1).

³ 47 CFR § 64.604.

⁴ *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) (Text telephone (TTY) definition).

⁵ *2000 TRS Order*, 15 FCC Rcd at 5142, para. 2.

4. At that time, TTYs generally used the Baudot coding format, but the ASCII format was widely used to transmit data between personal computers over the telephone network.⁶ The Commission, believing that ASCII was "a superior technology" that would eventually supplant Baudot as the preferred format, required that TRS be able to transmit in both ASCII and Baudot at any speed generally in use.⁷ Over the last three decades, technological advancements have revolutionized the TRS landscape, and introduced forms of non-TTY-based TRS that do not rely on the ASCII and Baudot formats to transmit information.⁸

5. Baudot remains the predominant TTY-based TRS format, currently accounting for almost all TTY-based TRS communications.⁹ Recognizing the obsolescence of the ASCII format, T-Mobile Accessibility (T-Mobile) filed a Petition for Rulemaking in August 2022, requesting the Commission to amend section 64.604(b)(1) to eliminate the ASCII requirement.¹⁰ T-Mobile noted that ASCII-based TTY calls represent a tiny fraction of its overall TRS call minutes, and that complying with the requirement forces providers to incur unnecessary hardware costs and hinders network upgrades.¹¹ This petition received support from Hamilton Relay, Inc. (Hamilton) and a coalition of accessibility advocacy and research organizations (AARO).¹² Following a June 2023 request from T-Mobile for a temporary waiver of the rule, the Consumer and Governmental Affairs Bureau (Bureau) granted a conditional two-year waiver of the ASCII requirement to T-Mobile and Hamilton on November 22, 2024.¹³

6. On June 27, 2025, the Commission released a Notice of Proposed Rulemaking (Notice) proposing to permanently delete the ASCII requirement from section 64.604(b)(1).¹⁴ Comments and reply comments were submitted by TTY-based relay providers and consumer advocacy organizations, which support the elimination of the ASCII requirement.¹⁵

⁶ *Telecommunications Services for Individuals with Hearing and Speech Disabilities, and the Americans with Disabilities Act of 1990*, CC Docket No. 90-571, Report and Order and Request for Comments, 6 FCC Rcd 4657, 4661, para. 20 (1991) (*1991 TRS Order*).

⁷ *1991 TRS Order*, 6 FCC Rcd at 4661, para. 20; 47 CFR § 64.601(b)(1).

⁸ 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, paras. 4-5 (2014) (*2014 TRS Exemptions Order*). The ASCII rule has not been applied to the Internet-based relay services, Internet Protocol Captioned Telephone Service (IP CTS), Internet Protocol Relay Service (IP Relay), and Video Relay Service (VRS), analog Captioned Telephone Service (CTS) and Speech-to-Speech Service (STS), as the ASCII and Baudot formats were not needed for those services.

⁹ See Gallaudet University Technology Access Program, <https://tap.gallaudet.edu/Text/faq1.html> (last visited Aug. 21, 2026).

¹⁰ Petition for Rulemaking of T-Mobile Accessibility, CG Docket No. 03-123 (filed Aug. 24, 2022), <https://www.fcc.gov/ecfs/document/108241016422142/1> (T-Mobile Petition for Rulemaking).

¹¹ T-Mobile Petition for Rulemaking at 4-7.

¹² Hamilton Relay, Inc., Comments (filed Oct. 24, 2022), <https://www.fcc.gov/ecfs/document/1024288300199/1> (Hamilton 2022 Comments); Accessibility Advocacy and Research Organizations Reply (filed Nov. 8, 2022) (AARO 2022 Reply), <https://www.fcc.gov/ecfs/document/1109585118187/1>.

¹³ *Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities*, CG Docket No. 03-123, RM-11931, Order, 39 FCC Rcd 12489, para. 1 (CGB 2024).

¹⁴ *Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities*, CG Docket No. 03-123, RM-11931, Notice of Proposed Rulemaking, 40 FCC Rcd 4722, 4274-25, paras. 1, 8 (2025) (*2025 ASCII Notice*).

