

**Interstate TRS Advisory Council**  
**Meeting Minutes for October 21, 2022**  
**Washington DC**

**ATTENDEES**

Zainab Alkebsi, Chair, Deaf Consumers  
Shannon Smith, Vice Chair, Hard of Hearing Community  
Linda Vandeloop, Secretary, Interstate Telecommunications Providers/Contributors  
Ron Bibler, TRS Users  
Honorable Tim Schram, State Representative  
Al Sonnenstrahl, Deaf Consumers  
Jeff Rosen, TRS Providers  
Bryen Yunashko, DeafBlind Consumers  
Phillip Hupf, Interstate Telecommunications Providers/Contributors  
Mike Strecker, TRS Providers  
Andrew Fitzenrider, Speech disabled Community  
Holly Bise, NASRA

RLSA  
Bob Loube  
Garrett McGrath  
Amanda Coby  
Joy McGrath  
AnMarie Jezorski  
Kane Christianson  
Jim Skjeveland

FCC  
Eliot Greenwald  
Michael Scott

**CONVENE**

Chairperson Alkebsi greeted audience and called to order the Fall meeting of the iTRS Advisory Council at 11:00 a.m. EDT.

## FCC PRESENTATION

Eliot Greenwald

FCC action on June 30, 2022:

- The FCC released an order establishing provider compensation formulas for interstate traditional TTY-based TRS, speech-to-speech, and analog caption telephone service for the fund year starting July 1, 2022 - June 30, 2023. The Commission also granted temporary waivers to extend the expiration date of current compensation formulas for video relay service and IP CTS through June 30, 2023 or until the FCC acts in the VRS and IPCTS proceedings, whichever is sooner. The Commission established the total size of the TRS fund and the percentage of revenues that covered providers must contribute to the fund.
- The Commission adopted an IP relay four-year compensation plan beginning July 1, 2022 and set the base compensation level at \$1.95 pr minute with annual adjustments for inflation and certain costs. The Commission also expanded the contribution base for VRS and IP relay to include intrastate end user revenue consistent with the IP CTS contribution base. The Commission amended the rules to allow VRS and IP CTS consumers to use service for up to two weeks pending completion of the user registration process pending approval of the Office of Management and Budget.
- The FCC issued a Notice of Proposed Rulemaking proposing to increase the number of minutes that may be handled by CAs working from home from 50% to 80%, to eliminate or modify the requirement that at-home VRS CAs must have at least 3 years of American Sign Language interpreting experience, to allow VRS providers to use contract CAs for up to 30% of their monthly call minutes, and to allow the interstate TRS fund compensation of calls placed by registered VRS users to the United States from outside the country for up to 1 year after leaving the country, as long as the users notify their provider of such travel time prior to making the first call. Comments are due 30 days and reply comments are due 60 days after publication in the Federal Register.
- The FCC issued an order temporarily waiving the 50% cap on at-home call minutes, the three year experience requirement, the prohibition from contracting with VRS CAs for one year and increasing the period that the TRS fund can support registered users' calls to the US from abroad to one year pending the out-come of the NPRM where these rules will be codified.

- The COVID waivers expired on June 30<sup>th</sup> but, as just discussed, are now addressed in waivers pending the outcome the Commissions rulemaking proceedings.

On April 20, 2022, the FCC granted conditional certification to Hamilton to provide automatic speech recognition in addition to existing communication assistants. All current IP CTS providers are either providing a combination of CA-assisted and ASR or providing ASR only.

On October 12, 2022 the Commission released a public notice seeking comment on InnoCaption's application for full certification to provide IP CTS. Their conditional certification is set to expire on December 11th. Comments on this are due October 26th, and replies are due November 7th.

On October 12, 2022 the Commission released a public notice seeking comment on Nagish's application for full certification to provide fully automated IP CTS and IP Relay. Comments on this are due November 14th, and replies are due November 29th.

On September 26th, the FCC released a public notice requesting that states, the District of Columbia, and the U.S. territories apply for renewal of their certifications no later than December 1, 2022. Current state and territory certifications are set to expire July 25, 2023.

T-Mobile filed a petition for rulemaking asking the FCC to eliminate the requirement for TRS providers to provide ASCII text for TTY-based service. Comments are due October 24<sup>th</sup> and reply comments are due November 8<sup>th</sup>.

On September 30, 2022, the FCC released the Fourth Report and Order and Sixth Notice of Proposed Rulemaking to improve access to communications for incarcerated people with disabilities.

