

Resolution to Support Equal Access to Communication Technologies by People with Disabilities in the 21st Century

WHEREAS, All Americans, including Americans with disabilities, deserve equal access to the employment, educational, civic, and informational benefits that emerging digital and Internet-based technologies can deliver; *and*

WHEREAS, New digital and Internet Protocol (IP) technologies can provide people with disabilities with new opportunities to be independent and productive citizens of our society only if these innovations are designed to be accessible, usable, and affordable; *and*

WHEREAS, Federal laws enacted in the 1980s and 1990s to safeguard disability access to telecommunications, including the Telecommunications Act of 1982, the Hearing Aid Compatibility Act of 1988, and the Americans with Disabilities Act of 1990, have not kept pace with new Internet-based and many digital technologies; *and*

WHEREAS, As our nation migrates from legacy public switched-based telecommunications to more versatile and innovative IP-based and other communication technologies, it is critical to the economic well-being of our nation, as well as the integration and self-reliance of people with disabilities, to not leave these individuals behind; *and*

WHEREAS, The Link-Up and Lifeline Assistance Programs are two federal programs that provide significant discounts on initial connection and basic monthly telephone service fees to help make residential telephone service provided over the public switched telephone network (PSTN) more affordable for the nation's low-income consumers; *and*

WHEREAS, Many deaf individuals who use American Sign Language (ASL) need broadband services to make telephone calls – either point-to-point or through IP-based video relay services – that are functionally equivalent to voice telephone services provided over the PSTN; *and*

WHEREAS, Video communication for ASL users enables conversations to flow more naturally, quickly, and transparently between the parties, achieving a telephone experience that more closely parallels the telephone experience of people without hearing disabilities; *and*

WHEREAS, The percentage of people with disabilities who have access to the Internet is far below that of the general population, and particularly low in rural communities, where people with disabilities are the least employed and have minimal discretionary income at their disposal; *and*

WHEREAS, Allowing eligible consumers to choose to apply their Lifeline and Link-Up subsidies to reduce broadband fees would enable many low-income persons who are deaf, hard of hearing, or who have a speech disability to acquire access to IP-based video communication services and will boost that percentage; *and*

WHEREAS, The 70,000-100,000 people living in the United States who are deaf-blind lack even the most basic access to telecommunications services; *and*

WHEREAS, Specialized consumer premises devices for people who are deaf-blind, when manufactured, are relatively expensive, costing upwards of five thousand dollars (\$5,000) per device, and are affordable by only very few Americans who are deaf-blind; *and*

WHEREAS, A modest set-aside from the Universal Service Fund will help defray the cost of these specialized products and will provide much needed telecommunications access to eligible members of the deaf-blind community, with negligible impact on the Fund; *and*

WHEREAS, The National Association of Regulatory Utility Commissioners (NARUC) has previously expressed its commitment through resolutions in past years to expand the deployment of broadband and other advanced communication technologies to all Americans; *now, therefore, be it*

RESOLVED, That the Board of Directors of the National Association of Regulatory Utility Commissioners, convened in its 2008 Winter Meetings in Washington, D.C., supports endeavors that embrace the principles expressed in this resolution, as well as federal measures to ensure equal access by people with disabilities to emerging digital, broadband and other Internet-based communication technologies; *and be it further*

RESOLVED, That NARUC urges Congress to support the designation of broadband services as eligible to receive support under the Lifeline and Link-Up programs, so that individuals with disabilities who qualify under these programs are given the choice of directing their subsidies to either PSTN-based or broadband-based communication services; *and be it further*

RESOLVED, That NARUC urges Congress to support a set-aside of universal service funds in the amount of \$10 million annually to support the distribution of specialized customer premises equipment to eligible individuals who are deaf-blind; *and be it further*

RESOLVED, That NARUC directs its General Counsel, with the consent of NARUC leadership, to communicate this resolution, including supporting initiatives that seek to ensure equal access by people with disabilities to digital, broadband and other Internet-based communication technologies, to all relevant policymakers, including federal and State agencies and Congress.

Sponsored by the Committee on Consumer Affairs

Adopted by the NARUC Board of Directors February 20, 2008