¹⁵ See, e.g., T-Mobile USA Reply at 1 (filed Nov. 18, 2025) (T-Mobile Reply), <https://www.fcc.gov/ecfs/document/1118158375423/1>; TEDPA and NASRA Comments at 1 (filed Sept. 23, 2025), (continued....)

III. DISCUSSION

A. Elimination of the ASCII Requirement

7. We adopt our proposal to delete the requirement in section 64.604(b)(1) of the Commission's rules that TTY-based TRS support the ASCII format.¹⁶ We also find good cause to eliminate the definition of ASCII from the Commission's TRS rules.¹⁷ The record confirms that ASCII usage for TTY-based TRS is exceedingly small and continues to shrink. Data provided in the Notice indicated that in a three-month period in 2022, total ASCII usage of TTY-based TRS did not exceed 87 minutes, representing approximately 0.01 percent of total TTY-based TRS minutes.¹⁸ Following waiver of the ASCII requirement in November 2024, one TTY-based TRS provider reports that it has not had a single request to have ASCII made available¹⁹ and the Commission has not received any inquiries or complaints from consumers regarding the availability of the ASCII-format.

8. Furthermore, we conclude that there is no prospect of a resurgence in ASCII usage. Stakeholders, including the Telecommunications Equipment Distribution Program Association (TEDPA) and the National Association of State Relay Administrators (NASRA), point out that ASCII equipment is no longer commercially available, functional units are increasingly difficult to locate, and the format is incompatible with modern telephone networks.²⁰ Because of these realities, the record reflects unanimous support for the rule's elimination from both providers and consumer advocacy groups, including Disability Belongs and AARO, that acknowledge the technology is obsolete.²¹

9. We also delete the second sentence of 47 CFR § 64.604(b)(1), which currently states: "Other forms of TRS are not subject to this requirement."²² As noted in the Notice, because the first sentence of the revised provision explicitly makes clear that the Baudot rule applies only to "TTY-based relay service," the second sentence is unnecessary surplusage.²³ Hamilton supports this edit in its comments, agreeing that the sentence no longer serves a regulatory purpose.²⁴

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<https://www.fcc.gov/ecfs/document/10923065070295/1>; Hamilton Relay, Inc. Comments at 1 (filed Sept. 26, 2025) (Hamilton 2025 Comments), <https://www.fcc.gov/ecfs/document/109261610312057/1>; Disability Belongs Comments at 1 (filed Sept. 24, 2025), <https://www.fcc.gov/ecfs/document/10924530801746/1>. In addition, Hamilton Relay filed a comment in a separate proceeding requesting that the Commission grant T-Mobile's requested rule change, or alternatively, a permanent waiver of the ASCII TRS requirement due to its infrequent use. Comments of Hamilton Relay, GN Docket No. 25-133, at 3 (filed Apr. 14, 2025), <https://www.fcc.gov/ecfs/document/10411511105125/1>. We hereby incorporate all relevant comments and *ex parte* presentations in GN Docket No. 25-133 into this docket. Commenters need not resubmit material previously filed in those proceedings.

¹⁶ 2025 ASCII Notice, 40 FCC Rcd at 4724-25, para. 8; 47 CFR § 64.604(b)(1).

¹⁷ 47 CFR § 64.601(a)(7).

¹⁸ 2025 ASCII Notice, 40 FCC Rcd at 4724-25, para. 8. *See also* T-Mobile Petition for Rulemaking at 4-5 (during a three month period in 2022, 13 users placed ASCII calls totaling approximately 60 minutes of TRS use which represents a "tiny fraction" of overall TRS call minutes); Hamilton 2022 Comments at 2 (Hamilton had single-digit ASCII usage rates for TTY-based relay); Hamilton 2025 Comments at 3 (since the ASCII requirement was waived in Nov. 2024, Hamilton has not had a single request from a TTY-based TRS user to have ASCII made available).

¹⁹ Hamilton 2025 Comments at 3.

