

This action is preferred over other regulatory options analyzed because, while it removes the CAA 112(f)(2) standards to better comply with the text and structure of the applicable statutory language (see section III.A), it retains the first-time standards promulgated in the 2024 Final Rule under CAA sections 112(d)(2), (3) and (5) for emission sources that were unregulated prior to the 2024 Final Rule. These standards will continue to apply and protect children's health.

Furthermore, the EPA's *Policy on Children's Health* applies to this action. For details on children's health and the impact of the CAA section 112(d) standards, please see the discussion in the 2024 Final Rule (89 FR 24090).

I. Executive Order 13211: Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use

This action is not a "significant energy action" because it is not likely to have a significant adverse effect on the supply, distribution or use of energy. The overall energy impact of this rule should be minimal for commercial sterilization facilities and their parent companies.

J. National Technology Transfer and Advancement Act (NTTAA)

The NTTAA requires the EPA to use voluntary consensus standards (VCS) in addition to EPA methods in regulatory activities unless doing so would be inconsistent with applicable law or otherwise impracticable. VCS are technical documents, such as test methods, that are developed or adopted by VCS bodies using procedures that ensure that the standards development process is open to all interested parties. VCS bodies are generally private sector, not-for-profit entities such as the American Society for Testing and Materials (ASTM).

The EPA searched the Enhanced NISSN Database managed by the American National Standards Institute (ANSI) for VCS that could be used in the National Emission Standards for Hazardous Air Pollutants for Ethylene Oxide Emissions Standards for Sterilization Facilities. The EPA also contacted VCS organizations and accessed and searched their databases. While the EPA has made a reasonable effort to identify and evaluate potentially practical VCS, the findings do not necessarily represent all potential alternative standards which may exist.

Searches were conducted for: EPA Methods 204 and 205 of 40 CFR part 51, Appendix M; EPA Methods 1, 1A, 2, 2A,

2B, 2C, 2D, 3A, 3B, and 4 of 40 CFR part 60, Appendix A; and, EPA Methods 301 and 320 of 40 CFR part 63, Appendix A. The EPA found no VCS are acceptable alternatives for EPA Methods 1, 1A, 2, 2A, 2B, 2C, 2D, 3A, 4, 204, 205, and 301. The EPA found no acceptable alternative VCS for EPA Methods 1, 1A, 2, 2A, 2B, 2C, 2D, 3A, 4, 204, 205, and 301.

The proposed rule continues to include one VCS as an alternative to EPA Method 3B for the purposes of this rule. The manual methods in ANSI/ASME PTC 19-10-1981 Part 10, "Flue and Exhaust Gas Analyses" (2010 version) are acceptable alternatives to EPA Method 3B to analyze oxygen and carbon dioxide concentrations in the stack gas. The instrumental methods in the voluntary consensus standard ANSI/ASME PTC 19-10-1981 Part 10, "Flue and Exhaust Gas Analyses" (2010 version) are not acceptable alternatives to EPA Method 3B.

The proposed rule continues to include one VCS as an alternative to EPA Method 320 for the purposes of this rule. The VCS ASTM D6348-12 (2020), "Determination of Gaseous Compounds by Extractive Direct Interface Fourier Transform (FTIR) Spectroscopy" is an acceptable alternative to EPA Method 320 with caveats requiring inclusion of selected annexes to the standard as mandatory. When using ASTM D6348-12(2020), the following conditions must be met:

(1) The test plan preparation and implementation in the Annexes to ASTM D 6348-12 (R2020), sections A1 through A8 are mandatory; and

(2) In ASTM D6348-12 (R2020) Annex A5 (Analyte Spiking Technique), the percent (%) R must be determined for each target analyte (equation A5.5). For the test data to be acceptable for a compound, %R must be $70\% \leq R \leq 130\%$. If the %R value does not meet this criterion for a target compound, the test data is not acceptable for that compound and the test must be repeated for that analyte (*i.e.*, the sampling and/or analytical procedure should be adjusted before a retest). The %R value for each compound must be reported in the test report, and all field measurements must be corrected with the calculated %R value for that compound by using equation 1 to this paragraph:

(eq. 1) Reported Results = ((Measured Concentration in Stack)/(%R)) × 100

According to 40 CFR 63.7(f) and 40 CFR 63.8(f) of subpart A of the general provisions, a source may apply to the EPA to use alternative test methods or alternative monitoring requirements in

place of any required testing methods, performance specifications or procedures in the final rule or any amendments. The EPA welcomes comments on this aspect of the proposed rulemaking and, specifically, invites the public to identify potentially applicable VCS and to explain why such standards should be used in this regulation.

List of Subjects in 40 CFR Part 63

Environmental protection, Air pollution control, Hazardous substances, Reporting and recordkeeping requirements.

Lee Zeldin,

Administrator.

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FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 64

[CG Docket Nos. 03-123, 10-51, 12-38; FCC 26-4; FR ID 335624]

Internet-Based Telecommunications Relay Service Modernization

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: The Federal Communications Commission (Commission) proposes to modernize its telecommunications relay services (TRS) rules and seeks comment on the use of automatic speech recognition (ASR) for speech-to-text conversion and advanced text-to-speech technologies for Internet Protocol (IP) Relay Service; the need for metrics for IP Relay quality; the compatibility of IP Relay with Real-Time Text (RTT) technology; adding captioning functionality to Video Relay Service (VRS) platforms; amending VRS calling rules for calls to U.S. embassies and consulates by U.S. residents while traveling abroad; adjusting VRS call center requirements; streamlining TRS provider certification and user registration processes; updating or eliminating obsolete rules; and closing outdated dockets. With these proposals, the Commission presents targeted reforms that align internet-based TRS with twenty-first century technological advancements in relay services that can better serve the needs of persons with disabilities while securing the viability and enhancing the effectiveness and functional equivalency of internet-based TRS.

DATES: Comments are due April 16, 2026. Reply comments are due May 18, 2026.

ADDRESSES: You may submit comments, identified by CG Docket No. 03–123, by the following method:

Federal Communications

Commission's website: <https://www.fcc.gov/ecfs/filings>.

Follow the instructions for submitting comments.

For detailed instructions for submitting comments and additional information on the rulemaking process, see the **SUPPLEMENTARY INFORMATION** section of this document.

FOR FURTHER INFORMATION CONTACT:

Joshua Mendelsohn, Disability Rights Office, Consumer and Governmental Affairs Bureau, at 202–559–7304, or Joshua.Mendelsohn@fcc.gov.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's Notice of Proposed Rulemaking (NPRM), FCC 26–4, adopted on January 29, 2026, released on January 30, 2026, in CG Docket Nos. 03–123, 10–51, and 12–38. The NPRM can be accessed electronically via the Commission's Electronic Document Management System website at <https://www.fcc.gov/edocs>, or via the Commission's Electronic Comment Filing System (ECFS) website at <https://www.fcc.gov/ecfs>.

Pursuant to §§ 1.415 and 1.419 of the Commission's rules, 47 CFR 1.415, 1.419, interested parties may file comments and reply comments. Comments may be filed using ECFS.

- *Electronic Filers.* Comments may be filed electronically using the internet by accessing the ECFS: <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.

- *People With Disabilities.* To request materials in accessible formats for people with disabilities (Braille, large print, electronic files, audio format), send an email to fcc504@fcc.gov or call the Consumer and Governmental Affairs Bureau at (202) 418–0530.