- The Report and Order requires ICS providers to provide access to all relay services eligible for TRS fund support, as well as ASL point-to-point video communications in any correctional facility where broadband is available in a location with an average daily population of 50 or more incarcerated persons. The Commission also clarified and expanded the scope of the restrictions on inmate calling service providers assessing charges for TRS calls and expanded the scope of the required inmate calling service providers annual reports, which will reflect the above changes. The Commission modified the TRS user registration requirements to facilitate the use of TRS by eligible incarcerated persons.
- The NPRM sought comment on whether to allow the enterprise registration for IP CTS in correctional facilities, whether to adopt the FCC's proposal to extend inmate calling service providers' TRS-related access obligations to include VRS, IP relay, and IP CTS, as well as

ASL point to point video calling, where broadband is available, and CTS where broadband is not available, with average daily populations of fewer than 50 incarcerated persons. The focus is on rural county jails where the entire system has fewer than 50 incarcerated persons. Most other systems have greater 50 inmates. The Commission also asked for comment on whether charges for inmate calling services for incarcerated people with disabilities should be disclosed in accessible formats. Comments are due 30 days and reply comments are due 60 days after publication in the Federal Register.

Michael Scott

On June 24, 2022, the Wireline Competition Bureau adopted an order revising the instructions, reporting template, and certification form for the annual report submitted by providers of calling services to incarcerated people. These changes will go into effect for the next annual. The order requires that providers report any ancillary service charges they impose specifically for accessing and using TTY equipment and other accessibility-related technologies on a facility by facility basis.

On July 8, 2022, the Enforcement Bureau entered into a consent decree with MachineGenius to resolve investigations into whether MachineGenius violated the TRS rules by failing to collect proper user self-certifications prior to seeking compensation from the TRS fund and submitting inaccurate data to the TRS fund administrator. Under the consent decree, MachineGenius will collect compliant self-certifications from all its IP CTS user s registered prior to June 1, 2022 and will pay a \$400,000 civil penalty.

On May 17, 2022, the FCC released a Public Notice announcing entities certified to participate in the National Deaf Blind Equipment Distribution Program, also called iCanConnect, and also announced the allocation for the program for the 2022-2023 program year, which begins July 1, 2022, and ends June 30, 2023. The FCC provides up to \$10 million annually for the program.

On October 13, 2022 the FCC released a Public Notice announcing the selection of Perkins School for the Blind for the certification to administer the National Deaf Blind Equipment Distribution program in the state of Maine.

On April 27, 2022, the FCC released a Public Notice inviting comment to refresh the record on the coverage of rules to enable people with disabilities to access and use interoperable video conferencing services. Specifically, the FCC invited additional comments on the meaning of the word "interoperable" in the context of video conferencing services and equipment. The comment cycle closed on July 18th and is still under Commission consideration.

On August 8, 2022, the FCC released a Second Report and Order establishing outreach grant program for the Affordable Connectivity Program (ACP) which will provide funding to support

eligible partners in their outreach efforts to increase awareness of the ACP. A key objective of this grant program is to expand and support the outreach efforts to diverse communities including people with disabilities. The notice for applications is anticipated to be released in December. On July 15, 2022 the FCC issued a press release noting that as of July 16th, covered text providers must support text messaging to 988 to reach the National Suicide Prevention Lifeline. July 16th is also the deadline for the activation of voice calls to 988.

On September 20, 2022, the FCC released a Report and Order making messages from the emergency alert system more accessible and easier to understand. EAS participants, including radio broadcasters, television broadcasters, and operators of satellite cable TV and wireline video services, are directed to transmit certain messages in an IP-based format rather than the versions in the legacy EAS format which usually convey less information. EAS participants are required to replace the technical jargon that now automatically appears in the text of certain messages, including the EAS test announcements, to include more plain-language information.

On September 12th and 13, 2022, the FCC, with 42 states and local government agencies, conducted tests to assess the geographic accuracy, timeliness, and reliability of wireless emergency alerts.

On August 9, 2022, the FCC released a Public Notice to remind video program distributors and broadcasters, cable operators, and satellite television services that deliver video programming directly to the home, of their obligation to make televised emergency information accessible to persons who are blind, visually impaired, Deaf, or hard of hearing.

On June 22, 2022 the Commission released a further notice of proposed rulemaking seeking comment on the state of the next generation television transition and on the scheduled sunsets of two rules adopted in the first next generation television report and order. Comment period closed on September 26th.

On October 11, 2022, the FCC submitted its sixth biannual report to Congress, as required by the 21st Century Communications and Video Accessibility Act of 2010, CVAA, which examined the accessibility equipment advances over the last two years.

On July 8, 2022 the Enforcement Bureau proposed a fine of \$100,000 against Verizon Wireless for apparently violating its obligation to provide the Bureau with information necessary to determine whether the company's premium visual voicemail service is accessible to persons with disabilities.

On June 28, 2022 the FCC held a Disability Advisory Committee meeting. The members received an update from the IP Captioning Files Transmittal working group and discussed other topics relevant to the committee's work. The next Disability Advisory Committee Meeting will be held on

Tuesday, November 1, 2022, at 1:00 p.m. Eastern time. On August 31, 2022, the FCC announced its intent to recharter the DAC for a period of two years and sought nominations for membership.