²⁰ TEDPA and NASRA Comments at 1.

²¹ Disability Belongs Comments at 1; AARO 2022 Reply at 2.

²² 47 CFR § 64.604(b)(1).

²³ 2025 ASCII Notice, 40 FCC Rcd at 4725, para. 11.

²⁴ Hamilton 2025 Comments at 3.

B. Benefits and Costs

10. In the Notice, we sought comment on the specific costs and benefits of our proposal, including the hardware and network upgrade savings versus the transition costs for any remaining legacy users.²⁵ The record affirms our tentative conclusion that the cost savings for TRS providers far outweigh the negligible burdens of transitioning the few, if any, remaining ASCII users.²⁶

11. *Benefits.* Maintaining the ASCII obligation imposes ongoing software and network compatibility costs that yield no consumer benefit and needlessly burden the TRS Fund.²⁷ T-Mobile states that removing this mandate aligns with the statutory requirement to ensure TRS is provided in the “most efficient manner” as it allows providers to redirect vital resources toward improving modern, widely used relay technologies, such as Real-Time Text (RTT), IP Relay, and VRS.²⁸ We conclude that eliminating this requirement provides administrative and financial relief. By freeing providers from maintaining obsolete hardware platforms, providers can more easily execute necessary network upgrades.²⁹

12. *Costs and Transition Strategies.* We asked commenters to identify whether there were any consumers still using the ASCII format, what costs they would incur to transition to Baudot or other services, and what mitigation strategies providers should employ.³⁰ The record demonstrates that the number of consumers impacted by this change is effectively zero. And, as discussed above, Hamilton reports that since the Bureau conditionally waived the ASCII requirement in November 2024, it has not received a single request from a user to have ASCII made available.³¹

13. To the extent any legacy users remain, the record shows that the transition process will be seamless and straightforward. Switching from ASCII to Baudot does not require the purchase of new equipment; as Hamilton explains, a TTY user will only need to change a setting on the user's existing TTY device, because most TTYs automatically default to Baudot unless specifically configured to ASCII-only.³² Disability Belongs urges the Commission to prioritize people with disabilities during the transition by providing no-cost transition support, accessible alternatives, and flexible solutions.³³ Providers have affirmed their readiness to assist any affected users to ensure a seamless migration to Baudot or other modern platforms.³⁴ Because users can transition simply by adjusting their device settings, and providers will offer technical support, we find that mandating providers to supply new Baudot devices at their own expense is unnecessary.

14. We conclude that eliminating the ASCII requirement is a targeted, common-sense reform that modernizes TRS regulations.³⁵ The substantial benefits of reduced network complexity, hardware

²⁵ 2025 ASCII Notice, 40 FCC Rcd at 4725-26, paras. 12-16.

²⁶ *Id.* at 4726, para. 17.

²⁷ T-Mobile Reply at 4.

²⁸ *Id.* (citing 47 U.S.C. § 225(b)(1)).

²⁹ 2025 ASCII Notice, 40 FCC Rcd at 4725, para. 13.

³⁰ *Id.* at 4726, paras. 14-16.

³¹ Hamilton 2025 Comments at 3; see also *supra* para. 7.

³² *Id.* at 4. To the extent a different solution is needed, Hamilton believes such solutions will be equally easy to implement. *Id.*

³³ Disability Belongs Comments at 1-2.

³⁴ Hamilton 2025 Comments at 4; see also T-Mobile Petition for Rulemaking at 5-6.

³⁵ T-Mobile Reply at 4.

cost savings, and the ability to invest in modern technologies unequivocally outweigh the minimal costs of transitioning remaining ASCII users.