Ex Parte Rules. This proceeding shall be treated as a permit-but-disclose proceeding in accordance with the Commission's *ex parte* rules. 47 CFR 1.1200 *et seq.* Persons making *ex parte* 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 § 1.1206(b) of the Commission's rules. In proceedings governed by § 1.49(f) of the Commission's rules 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.

Providing Accountability Through Transparency Act: The Providing Accountability Through Transparency Act, Public Law 118–9, requires each agency, in providing notice of a rulemaking, to post online a brief plain-language summary of the proposed rule. The required summary of the NPRM is

available at <https://www.fcc.gov/proposed-rulemakings>.

Initial Paperwork Reduction Act of 1995 Analysis

The NPRM may contain proposed new or 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 the NPRM, as required by the Paperwork Reduction Act of 1995, Public Law 104–13. In addition, pursuant to the Small Business Paperwork Relief Act of 2002, Public Law 107–198, see 44 U.S.C. 3506(c)(4), the Commission seeks specific comment on how it might further reduce the information collection burden for small business concerns with fewer than 25 employees.

Synopsis

Title IV of the Americans with Disabilities Act of 1990 (ADA), codified at section 225 of the Communications Act of 1934, as amended (the Act), established the foundation for the nationwide TRS program. 47 U.S.C. 225. Section 225 of the Act directs the Commission to ensure that TRS are available to the extent possible and in the most efficient manner to people with hearing and speech disabilities in the United States.

IP Relay

The Commission must ensure that its TRS rules encourage the use of existing technology and do not discourage the development of improved technology. With the emergence of ASR technology and text-to-speech functionalities in IP Relay, the Commission seeks to leverage this technological progress while understanding and addressing its systemic impact. The Commission invites comment regarding the deployment, performance, potential benefits, or challenges of ASR and automated text-to-speech technologies in the IP Relay context. How can further advancements in text-to-speech technologies enhance the functional equivalency and user experience of IP Relay services?

Billing. The Commission is committed to ensuring sound financial stewardship of the TRS Fund. While many consumers register for only one form of TRS, individuals with both hearing and speech disabilities may register for both IP Relay and IP CTS. Furthermore, modern applications allow a single platform or device to provide multiple forms of TRS within the application,

giving users the flexibility to choose the specific communication mode—such as typing text or speaking—that best suits their needs for a particular call. Users of these platforms now have the ability to switch between IP CTS and IP Relay during the call.

This distinction is critical because of the current differential between IP Relay and IP CTS compensation rates, which may create a risk of waste, fraud, and abuse when these services are delivered on the same platforms. For the current Fund Year, IP Relay providers are compensated at a per-minute rate of \$2.1970. By contrast, CA-assisted IP CTS is compensated at \$1.40 a minute (plus a potential supplement), while ASR-only IP CTS is compensated at \$1.05 per minute. The substantial difference in compensation rates appears to create a financial incentive for providers offering both services to potentially misclassify minutes, or to design their platforms to drive users to IP Relay, to secure the higher rate.

Recently certified providers offering fully automatic IP Relay utilize ASR to convert the hearing party's speech to text (for the IP Relay user to read) and text-to-speech engines to convey the user's typed message to the hearing party. This fully automated functionality shares significant technical characteristics with ASR-only IP CTS, which consists solely of automated voice-to-text transcription. In granting certification for these services, the Consumer and Governmental Affairs Bureau (CGB) cautioned that providers utilizing shared platforms must take care not to bill the TRS Fund at the higher IP Relay rate for minutes that involve only transcription of a caller's speech, without the necessary conversion of the user's communication from text to speech.

How should the Commission address the issues arising from the differences in compensation between fully automated IP Relay and ASR-based IP CTS? Should the Commission resolve the difference through changes to the compensation plan for IP Relay or consider technology-based solutions or solutions based on user registration or call reporting requirements? For example, should the Commission establish a rule stating that a call is compensable only at the ASR-only IP CTS rate unless verifiable records demonstrate that the user actively utilized the text-to-speech output necessary for the full IP Relay conversion process? Are there technical mechanisms (e.g., software checks, specialized signaling, real-time logging of active speech or text-to-speech modules) that integrated service platforms could implement to reliably

and automatically distinguish minutes provided as IP Relay versus IP CTS in call detail records? Should providers offering both IP Relay and IP CTS on an integrated platform be allowed to include a feature giving users the affirmative choice of selecting the desired service mode at the outset of the call, or the ability to seamlessly switch between modes during the call, to ensure the recorded service type reflects user preference and necessity? Does allowing for such switching impede the ability of providers to automatically collect call detail records? Could such switching increase the likelihood for providers to improperly categorize minutes of use, thus increasing administrative costs for the TRS Fund when corrective action is taken? Are there changes to the process for recording and submitting requests for compensation that could help mitigate such risks? Which registration and verification requirements should users seeking access to both IP Relay and IP CTS follow? How should the Commission ensure the Commission or the Fund administrator will be able to fully review and audit the call detail records and requests for compensation to ensure the reported minutes align with the service provided?

The Commission seeks comment on whether it should take steps to ensure that CA-assisted IP Relay does not disappear entirely. Does the availability of a human CA provide essential assistance for specific customer segments? Conversely, have ASR and text-to-speech technologies advanced sufficiently to provide comparable service quality even in specialized or challenging contexts? The Commission seeks comment on whether a rule requiring a human-assistance option to be included in every IP Relay offering would help maintain IP Relay service quality, or if the current IP Relay environment, which allows consumers to choose between fully automated and CA-assisted forms of IP Relay (which may be offered by the same or different providers), sufficiently protects service quality.

Numbering. Another issue that arises when IP CTS and IP Relay are provided on the same underlying platform concerns the need for users to designate a default provider for IP Relay and to use the TRS numbering directory to route IP Relay calls. Historically, the infrastructure of IP Relay has involved a live CA converting communications in both directions between the user's text-based internet connection and the voice caller via the PSTN, thereby creating a necessary two-legged call structure. To improve access to emergency service,

allow direct dialing of IP Relay calls, and provide a uniform method for calling IP Relay users, the Commission adopted rules providing that an IP Relay user's designated "default" provider shall assign (or port) a geographically appropriate ten-digit NANP number to a IP Relay user and facilitate call routing by entering routing information in the TRS Numbering Directory.

Fully automated IP Relay service, which uses automated technology for both speech-to-text and text-to-speech conversions, eliminates the need to connect to a human CA intermediary at a call center and allows IP Relay users to make calls directly to the recipient using an app-based VoIP connection. Therefore, providers of fully automated service may no longer need to put an IP Relay user's telephone number in the TRS Numbering Directory. Further, in relying on existing number assignment processes for VoIP providers, these IP Relay providers would be subject to the Commission's porting and numbering rules applicable to VoIP providers and would no longer need to be identified as default providers, subject to TRS numbering and porting requirements.