And on October 6, 2022 the FCC held a virtual Video Programming Accessibility Forum on Emergency Information event. The forum explored the current state of emergency information video programming, as well as advancements that may occur in the future. The forum included two panels that featured speakers representing television companies and consumer groups. This was part of a series of forums.

On May 25, 2022, the FCC held the third of a series of virtual public hearings as part of its broadband consumer labels rulemaking proceeding. The hearing featured multiple panels comprised of consumers and national experts including digital navigators who assist consumers in finding and selecting broadband plans, representatives from federal agencies, and disability rights experts to discuss accessibility needs regarding labels.

### **Rolka Loube Presentation**

#### *Garrett McGrath – Health of the Fund*

As of July, 2022 there was a \$567 million surplus. That surplus is expected to shrink to \$274 million by June, 2022.

#### *Bob Loube – Infrastructure Investment and Jobs Act.*

Most of the funding is going through the National Telecommunications and Information Administration, an agency within the Department of Commerce not the FCC. The investment is \$65 billion over 5 years. Each state Governor identifies the state agency to distribute the funds allocated to the state. There are several funds available.

BEAD - the building of networks in areas that are currently unserved or underserved.

- Unserved is defined as an area where the speed of delivery of internet service is below 25mbps downstream and 3mbps upstream
- Underserved is defined as an area where the speed of delivery of internet service is below 100mbps downstream and 20mbps upstream

Digital Equity Program – the disability community is a covered population and the state must communicate what it is doing to enhance digital equity for the disability community. This program is to help covered populations get access to the internet at reliable speeds and is going to look at affordability, understanding, and education. The state has one year to develop a plan after getting the money and has 5 years to implement.

The Middle Mile Program – the focus is the transport between the local network and the internet backbone.

Tribal Connections – there is a special allocation for expanding broadband to tribal communities.

Affordable Connectivity – helps individuals with low and moderate incomes purchase internet service.

Rolka Loube is developing resources to provide guides on where to go on the web to find more information.

*Jim Skjeveland*

Rolka Loube is planning a second webinar for all NASRA and TEDPA members on what is needed for the digital equity aspect of the broadband programs. Hopefully NTIA will also participate.

It is also important that representatives from the covered populations communicate with the broadband offices. It is important for the relay providers to provide data about affordability and availability of broadband to the extent they have it.

*AnMarie Jezorski*

On July 1, 2022, Rolka Loube rolled out the centralized database for the National DeafBlind Equipment Distribution Program to relieve state entities from creating the semiannual reports and to streamline the process by collecting all information on the front end.

Rolka Loube is creating the user registration database to collect the user registrations for IP CTS, as well as other pieces that the FCC has asked for. The project includes moving from LexisNexis to TransUnion and Rolka Loube is in the final phases of testing the migration. Additionally, Rolka Loube is improving and rewriting the current VRS URD. This is slated to go live July 1, 2023.

Rolka Loube is implementing Data Act requirements which requires certain disclosures, with respect to the expenditure of government-managed money. OCG is considering various implementation issues in terms of administrative procedure and administrative requirements.

Rolka Loube is working on building a more robust business intelligence platform.

## **New Business**

Holly Bise, chair of the Bylaws Committee presented the Policy and Procedures Manual, which includes, the mission statement, the onboarding policy, the code of ethics, meeting procedures, accessibility commitment policy, member conduct and conflict resolution policy. Holly also presented the updated Bylaws. The discussion resulted in a couple of minor friendly amendments.

Linda Vandeloop moved that the Council adopt the Policies and Procedures Manual, and the bylaws. Holly Bise seconded the motion. The Policies and Procedures Manual and the Bylaws were approved unanimously.

Ron Bibler made a motion requesting the fund administrator work with the rate review subcommittee to study the aspects and the effects of marketing and outreach, the research and development factor, and how they are related to industry demand, the fund, and cost recovery. Steve Peck seconded. The Motion passed unanimously.

Mike Strecker moved: Recommend that the iTRS Fund Administrator include a breakout by total dollars of disallowed costs by applicable relay service in their respective disallowed cost categories, as part of the annual interstate Telecommunications Relay Services fund payment formula and fund size estimate report, otherwise known as the iTRS Fund Annual Report. Steve Peck seconded. The motion passed unanimously.

Mike Strecker moved: The Council recommends that RL work with the Council members and providers to research possible alternative solutions that can address the 2-week waiver period while also avoiding the current potential 5 or more day delay to the distribution schedule for full payment of services to all providers. Jeff Rosen seconded. The motion passed unanimously.

The Spring meeting will be held on April 19<sup>th</sup> and 20<sup>th</sup>. The April 19<sup>th</sup> closed meeting will be held at the AT&T Forum if available and the April 20<sup>th</sup> business meeting will be held at Gallaudet University if meeting space is available with the hope of maximizing public participation.

The meeting was adjourned at 3:14 pm.