C. Deleting the Definition of ASCII

15. We also delete the definition of ASCII from the TRS rules.³⁶ Under the Administrative Procedure Act (APA), when an agency for good cause finds that notice and public comment “are impracticable, unnecessary, or contrary to the public interest,” it need not follow notice and comment procedures before modifying or repealing rules.³⁷ Prior notice and comment are “unnecessary” when “the administrative rule is a routine determination, insignificant in nature and impact, and inconsequential to the industry and to the public.”³⁸

16. The definition of ASCII was only relevant to two provisions of this subpart F in Part 64 of the Commission rules. First, section 64.607(b)(2) concerned the availability of text telephones using ASCII, which the Commission eliminated by Direct Final Rule.³⁹ Second, in this item, we delete the only other reference to ASCII. We therefore find good cause to conclude that notice and comment procedures are unnecessary and would not serve any useful purpose because the term ASCII no longer needs to be defined in this portion of the rules and its deletion is inconsequential.⁴⁰

IV. PROCEDURAL MATTERS

17. *Paperwork Reduction Act.* This document does not contain new or modified information collection requirements subject to the Paperwork Reduction Act of 1995 (PRA).⁴¹ In addition, therefore, it does not contain any new or modified information collection burden for small business concerns with fewer than 25 employees, pursuant to the Small Business Paperwork Relief Act of 2002.⁴²

18. *Regulatory Flexibility Act.* The Regulatory Flexibility Act of 1980, as amended (RFA),⁴³ 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.”⁴⁴ Accordingly, the Commission has prepared a Final Regulatory Flexibility Analysis (FRFA) concerning the possible impact of the rule changes and policy contained in this Report and Order on small entities. The FRFA is set forth in Appendix C.

19. *Congressional Review Act.* The Commission has determined, and the Administrator of the Office of Information and Regulatory Affairs, Office of Management and Budget, concurs, that this rule is non-major under the Congressional Review Act, 5 U.S.C. § 804(2). The Commission will send a copy of this Report and Order to Congress and the Government Accountability Office pursuant to 5 U.S.C. § 801(a)(1)(A).⁴⁵

³⁶ 47 CFR § 64.601(a)(7).

³⁷ 5 U.S.C. § 553(b)(B).

³⁸ *Util. Solid Waste Activities Grp. v. EPA*, 236 F.3d 749, 755 (D.C. Cir. 2001).

³⁹ *See Delete, Delete, Delete*, GN Docket No. 25-133, Direct Final Rule, 40 FCC Rcd 8166, 8180, App. A. (2025) (removing and reserving 47 CFR 64.607).

⁴⁰ 5 U.S.C. § 553(b)(B).

⁴¹ Pub. L. No. 104-13, 109 Stat. 163 (1995) (codified at 44 U.S.C. §§ 3501-3520).

⁴² Pub. L. No. 107-98 (codified at 44 U.S.C. 3506(c)(4)).

⁴³ 5 U.S.C. §§ 601 *et seq.*, as amended by the Small Business Regulatory Enforcement and Fairness Act (SBREFA), Pub. L. No. 104-121, 110 Stat. 847 (1996).

⁴⁴ 5 U.S.C. § 605(b).

⁴⁵ 5 U.S.C. § 801(a)(1)(A).

20. *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) or 844-432-2275 (ASL videophone).

21. *Additional Information.* For additional information on this proceeding, contact Joshua Mendelsohn of the Consumer and Governmental Affairs Bureau, Disability Rights Office, at Joshua.Mendelsohn@fcc.gov or (202) 559-7304 (voice or ASL videophone).

V. ORDERING CLAUSES

22. 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 Report and Order is **ADOPTED**, and the Commission's rules are hereby **AMENDED** as set forth in Appendix B.⁴⁶

23. **IT IS FURTHER ORDERED** that the Report and Order **SHALL BE EFFECTIVE** 30 days after publication in the Federal Register.

24. **IT IS FURTHER ORDERED** that the Office of the Managing Director, Performance Evaluation and Records Management, **SHALL SEND** a copy of the Report and Order in a report to be sent to Congress and the Government Accountability Office pursuant to the Congressional Review Act, 5 U.S.C. § 801(a)(1)(A).

25. **IT IS FURTHER ORDERED** that the Commission's Office of the Secretary, **SHALL SEND** a copy of this Report and Order, including the Final Regulatory Flexibility Analysis, to the Chief Counsel for the Small Business Administration (SBA) Office of Advocacy..