The Commission seeks comment on the continuing need to require all IP Relay providers to add a designated NANP telephone number and associated Uniform Resource Identifier (URI) for each IP Relay user. Are IP Relay providers utilizing ASR and automated text-to-speech able to achieve full connectivity between IP Relay users and voice communication users without utilizing the TRS Numbering Directory? Are such providers able to ensure IP Relay users can call emergency services, including 911 and 988? Is the Commission able to relieve IP Relay providers of the obligation to provision information in the Numbering Directory, or do some IP Relay providers still require a mechanism that maps telephone numbers to a user name, domain name, or IP address? Should the Commission allow the provision of IP Relay without assigning the user a designated internet-based TRS phone number, if a user has the ability to place and receive IP Relay calls using the number associated with their telephone service? Are there other impacts to call routing if some, but not all IP Relay numbers are in the TRS numbering directory? Will it change or affect how some IP Relay users reach emergency services? If a provider requires the use of the Directory, would it impede the provision of calls between IP Relay users if some or all IP Relay users' telephone numbers are not in the Directory? Do providers have another mechanism to identify IP Relay calls

between different providers, to flag such calls as non-compensable from the TRS Fund? What technical methods could be implemented to prevent IP Relay providers from submitting compensation requests for such direct IP Relay-to-IP Relay calls, ensuring accurate Call Detail Records and compliance with the Commission's TRS rules? Are there other fraud or security concerns that may arise from no longer requiring IP Relay providers to provision information in the Numbering Directory? Are there other policy considerations that would support maintaining a requirement that all telephone numbers associated with IP Relay be entered in the TRS Numbering Directory?

RTT compatibility. IP Relay, being a text-based service transmitted over the internet, shares fundamental characteristics with RTT technology due to its reliance on text and IP networks. In another proceeding, the Commission is seeking comment on the development of an RTT-based TRS to help facilitate the transition from a TTY-based, analog service to one that can be effectively provided on IP networks. Here, the Commission seeks to better understand the compatibility and differences between these two IP- and text-based forms of relay—IP Relay, as currently configured, and an RTT-based relay service.

The Commission seeks comment on the compatibility and interoperability of RTT and IP Relay in an IP calling environment. What standards do IP Relay providers use to carry text conversations across an IP network? Is the text transmission able to synchronize with voice or video transmission to allow for multimedia conversation? How does the connection to a CA in a call center affect the transmission of the text? How does the use of text-to-speech and ASR technologies affect the transmission of the text?

The Commission also seeks comment on specific rule changes that would facilitate improved compatibility between IP Relay and RTT, including any technical standards or interoperability requirements that should be adopted or modified. What specific modifications or standards are necessary for IP Relay access technology (e.g., equipment or software provided by the IP Relay provider) to natively support RTT protocols and user interface features, such as displaying text character-by-character as it is generated, consistent with RTT standards? Would the features and functions of RTT (full duplex operation and seamless integration of voice and

text) translate into improved functional equivalence for IP Relay users? The Commission asks commenters to quantify or describe any expected improvements in pacing, conversation flow, and overall efficiency. Would switching from current IP Relay text-typing methods to character-by-character RTT functionality impact the speed, usability, and accessibility for users relying on assistive technologies such as refreshable braille displays or screen readers? Would RTT integration create opportunities for enhanced interoperability across advanced communication service platforms? Is further action needed to ensure support for these standards and protocol in the provision of IP Relay.

What are the estimated capital and operational costs required for IP Relay providers to implement RTT compatibility, including necessary changes to access technology, call handling infrastructure, and training for CAs or ASR and text-to-speech engines? Which costs are one-time start-up costs and which are recurring costs? Will integrating RTT into IP Relay create opportunities for long term cost savings?

If the Commission mandates RTT integration into IP Relay, what is an appropriate transition period for providers to implement this change? Should this period be a fixed time (e.g., 18 or 24 months), or should implementation be tied to milestones related to the ongoing transition from analog to IP-based networks across the country? Given that RTT integration is proposed to ensure a seamless transition for legacy TTY users, are there specific measures to inform these users about any new RTT-integrated IP Relay options and to assist them in making the transition?

Metrics. The Commission seeks comment on developing objective, quantifiable measures and metrics for IP Relay services, particularly those employing ASR and automated text-to-speech technologies. The speech-to-text feature of current fully automatic IP Relay services relies on the same ASR engines as providers' IP CTS offerings, and the Commission is already engaged in developing quantitative standards for IP CTS. Therefore, the Commission seeks comment on the extent to which such future metrics for IP CTS could be directly applied or adapted to assess the speech-to-text component of IP Relay done using either ASR or with the assistance of a CA. How should the Commission account for differences in expected use between IP Relay and IP CTS? For example, the Commission believes most IP CTS users rely on both captions and residual hearing for

comprehension, while most IP Relay users rely solely on the resulting text. Should the quantitative metric for accuracy required for IP Relay be set at a more stringent standard than an accuracy standard adopted for IP CTS? Does the fact that an IP Relay user types a response, suggest the quantitative standard for caption delay for IP Relay should differ from the standard set for IP CTS? Should such questions be brought to a standards body or designated working group for further development?

The Commission also seeks comment on whether to consider measures and metrics for the text-to-speech functionality in IP Relay, beyond the current qualitative standard requiring CAs to possess clear and articulate voice communication skills. What process should the Commission pursue to develop measures and metrics for text-to-speech? Should the Commission also consider developing measures for CA-assisted text-to-voice IP Relay? What quantitative measures could effectively assess text-to-speech accuracy, clarity, and naturalness? How should the concept of automated text-to-speech "clarity" be quantified—for example, by measuring synthetic voice recognition rates by external testing panels, or by adopting metrics derived from industry standards for audio quality, independent of the ASR transcription process? Should the Commission establish a quantitative standard for the latency or delay of the text-to-speech component? What would be the appropriate measures to consider for such conversational latency or delay in IP Relay?

If the Commission develops metrics and measures for the provision of IP Relay, how should the Commission perform service quality tests? Should the Commission require IP Relay providers offering a hybrid service (ASR and text-to-speech alongside human CAs) to report automated performance metrics separate from CA-assisted performance metrics? What level of quality is acceptable and what statistical methods are appropriate for assessing provider performance? How, and how often, should the information be collected? To ensure the accuracy and impartiality of data, should the measurement of IP Relay ASR and text-to-speech quality rely predominantly on testing conducted by an independent entity chosen and overseen by the Commission, or should providers also be required to perform and submit self-testing results? Does the extent to which performance data are self-reported or collected through a third party affect how the Commission should analyze or

understand the results? Should the collection method affect the level of performance deemed acceptable? What methodology is appropriate for testing ASR performance in call environments particularly relevant to IP Relay users, such as those using assistive technology like refreshable braille displays or screen readers? Are there rule changes the Commission should consider to facilitate such performance testing? How frequently should such testing be performed and submitted? Should the Commission publish the results of such performance testing? Should it develop a dashboard of performance metrics for IP Relay? What information would be most useful to publish on the dashboard to convey IP Relay performance for the public and for users?

Should the Commission adopt specific consequences or remediation practices for IP Relay providers whose measured performance falls below the minimum qualitative standards for ASR accuracy or automated text-to-speech quality? For example, should providers that fail to meet these metrics be required to develop and submit for Commission approval a corrective compliance plan detailing steps and timelines for service improvement? If testing reveals performance disparities (e.g., lower accuracy or clarity), should compensation be withheld or reduced until standards are met? Should testing be part of the Commission's certification and re-certification review processes?

Video Relay Service

ASR Captioning. Automation has transformed the economics of captioning, making it practicable to offer captioning with most forms of video communication. Captioning has become a widespread and commonplace feature across various communication platforms, including general IVCS platforms, where the Commission has moved to adopt performance objectives for the provision of captions that are accurate and synchronous. With the increased availability of captioning to any person using communications services, the Commission seeks comment on requiring VRS providers to build in captioning functionality for what the CA voices when transliterating signs to spoken English. This would ensure that the VRS user, in addition to seeing the CA's signed interpretation, would also simultaneously receive a text display of the CA's spoken output. The Commission assumes that integrating captioning functionality directly into VRS platforms would be beneficial for ensuring conversation comprehension between ASL users and hearing individuals, by providing the

ASL user with a secondary check to their conveyed information, comparable to the ability of hearing individual to hear their own words in a voice communication. VRS users would be able to monitor the quality of the CA's interpretation by allowing them to assess the CA's voiced interpretation of their signs—by comparing the simultaneously displayed text of that interpretation with what they originally signed, thereby ensuring the accuracy of their communication, while also enhancing the transparency and accountability of the relay service. The Commission seeks comment on these assumptions.

In addition to captioning the CA's voiced interpretation, the Commission seeks comment on whether to require VRS providers to build in captioning functionality for what the hearing caller is saying. Such options align with communications services currently available to hearing users in the communications services marketplace. This would provide the VRS user with direct text of the hearing party's speech, complementing the CA's signed interpretation. This integration would provide greater flexibility for the user, allowing them to choose how they receive and process information during a VRS call, depending on their individual preferences, communication mode (e.g., residual hearing combined with visual text), or environmental factors. The Commission assumes this would offer VRS users a more complete and redundant visual representation of the conversation, potentially enhancing comprehension and further facilitating a multi-modal approach to communication in a manner functionally equivalent to the voice communication available to hearing individuals. The Commission seeks comment on this assumption.

The Commission also seeks comment on whether users should be able to adjust the display of captions on VRS software. The Commission previously adopted performance objectives for IVCS providers to provide user interface controls, which permit users to activate and adjust the display of captions. The Commission seeks comment on adopting a similar requirement that users be able to activate and adjust the display of captions, allowing them to alter the size, font, and on-screen location of captions, and adjust the color and opacity of both the captions and the caption background. The Commission assumes that this measure aligns with the Commission's broader goal of empowering individuals with disabilities through independent user control over accessibility-related

settings, which is essential for managing individual preferences and needs across various communication platforms. Additionally, the Commission assumes independent user control of the display of captions would enhance access for people who use ASL and have limited vision. By enabling VRS users to optimize caption readability and have effective communication, such controls would appear to advance the statutory mandate for functionally equivalent TRS to be made available in the most efficient manner. The Commission seeks comment on these assumptions. Are there potential unintended consequences with allowing simultaneous captioning and signing? For example, given that there are grammatical differences between written English and ASL, could the simultaneous display of ASL and text cause confusion or impede the flow of conversation, if VRS users seek to verify the ongoing accuracy of CA signing? Are there captioning settings or best practices available that could help mitigate any unintended consequences?

The Commission seeks comment on the costs and benefits of implementing built-in captioning and customizable display settings. Is it technically feasible for VRS providers to implement built-in captioning with customizable display settings? Are there potential cost savings associated with the enhance comprehension that captions may provide? What are the one-time and ongoing costs that VRS providers would incur to develop and maintain built-in captioning and customizable display settings? How should the TRS Fund administrator categorize those costs? Are there alternative ways VRS providers could make captioning available, such as, through integration of third-party applications? The Commission asks that commenters discuss the costs and benefits of any alternative proposals.

The Commission also seeks comment on whether any captioning requirements adopted should be applicable to dedicated VRS devices (i.e., videophones) distributed by providers, as well as the VRS software made available for use with off-the-shelf devices such as smart phones, tablets, computers, and laptops, or via web versions of the VRS platform. Would captioning functionality be most efficiently provided in the VRS context by attaching it to the service, as with most IVCS platforms, or by providing it through a VRS user's equipment, as with the captioning made available through the operating systems of wireless devices, independently of a voice communications service? The

Commission seeks comment on the scope of its authority under section 225 of the Act to require manufacturers of VRS access technology equipment to support captions and customizable display settings. The Commission often distinguishes between its ability to allow TRS Fund support for services and service-related software and web-based applications for off-the-shelf devices and provider build and provisioned consumer premises equipment (CPE). Is the Commission only able to adopt such a requirement where it is able to ensure such costs are compensable through TRS Fund support? To meet the definition of TRS, must a telephone transmission service, such as VRS, or a manufacturer of VRS access equipment conform to the requirement that equipment used for advanced communications service or telecommunications services is accessible to and usable by individuals with disabilities, even if the equipment costs are not compensable through the TRS Fund?

International Dialing while Traveling Abroad. U.S. residents who are VRS users frequently need to make telephone calls while traveling abroad. The Commission's current rules allow TRS Fund support (after notice to the user's default VRS provider) when such users place calls to the United States, but they do not address compensation for calls placed to other endpoints. Recently, the United States Department of State (State Department) asked the Commission to permit TRS Fund support when VRS users traveling abroad make calls to U.S. embassies and consulates, which have telephone numbers local to the country where they are located. In its request, the State Department explains that its "dedicated consular teams around the world stand ready to assist, and our embassies and consulates maintain duty rosters to coordinate help on a 24/7 basis, for U.S. residents who need assistance due to a medical emergency, lost passport, death, arrest, or other unanticipated event."

To facilitate the safety and security of VRS users traveling abroad, the Commission proposes to require VRS providers to complete VRS calls to a designated list of international numbers for U.S. embassies and consulates. The Commission seeks comment on the technical feasibility, estimated costs, and potential benefits of mandating VRS providers to facilitate these types of calls to a pre-approved list of diplomatic facilities. How would such a requirement impact VRS provider operations, the TRS Fund, and the functional equivalence of VRS for users seeking to connect with U.S.

government services while abroad? What safeguards are necessary to ensure appropriate use and prevent misuse of this service? What technical modifications would be necessary to be able to facilitate connections between VRS users and U.S. government services using non-NANP numbers?

The Commission declines to broaden the scope of our international calling rules beyond the specific requirement proposed today regarding calls placed to U.S. embassies and consulates. It does not seek to revisit, the Commission's prior determination that, in general, calls that originate and terminate outside of the United States are non-compensable. The Commission limits its proposal to an exception for calls to U.S. embassies and consulates that we believe are permissible under section 225 of the Act.

The Commission also seeks comment on its legal authority to allow TRS Fund support for U.S. residents' use of TRS for calls to U.S. embassies and consulates. CGB previously determined that VRS calls that both originate and terminate outside the United States are not compensable. This determination was based on the text of section 225 of the Act, which directs the Commission to ensure that TRS are available to "hearing-impaired and speech-impaired individuals in the United States." However, in so directing the Commission, section 225 of the Act expressly references section 1 of the Act, which establishes the Commission, "for the purpose of regulating interstate and foreign commerce in communication by wire and radio," so as to make communication service available "to all the people of the United States." To interpret section 225 of the Act in harmony with section 1 of the Act, the Commission believes that section 225 of the Act should not be construed as limiting the Commission's authority to make VRS available to "the people of the United States" (*i.e.*, to U.S. citizens and legal U.S. residents) when such individuals are temporarily located outside the United States.