FEDERAL COMMUNICATIONS COMMISSION

Marlene H. Dortch
Secretary

⁴⁶ Pursuant to Executive Order 14215, 90 Fed. Reg. 10447 (Feb. 24, 2025), this regulatory action has been determined to be not significant under Executive Order 12866, 58 Fed. Reg. 51735 (Oct. 4, 1993).

APPENDIX A
List of Commenting Parties

Comments

Disability Belongs

Hamilton Relay, Inc. (Hamilton)

Telecommunications Equipment Distribution Program Association (TEDPA) and the National Association of State Relay Administrators (NASRA)

Reply Comments

T-Mobile USA, Inc. (T-Mobile)

APPENDIX B
Final Rules

The Federal Communications Commission amends Title 47 of the Code of Federal Regulations 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. Amend § 64.601 by:

- a. Removing paragraph (a)(7); and
- b. Redesignating paragraphs (a)(8) through (a)(62) as paragraphs (a)(7) through (a)(61).

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

§ 64.604 Mandatory minimum standards.

* * * * *

(b) Technical Standards —

(1) *Baudot*. TTY-based relay service shall be capable of communicating with Baudot format.

* * * * *

APPENDIX C

Final Regulatory Flexibility Analysis

1. As required by the Regulatory Flexibility Act of 1980, as amended (RFA),¹ the Federal Communications Commission (Commission) incorporated an Initial Regulatory Flexibility Analysis (IRFA) in the *Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities, Notice of Proposed Rulemaking (2025 ASCII Notice)*, released in June 2025.² The Commission sought written public comment on the proposals in the *2025 ASCII Notice*, including comment on the IRFA. No comments were filed addressing the IRFA. This Final Regulatory Flexibility Analysis (FRFA) conforms to the RFA and it (or summaries thereof) will be published in the Federal Register.³

A. Need for, and Objectives of, the Rules

2. In the *Report and Order*, the Commission amends its rules to eliminate the requirement that Text Telephony (TTY)-based 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 TRS minutes for that period, while Baudot format TTY would account for the remaining TTY-based TRS minutes.⁸ Furthermore, retaining the requirement to support ASCII-format TTY-based TRS limits the ability of TTY-based TRS providers to upgrade and improve their networks for delivery of enhanced services.⁹ Eliminating the ASCII-support requirement will

¹ 5 U.S.C. §§ 601 *et seq.*, as amended by the Small Business Regulatory Enforcement and Fairness Act (SBREFA), Pub. L. No. 104-121, 110 Stat. 847 (1996).

² *Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities*, CG Docket No. 03-123, RM-11931, Notice of Proposed Rulemaking, 40 FCC Rcd 4722, Appendix B (2025) (*2025 ASCII Notice*)

³ 5 U.S.C. § 604.

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 *2025 ASCII Notice*, para. 8.

⁸ *Id.*

⁹ *Id.*, para. 9.

ultimately benefit both TTY-based TRS users and providers by facilitating network upgrades by providers while TTY-based TRS users can continue communicating with Baudot-format TTY or other forms of text-based TRS.

B. Summary of Significant Issues Raised by Public Comments in Response to the IRFA

4. No comments were filed addressing the impact of the proposed rules on small entities.

C. Response to Comments by the Chief Counsel for the Small Business Administration Office of Advocacy

5. Pursuant to the Small Business Jobs Act of 2010, which amended the RFA,¹⁰ the Commission is required to respond to any comments filed by the Chief Counsel for the Small Business Administration (SBA) Office of Advocacy, and also provide a detailed statement of any change made to the proposed rules as a result of those comments.¹¹ The Chief Counsel did not file any comments in response to the proposed rules in this proceeding.