Further, the Commission has previously interpreted section 225 of the Act as allowing U.S. residents to make calls to the United States while temporarily located abroad for periods of up to one year. The Commission believes that supporting VRS calls to U.S. embassies and consulates by U.S. residents traveling abroad, even where the dialed number is a foreign end point, is similarly permissible under section 225 of the Act, notwithstanding CGB's prior determination regarding international calling in general. U.S. embassies and consulates are the

primary way for a U.S. citizen traveling abroad to contact the United States government for support and assistance. While the U.S. government has chosen to utilize calling numbers assigned to the country where the U.S. embassy or consulate is located, that does not change the intent of the VRS caller to reach the United States government. The Commission notes that, as a strictly legal matter, U.S. embassies and consulates may not constitute the territory of the United States. However, international law regards the premises of a foreign mission as "inviolable," such that "the agents of the receiving State may not enter them, except with the consent of the head of the mission." In addition, "[t]he receiving State is under a special duty to take all appropriate steps to protect the premises of the mission against any intrusion or damage and to prevent any disturbance of the peace of the mission or impairment of its dignity," and "[t]he premises of the mission, their furnishings and other property thereon and the means of transport of the mission shall be immune from search, requisition, attachment or execution." Conversely, embassy and consular staff are subject to the laws of their home country. Thus, it appears that for many legal purposes, a U.S. embassy or consulate is treated *as if* it were part of the United States. For these reasons, the Commission believes it is permissible to designate such calls as compensable and to require VRS providers to ensure that VRS users may complete such calls. The Commission seeks comment on these beliefs.

In what specific respects are embassies or consulates treated (or not treated) as if they were part of the United States? In construing section 225 of the Act in this context, how should the Commission resolve the seeming incongruity between the Commission's authority under section 225 of the Act "to carry out the purposes established under section 151 of the Act, to make available to individuals in the United States a rapid, efficient nationwide communication service" by ensuring the availability of TRS, and the purpose actually stated under section 151 of the Act, *i.e.*, "regulating interstate and foreign commerce in communication by wire and radio so as to make available, so far as possible to all people of the United States . . . a rapid, efficient, Nation-wide, and world-wide wire and radio communication service . . ."? To the extent that the Commission finds the phrase "in the United States" in section 225(b)(1) of the Act refers to the physical territory of the United States,

does that preclude the Commission from ensuring that communications capabilities made available to U.S. residents are also available to such individuals when they leave the United States? Do the provisions of section 225 of the Act requiring common carriers to ensure the availability of TRS throughout the area in which it offers services and requiring the Commission to ensure the regulations do not discourage or impair the development of improved technology, permit international TRS, when technologically feasible and where TRS Fund contributors offer such world-wide voice communication services? If the people of the United States can use voice communications services to engage in communications world-wide regardless of their location, does functional equivalence necessitate telephone transmission services being available on the same worldwide scale to meet the definition of TRS?

Cap on VRS at-home minutes. The Commission previously increased the cap on VRS call minutes that could be handled by CAs working from home workstations from 50% to 80% of a provider's monthly minutes. This action implicitly established a 20% minimum requirement for monthly VRS minutes to be handled within physical call centers. The Commission seeks comment on whether, based on provider and consumer experience since the 80% cap became effective, the rationale supporting the 20% minimum physical call center minute requirement remains valid and whether the 80% cap should be removed. Does the experience of VRS providers operating under the 20% mandatory minimum for minutes handled through physical call centers show that these call centers are still essential for safeguarding the quality, reliability, and continuity of VRS? Are the monitoring and oversight rules regarding supervision, technical requirements, and random inspections adequate to provide comparable supervision and training remotely, thereby obviating the need for a fixed 20% minimum call center minute requirement? Given that no other form of TRS is subject to a mandatory physical call center threshold, does this requirement for VRS create unnecessary cost burdens or inefficiencies that hinder VRS providers' ability to utilize their labor force in the most cost-effective manner? If eliminated, what benefits (e.g., reduced overhead expenses or improved CA retention) could be realized and how should the Commission quantify these savings and benefits?

What is the impact of the current 20% minimum physical presence requirement on VRS providers' ability to recruit and retain qualified CAs? Are there any quantitative data on call quality, speed-of-answer compliance, and consumer complaint rates for minutes handled in physical call centers versus at-home workstations since the 80% cap took effect, including any metrics related to CA productivity or turnover? How has the 20% minimum physical presence requirement impacted the service experience of VRS users? Is there any empirical evidence demonstrating a quantifiable degradation of service quality directly attributable to increased reliance on at-home CAs? Conversely, absent such evidence, should the minimum physical presence requirement be removed entirely? If the Commission were to remove the 20% minimum minute requirement, should it mandate that VRS providers continue to maintain a minimum number of physical call centers (not related to minute volume) to ensure infrastructure redundancy and sufficient resources for staff supervision and technical support?

Should the Commission remove the 20% minimum requirement for monthly VRS minutes to be handled within physical call centers, then it may be possible that a VRS provider will no longer have any call centers. In light of that possibility, the Commission seeks comment on making conforming changes to several requirements for VRS providers to provide services at home workstations equivalent to or to the same extent as those provided at call centers. The Commission seeks comment on how removing the 20% minimum call center requirement would affect the current requirements for VRS providers to provide at-home CAs equivalent support to that provided to CAs working from call centers, ensure that each home workstation enables the provision of confidential and uninterrupted service to the same extent as the provider's call centers, and ensure that off-site supervision approximates the level of supervision at the provider's call center. Would it be sufficient to require VRS providers to provide support and supervision to CAs and require all home workstations to enable the provision of confidential and uninterrupted service even without a physical call center to serve as a point of comparison for these standards?

TRS User Registration and Verification Requirements

The Commission seeks comment on unifying and streamlining the existing user registration and verification

requirements, particularly those currently organized within § 64.611 of its rules, which are presently grouped by VRS, IP CTS, and IP Relay. The objective of this streamlining is to create a more coherent and consistent regulatory framework, while retaining specific provisions where necessary to address inherent differences between particular forms of TRS, such as technological capabilities or service delivery models.

Currently, § 64.611 of the Commission's rules delineates distinct registration requirements for each internet-based form of TRS. As the Commission moves towards extending user registration and verification requirements to all forms of TRS, including analog services and future IP-based services, the need for a unified and streamlined regulatory framework becomes even more apparent. The Commission believes such an approach would enhance clarity, reduce complexity for providers, and ensure consistent application of anti-fraud measures across the entire TRS program. Are there considerations that cut against this belief? The Commission seeks comment on how to best achieve this unification and streamlining within § 64.611 of its rules. Are there specific rule consolidations the Commission should consider? Are any distinctions between user registration and verification requirements for specific forms of internet-based TRS necessary? What impact, if any, would there be on compliance and administration as a result of this consolidation and streamlining of existing user registration and verification requirements?

Building on these considerations, the Commission seeks comment on the optimal allocation of responsibilities within the user registration process. Under Commission rules, VRS and IP CTS providers collect user information and transmit it to the User Database administrator, who then conducts the identity verification check. Is this division of labor the most efficient and effective model, or are changes warranted? Should the User Database Administrator remain the primary entity for identity verification, or is there a more efficient option? For example, the Commission seeks comment on the feasibility and desirability of the administrator establishing a direct user registration portal. This alternative model would allow users to submit their registration information directly to the User Database, rather than through their chosen provider, potentially streamlining the initial collection process and enhancing neutrality. In addition, this approach would eliminate

the need for users to register and obtain identity verification each time they change to a different TRS provider. What are the operational implications, costs, benefits, and any associated privacy concerns for each of these models, including how they might impact user experience, program integrity, and the overall efficiency of the TRS program? How would this improve the user experience compared to how user registration is currently done?