D. Description and Estimate of the Number of Small Entities to Which the Rules Will Apply

6. 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 adopted rules.¹² The RFA generally defines the term “small entity” as having the same meaning as the terms “small business,” “small organization,” and “small governmental jurisdiction.”¹³ In addition, the term “small business” has the same meaning as the term “small business concern” under the Small Business Act.¹⁴ 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.¹⁵ The SBA establishes small business size standards that agencies are required to use when promulgating regulations relating to small businesses; agencies may establish alternative size standards for use in such programs, but must consult and obtain approval from SBA before doing so.¹⁶

7. Our actions, over time, may affect small entities that are not easily categorized at present. We therefore describe three broad groups of small entities that could be directly affected by our actions.¹⁷ In general, a small business is an independent business having fewer than 500 employees.¹⁸ These types of small businesses represent 99.9% of all businesses in the United States, which translates to 34.75

¹⁰ Small Business Jobs Act of 2010, Pub. L. No. 111-240, 124 Stat. 2504 (2010).

¹¹ 5 U.S.C. § 604(a)(3).

¹² *Id.* § 604.

¹³ *Id.* § 601(6).

¹⁴ *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.”

¹⁵ 15 U.S.C. § 632.

¹⁶ 13 CFR § 121.903.

¹⁷ 5 U.S.C. § 601(3)-(6).

¹⁸ See SBA, Office of Advocacy, *Frequently Asked Questions About Small Business* (July 23, 2024), https://advocacy.sba.gov/wp-content/uploads/2024/12/Frequently-Asked-Questions-About-Small-Business_2024-508.pdf.

million businesses.¹⁹ Next, “small organizations” are not-for-profit enterprises that are independently owned and operated and are not dominant in their field.²⁰ While we do not have data regarding the number of non-profits that meet that criteria, over 99 percent of nonprofits have fewer than 500 employees.²¹ Finally, “small governmental jurisdictions” are defined as cities, counties, towns, townships, villages, school districts, or special districts with populations of less than fifty thousand.²² Based on the 2022 U.S. Census of Governments data, we estimate that at least 48,724 out of 90,835 local government jurisdictions have a population of less than 50,000.²³

8. The rules adopted in the *Report and Order* will apply to small entities in the industries identified in the chart below by their six-digit North American Industry Classification System (NAICS)²⁴ codes and corresponding SBA size standard.²⁵ Where available, we also provide additional information regarding the number of potentially affected entities in the identified industries below.

TABLE 1. 2022 U.S. CENSUS BUREAU DATA BY NAICS CODE

Regulated Industry (Footnotes specify potentially affected entities within a regulated industry where applicable)	NAICS Code	SBA Size Standard	Total Firms²⁶	Total Small Firms²⁷	% Small Firms
All Other Telecommunications ²⁸	517810	\$40 million	1,673	1,007	60.19%

E. Description of Economic Impact and Projected Reporting, Recordkeeping and Other Compliance Requirements for Small Entities

9. The RFA directs agencies to describe the economic impact of adopted rules on small entities, as well as projected reporting, recordkeeping and other compliance requirements, including an estimate of the classes of small entities which will be subject to the requirement and the type of professional skills necessary for preparation of the report or record.²⁹

10. The changes made in this *Report and Order* would not impose new or modified

¹⁹ *Id.*

²⁰ 5 U.S.C. § 601(4).

²¹ See SBA, Office of Advocacy, *Small Business Facts, Spotlight on Nonprofits* (July 2019), <https://advocacy.sba.gov/2019/07/25/small-business-facts-spotlight-on-nonprofits/>.

²² 5 U.S.C. § 601(5).

²³ See U.S. Census Bureau, 2022 Census of Governments –Organization, <https://www.census.gov/data/tables/2022/econ/gus/2022-governments.html>, tables 1-11.

²⁴ The North American Industry Classification System (NAICS) is the standard used by Federal statistical agencies in classifying business establishments for the purpose of collecting, analyzing, and publishing statistical data related to the U.S. business economy. See www.census.gov/NAICS for further details regarding the NAICS codes identified in this chart.

²⁵ The size standards in this chart are set forth in 13 CFR § 121.201, by six digit NAICS code.