TRS Certification Applications

The Commission seeks comment on how the overall provider certification process could be streamlined to reduce the amount of detail the applicant must provide to demonstrate it will meet all applicable TRS mandatory minimum standards. To what extent are detailed descriptions essential for determining whether to certify a provider? How can an applicant provide a detailed description of how the applicant will meet all applicable TRS mandatory minimum standards in a way that demonstrates the applicant's eventual ability to actually comply with these standards? To what extent are detailed descriptions essential for determining whether to certify a provider? Is there information the Commission collects unnecessarily, or require providers to retain beyond its useful period? For example, should the Commission limit the required listing of employees to those who are CAs, executives, or officers? Should the Commission reduce the retention period for employment agreements for employees other than CAs, executives, or officers? Should the Commission eliminate the requirement to include in certification applications detailed descriptions and copies of certain deeds or leases (*e.g.*, for facilities, their technology and equipment, and automatic call distribution) for call centers located within the United States, while requiring these descriptions and copies for call centers located outside the United States?

What are the potential benefits, drawbacks, and feasibility of streamlining the certification process in this manner, particularly concerning its impact on administrative efficiency, regulatory oversight, and the continued assurance of functional equivalence for TRS users while preventing waste, fraud, or abuse of the TRS Fund? Is there any aspect of the certification process, including other relevant rules, that the Commission should consider as it works to streamline the certification process for internet-based TRS providers? Are there other certification

processes that the Commission should evaluate as useful models?

Additionally, the Commission seeks comment on how the recertification process could be streamlined to reduce the amount of detail the applicant must provide to demonstrate it continues to meet all applicable TRS mandatory minimum standards. How can the Commission leverage information collected with the initial application and during the certification period, while maintaining a robust recertification process? Would requiring details only when a change has been made since the initial application meet the goal of ensuring the Commission has complete and accurate information to consider applications for recertification? Should the Commission allow internet-based TRS providers to refer to information previously filed with the Commission in lieu of including detailed descriptions of how they will meet the mandatory minimum standards applicable to each form of TRS in their recertification applications? If the Commission retains requirements to include detailed descriptions and copies of certain deeds or leases (*e.g.*, for call center facilities, their technology and equipment, and automatic call distribution) in initial certification application, should the Commission eliminate the requirement for recertification applications? Should the Commission eliminate the requirement to file copies of sponsorship arrangements?

The Commission also seeks comment on several additional targeted revisions to the TRS provider certification rule in an effort to enhance administrative efficiency, remove redundant obligations, and ensure the accuracy of its regulatory text. The Commission proposes to correct a cross-reference to ensure that the required certification documentation, which describes measures taken by IP CTS providers to prevent seeking compensation for ineligible users, accurately points to the proper IP CTS registration and certification rules codified under § 64.611(j) of its rules. To provide greater administrative flexibility, the Commission proposes deleting unnecessary constraints regarding the format used by the Commission to issue certification, recognizing that while these rules may have previously specified a letter or order, the Commission currently uses various administrative documents to grant conditional certification, provided the provider is determined to meet all applicable mandatory minimum TRS standards and compliance requirements.

Finally, to reduce paperwork burden now that the relevant programs have matured, the Commission proposes to eliminate the requirement for internet-based TRS providers to submit an annual compliance report demonstrating that they are in compliance with § 64.604 of its rules. The Commission also proposes to eliminate a parallel requirement that applicants promise to file an annual compliance report. Through this proposal, the Commission would also eliminate the additional obligation on VRS providers to submit a compliance plan describing the provider's policies, procedures, and practices for complying with § 64.604(c)(13) of its rules and submit specific statistics related to at-home call handling. The Commission believes that annual compliance reports impose an unnecessary administrative burden on TRS providers.

While the Commission believes that comprehensive annual reporting on compliance creates unnecessary and burdensome paperwork, the Commission also maintains a strong commitment to the prevention of waste, fraud, and abuse in the TRS program. The Commission believes all TRS providers must have in place, and train their staff to carry out, clearcut, detailed procedures for compliance with applicable Commission rules. Therefore, instead of the annual compliance reporting currently required, the Commission proposes to require that, upon request by the Commission, a TRS provider must submit a detailed description of its current practice and future plans for complying with each rule specified in such request. The Commission proposes that a provider should be able to complete and submit such a compliance report and plan within 60 days of receiving a request from the Commission. The new requirement and timeframe are similar to the Commission's current rule, under which the Commission may notify a VRS provider if the Commission determines its compliance plan currently on file is inadequate to prevent waste, fraud, and abuse of the TRS Fund and giving the provider up to 60 days to submit an amended compliance plan. The current requirement is limited to VRS providers, while the proposed rule would apply to providers of all forms of TRS. The Commission seeks comment on these proposals and beliefs.

Notification of Substantive Changes

Section 64.606(f)(2) of the Commission's rules requires VRS and IP Relay providers to notify the Commission of substantive changes in

their TRS programs, services, and features within 60 days of when such changes occur. Providers must also certify that the interstate TRS program continues to meet federal minimum standards after implementing the substantive change. While § 64.606(f)(2) of the Commission's rules mentions only VRS and IP Relay providers, the Commission has required some IP CTS providers (as a condition of certification) to promptly report any changes in the information provided to the Commission during their application and supplemental filings, including changes in service agreements, suppliers, or the manner in which they provide service.

In recognition of this inconsistent policy and to ensure clarity and uniformity across all internet-based relay services, the Commission proposes to amend § 64.606(f)(2) of its rules to replace the specific references to "VRS and IP Relay providers" with the broader term "internet-based TRS providers." This proposed modification would ensure that a uniform notification requirement is applicable to each internet-based TRS provider. Furthermore, this amendment would accommodate the emergence of new internet-based relay services, such as the recently proposed internet Protocol Speech-to-Speech Relay Service (IP STS), avoiding the need for further rule modifications for each new service. This approach promotes efficiency and minimizes administrative burdens for both providers and the Commission by establishing a clear, overarching requirement for all internet-based TRS offerings. The Commission seeks comment on this proposal.

The Commission also proposes to adjust the text of the rule to eliminate any possible doubt regarding the timing of the required notification. The rule currently requires that "[s]tates must notify the Commission of substantive changes in their TRS programs within 60 days of when they occur" and providers "must notify the Commission of substantive changes in their TRS programs, services, and features within 60 days of when such changes occur." The Commission proposes to replace "of when" with "after" to emphasize that this notification does not have to be given in advance of a substantive change. The Commission seeks comment on this proposal.

Incentives for Use of TRS

The Commission's rules currently prohibit IP CTS and VRS providers from offering direct or indirect incentives, financial or otherwise, to encourage registration for or use of these services.

These prohibitions were established to prevent waste, fraud, and abuse in the TRS program, in which, due to the per-minute compensation system, providers may be motivated to encourage unnecessary use of relay services solely for the purpose of generating additional revenue. Such practices result in increased costs that are borne by all providers and users of communication services, impeding the statutory goal of making functionally equivalent services available in the most efficient manner.

To protect the long-term sustainability and integrity of the TRS Fund as new technologies arise, the Commission proposes to amend § 64.604(c)(8) of its rules so that the prohibition on incentives and inducements applies broadly to all internet-based TRS, including IP Relay and prospective services such as IP STS, Video-Assisted STS, and RTT-based relay service. This expansion is intended to strengthen the integrity and safeguard the TRS Fund from waste, fraud, and abuse program-wide. The Commission seeks comment on this proposal.

Calling Party Identification Requirement

Section 64.604(b)(6) of the Commission's rules currently requires that when a TRS facility is capable of transmitting calling party identifying information, it must pass through, to the called party, at least one of three options: the number of the TRS facility, 711, or the 10-digit number of the calling party. This requirement was initially established to ensure that a called party subscribing to Caller ID could, at a minimum, identify the incoming call as being from a TRS facility, which helped prevent the rejection of calls that might otherwise display as blocked or unavailable. The Commission proposes to amend this rule by eliminating the phrase, "the number of the TRS facility," as this option has become superfluous. For TRS providers that route calls as a part of providing their service the functional equivalency mandate is best met by transmitting to the called party the caller's specific 10-digit number, if one is assigned, or (if no number is assigned to the caller) by providing the universal 711 code. For call recipients, 711 is easily identified as the number for TRS call centers, while the telephone number assigned to a TRS facility is often unadvertised and not readily distinguishable from other 8XX toll-free telephone numbers. The Commission believes the continued inclusion of the generic TRS facility number option appears unnecessary and inconsistent with modern TRS numbering standards,

and its removal will clarify the emphasis on providing the most accurate identification information possible. The Commission seeks comment on this proposal and belief.

Updating or Deleting Obsolete or Unnecessary Rules

As part of the Commission's efforts to modernize the TRS program, the Commission proposes to update the TRS rules by deleting or modifying regulations that are obsolete; create burdensome and unnecessary record retention, reporting obligations, or disclosures; govern a time period that has passed; or contain duplicative or superfluous language. The Commission also proposes to make technical corrections to correct cross cites to other rules. The Commission seeks comment on these proposals and the questions, beliefs, and assumptions stated below.

Automatic Call Distribution Platform. Section 64.604(b)(4)(iv) of the Commission's rules mandates that if an Automatic Call Distribution (ACD) platform is leased or licensed between two eligible VRS providers, the lessee or licensee must locate the ACD platform on its own premises and utilize its own employees to manage the ACD platform. The Commission believes retaining this restriction may be unduly burdensome on operational flexibility. While intended as a safeguard against the types of unlawful activities seen on the part of many white label providers, the Commission believes that the current VRS program structure, which encourages competition among providers, reduces the need to explicitly require VRS providers to locate the ACD platform on its premises and utilize its own employees. The Commission believes it is sufficient to rely on the requirements that VRS providers enter into a written lease for an ACD platform and that the lease must not include compensation of the lessor by the lessee related to minutes of use or revenue sharing agreements between the lessor and the lessee. Thus, the Commission proposes to delete the last sentence of § 64.604(b)(4)(iv) of its rules. The Commission seeks comment on this proposal. Would it be beneficial to retain this specific restriction? If so, what are the costs and benefits of doing so?

VRS Access Technology Reference Platform. Section 64.619 of the Commission's rules provides for the availability and administration of a "VRS Access Technology Reference Platform" (Technology Reference Platform). Section 64.621(a)(3) of the Commission's rules requires VRS providers to ensure that their access

technologies and video communication service platforms are interoperable with the Technology Reference Platform and prohibits compensation of VRS providers for minutes of use involving non-interoperable access technologies or video communication service platforms that are not interoperable with the Technology Reference Platform. In March 2020, the Commission suspended the compliance deadline requiring VRS interoperability with the Technology Reference Platform pending completion of the standards development process for a VRS provider-to-user-device communications standard and a rulemaking proceeding to incorporate such a standard into the rules. Compliance with requirement remains pending. Following its initial development, the Technology Reference Platform was decommissioned by its administrator, and the Commission has not pursued redevelopment of the platform. The Commission proposes to eliminate the requirement to be interoperable with the Technology Reference Platform and delete the related rules for its establishment and administration. The Commission seeks comment on this proposal.

Single URL Address. Section 64.604(d)(1)(ii) of the Commission's rules requires that VRS service must be offered under the certified provider's name or clearly identified sub-brand, and specifically mandates that "[p]roviders must route all VRS calls through a single URL address used for each name or sub-brand used." This requirement was initially intended to reinforce provider identity and help maintain regulatory oversight, in part by preventing the delegation of call center functions and ensuring calls were not routed through multiple, potentially unauthorized URLs to mask misuse. The Commission adopted this rule in part because it found that the complex branding and commercial relationships that had previously existed between eligible and ineligible VRS providers hindered consumers from making informed choices among VRS providers. The Commission proposes to amend this rule by deleting the phrase, "Providers must route all VRS calls through a single URL address used for each name or sub-brand used." The Commission believes this specific routing limitation has become obsolete and unnecessarily burdensome in the current technical environment. The Commission now supports the VRS Provider Interoperability Profile, which enables server-based routing using provider domain names recorded in the TRS Numbering Directory. This protocol

helps ensure that each NANP telephone number in the TRS Numbering Database is connected to a unique Uniform Resource Identifier with a server domain name for the VRS provider, allowing for the provider to be identified, even if multiple IP addresses are used. Further, VRS providers only complete calls with domain or IP addresses that are found in the TRS Numbering Directory. Furthermore, the Commission's comprehensive suite of measures to prevent waste, fraud, and abuse provides robust oversight regardless of the specific URL structure, including user registration and validation requirements and Call Detail Record reporting requirements that capture critical technical data necessary for audit purposes, such as IP addresses. Therefore, retaining this specific phrase appears unnecessary given the current technical reliance on domain names for routing and the enhanced accountability provided by other regulatory requirements. The Commission seeks comment on this belief.

Interoperability with the Neutral Video Communication Service Platform. Section 64.621(a)(4) of the Commission's rules requires that all VRS providers ensure their VRS access technologies and video communication service platforms are interoperable with the Neutral Video Communication Service Platform (Neutral VRS Platform). This requirement mandated compatibility with a centralized platform intended to handle non-core functions like call routing, thereby enabling efficient competition among providers who would focus primarily on CA services. The Commission proposes to delete § 64.621(a)(4) of its rules in its entirety because the underlying technology it governs was never successfully implemented, making the provision obsolete and unnecessary. Maintaining a specific requirement to ensure interoperability with a service platform that does not exist constitutes mere surplusage and imposes an unnecessary standard that cannot be met. The Commission seeks comment on this proposal.

Administrator Requirements. Section 64.623(a) of the Commission's rules defines the term "Administrator" for purposes of that section by consolidating references to the administrator of the TRS Numbering Directory, the administrator of the TRS User Registration Database, the administrator of the VRS Access Technology Reference Platform, and the provider of the Neutral Video Communication Service Platform. The Commission proposes to delete the phrases referencing the "administrator

of the VRS Access Technology Reference Platform" and the "provider of the Neutral Video Communication Service Platform" from paragraph (a) and removing related references in paragraph (b)(4), as these administrative functions govern platforms that were never successfully developed. Given that the platforms themselves do not exist or are not operational, retaining specific regulatory language that mandates the inclusion of their administrators in this definition is unnecessary surplusage.

Consumer Complaint Logs. Section 64.604(c)(1) of the Commission's rules requires state TRS programs and TRS providers to maintain a detailed log of consumer complaints alleging violations of federal mandatory minimum standards. It also requires that providers submit annual summaries of these logs to the Commission by July 1st of each year, indicating the number of complaints received. This rule is intended to assist the Commission in monitoring compliance trends and whether further inquiry or actions requiring coordinated solutions are needed. With the growth of internet-based TRS and the availability of alternative oversight tools, the Commission believes the burden to state TRS programs and TRS providers in submitting annual summaries of these logs to the Commission outweighs the benefit from this required submission. The Commission proposes to eliminate the requirement to submit summaries of the complaint logs, while retaining the requirement to maintain complaint logs, and instead require that complaint logs be provided to the Commission upon request. The Commission seeks comment on this proposal and belief.