²⁶ U.S. Census Bureau, “Selected Sectors: Employment Size of Firms for the U.S.: 2022.” Economic Census, ECN Core Statistics Economic Census: Establishment and Firm Size Statistics for the U.S., Table EC2200SIZEEMPfirm, 2025.

²⁷ *Id.*

²⁸ Affected Entities in this industry include Telecommunications Relay Service (TRS) Providers.

²⁹ 5 U.S.C. § 604(a)(5).

reporting, recordkeeping, or other compliance obligations on certain small entities that provide TTY-based TRS.

11. Currently, there are only two providers of TTY-based TRS. To facilitate a transition to TTY-based TRS using the Baudot format, for consumers without access to broadband services, the Commission sought comment on whether to require small and other TTY-based TRS providers to provide information about State equipment distribution programs that make Baudot-format TTY-devices available, where available. It also sought 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.³⁰ The Commission considered requiring providers to issue free Baudot-compatible devices, but the record demonstrated that switching from ASCII to Baudot does not require new TTY equipment, a user need only change a setting on the TTY device. After developing a record, the Commission determined that no additional obligations needed to be placed on entities that provide TTY-based TRS.

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

12. The RFA requires an agency to provide “a description of the steps the agency has taken to minimize the significant economic impact on small entities...including a statement of the factual, policy, and legal reasons for selecting the alternative adopted in the final rule and why each one of the other significant alternatives to the rule considered by the agency which affect the impact on small entities was rejected.”³¹

13. The 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-based relay service providers and a handful of ASCII-format TTY users, who account for a very small number of TTY-based TRS call minutes. The Commission considered requiring TRS providers to incur the costs of making Baudot-format TTY devices available given the small number of ASCII-format TTY users. However, the record demonstrated that switching from ASCII to Baudot only requires changing a device setting. By removing this ASCII mandate, TTY-based TRS providers are relieved of the financial and operational costs required to support obsolete technology, thereby facilitating network upgrades without countervailing transition costs.

G. Report to Congress

14. The Commission will send a copy of the *Report and Order*, including this Final Regulatory Flexibility Analysis, in a report to Congress pursuant to the Congressional Review Act.³² In addition, the Commission will send a copy of the *Report and Order*, including this Final Regulatory Flexibility Analysis, to the Chief Counsel for the SBA Office of Advocacy and will publish a copy of the *Report and Order*, and this Final Regulatory Flexibility Analysis (or summaries thereof) in the Federal Register.³³

³⁰ See 2025 ASCII Notice, para. 16.

³¹ 5 U.S.C. § 604(a)(6).

³² 5 U.S.C. § 801(a)(1)(A).

³³ *Id.* § 604(b).

**STATEMENT OF
CHAIRMAN BRENDAN CARR**

Re: *Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities; Delete, Delete, Delete*, CG Docket No. 03-123; GN Docket No. 25-133.

Since teletypewriters or TTYs were introduced in the 1960s, relay service has evolved significantly. However, at times, the Commission's rules have not kept up with the pace of technological change. Today, we take action to bring our rules into the modern era by eliminating an outdated requirement that TTY-based devices remain capable of communicating in ASCII.

Back in 1991, the Commission required that TTY-based devices must be capable of communicating in two coding formats: Baudot and ASCII. At the time, ASCII was broadly believed to be "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.

Last year, 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 proposed removing the ASCII requirement from our TTY rules. The record from that inquiry confirmed what we thought to be true. ASCII calls account for approximately 0.01% of TTY-based communications. Yet, the FCC's rules impose significant costs on TRS providers to maintain ASCII-compatible hardware and software systems.

Today, we voted to eliminate this obsolete rule, freeing up dollars for providers to invest in other accessibility initiatives that will better serve individuals with disabilities.

Thank you to the staff who worked on this item, including Eduard Bartholme, Lisa Edwards, Michael Scott, and Joshua Mendelsohn as well as staff from the Offices of Communications Business Opportunities, Economics and Analytics, Enforcement Bureau, General Counsel, and Managing Director.