Specific Contact Information. Section 64.604(c)(2) of the Commission's rules requires state TRS programs, interstate TRS providers, and TRS providers with state contracts submit specific contact information to the Commission for handling consumer inquiries and complaints. The existing rule details this submission through mandatory subparagraphs requiring, at a minimum, the name and address of the office receiving complaints; voice, TTY, fax, email, and web addresses; and the separate physical address for correspondence. The Commission believes retaining a fixed list of communication methods can become unnecessarily burdensome when certain formats become obsolete, such as the mandatory inclusion of a fax number and the Commission proposes to delete in its entirety the exhaustive list of specific minimum requirements detailed in paragraphs (i), (ii), and (iii)

of § 64.604(c)(2) of its rules. To streamline this administrative requirement while preserving consumer access, the Commission proposes revising the introductory text of paragraph (c)(2) of its rules to generally require the submission of information necessary for consumer contact and complaint resolution (e.g., telephone number and email address), thereby giving providers flexibility to update their communication channels without adherence to an overly prescriptive checklist. The Commission seeks comment on this proposal and belief.

Public Awareness Methods. Section 64.604(c)(3) of the Commission's rules establishes requirements for common carriers providing telephone voice transmission services to ensure that callers in their service areas are aware of the availability and use of all forms of TRS. Specifically, this rule requires carriers to assure public awareness through a prescriptive listing of methods such as publication in their directories, periodic billing inserts, placement of TRS instructions in telephone directories, through directory assistance services, and the incorporation of TTY numbers in telephone directories. The Commission proposes to delete § 64.604(c)(3) of the Commission's rules because this provision is largely obsolete and unnecessarily burdensome in today's rapidly evolving communications environment. Originally adopted in 1991 to reflect prevailing methods of public information dissemination, these specific requirements appear outdated now, in light of the transition to IP-based networks and decline in the use of analog relay services like TTY-based Relay. Further, the Commission has previously raised concerns about the effectiveness of such methods as directories and bill inserts in achieving widespread public awareness of TRS. The Commission seeks comment on this proposal and belief. Are common carriers best positioned to raise awareness about modern TRS services? Should the Commission revise § 64.604(c)(3) of its rules to require common carriers to share information about TRS with their subscribers in a modern, flexible way that is more aligned with modern practices? Are common carriers already raising awareness about TRS in modern ways? If so, how do common carriers ensure public awareness of TRS?

TRS Advisory Council. Among other provisions, § 64.604(c)(5)(iii)(H) of the Commission's rules directs the Administrator to establish a voluntary group (known as the TRS Advisory Council) consisting of diverse

stakeholders, to monitor TRS cost recovery matters. The Commission proposes to delete this requirement. In adopting its proposal to select the National Exchange Carrier Association (NECA) as the original TRS Fund administrator, the Commission also adopted the recommendation to establish an advisory committee to monitor TRS cost recovery issues. The Commission found merit in the proposal for an advisory committee to monitor TRS issues and provide guidance to the Fund administrator and believed it would help serve as a safeguard (among other requirements) to address concerns associated with the administrator's association with local exchange carriers and its alleged inability to control administrative costs.

The Commission recognizes that since its inception, the TRS Advisory Council has served an informative role in advising the TRS Fund administrator, and the Commission benefits from direct consultation with TRS stakeholders and accessibility community representatives. The Commission questions, however, whether the same benefits can be proffered by a less regulated mechanism. Is a direct regulatory requirement, which is not statutorily mandated and which limits both the scope of and makeup of the TRS Advisory Council, the appropriate mechanism for facilitating advisory input by stakeholders? Further, the process for how the Commission monitors TRS and establishes compensation has evolved substantially in the 33 years since the TRS Advisory Council was established. The Commission now selects the Fund administrator through a competitive procurement process. Furthermore, the Council's narrow focus on TRS cost recovery, as written in the rule, is less critical today, given the Commission's assumption of a more active role in setting TRS compensation and the various oversight, monitoring, and auditing tools used by the Commission and the Fund administrator. In using the rulemaking process, the Commission affords the opportunity for individuals with disabilities and organizations representing such groups to actively participate and provide feedback on TRS compensation and how to structure and change the TRS program to ensure the Commission is meeting its statutory obligations. The Commission also uses the statutory Federal Advisory Committee process to procure recommendations on TRS and other accessibility issues while ensuring transparency, public involvement, and

accountability. The Commission also has included within the scope of work, for entities working at the Commission's direction, the ability or requirement to form working groups or otherwise involve a diverse group of stakeholders to inform and provide guidance without imposing a specific structure on such processes. As such, the Commission believes the cost and administrative burden of maintaining the TRS Advisory Council outweighs its benefits. The Commission seeks comment on this proposal and beliefs. Are there benefits to retaining the TRS Advisory Council? The Commission seeks comment on how the TRS Advisory Council has benefitted the TRS Fund administrator and the Commission. Are those benefits distinguishable from the benefits received from established Federal Advisory Committees or the Commission rulemaking process? What has been the impact of explicitly identifying certain groups for membership on the Council? Has the stated purpose of monitoring "TRS cost recovery matters" limited the guidance the Council has been able to provide? Would allowing or requiring the TRS Fund administrator to maintain an advisory council within its scope of work, without a separate rule, sufficiently maintain any identified benefits of the Council?

Call Centers. Section 64.604(d)(2) of the Commission's rules mandates that VRS providers file detailed written reports for each physical call center, including centers located outside the United States, with the Commission and the TRS Fund Administrator on April 1st and October 1st of every year, detailing information such as the facility's complete street address, the number of CAs and their managers, and the managers' contact information. In addition, VRS providers must notify the Commission and the TRS Fund Administrator at least 30 days prior to the opening, closing, or relocation of any call center. The Commission proposes to delete § 64.604(d)(2) of its rules, eliminating the requirement for call center reports and the 30-day advance notice requirement. In light of other Commission rules and measures to ensure effective oversight, fund administration, and accountability, the Commission believes the requirement for call center reports may be eliminated without an adverse impact on the Commission's ability to prevent waste, fraud, and abuse of the TRS Fund. The Commission also believes elimination of the 30-day advance notice period for facility changes would provide operational flexibility necessary in a

modern communications industry. The Commission seeks comment on this proposal and these beliefs. Are there aspects of the reporting requirement the Commission should retain, such as the location of each call center or just those call centers located outside of the United States? If so, should the Commission reduce the frequency of reporting for any retained requirements to once per year? Should the Commission find that the opening, closing, or relocating of a call center constitutes a substantive change, and thereby require a provider to notify the Commission within 60 days after such a change, to ensure that the Commission is able to maintain a complete and accurate list of call center locations for each provider, for centering and other oversight purposes?

Monitoring of At-Home Workstations. Section 64.604(d)(7)(vi) of the Commission's rules requires that, with their monthly requests for compensation, VRS providers report home work station identification number and full street address; the CA identification number of each individual handling VRS calls from that home workstation; and the call center identification number, street address, and name of the supervisor of the call center responsible for oversight of the workstation. The Commission proposes to eliminate these monthly reporting requirements. The Commission believes the data in these reports is duplicative of the data providers are required to submit in the monthly call detail records. The Commission seeks comment on this proposal and belief. Are there any data or information collected in these monthly reports that the Commission should add to the rules requiring call detail records?

Long-Past Dates. Sections 64.604, 64.611, and 64.621 of the Commission's rules contain numerous prescriptive references to long-past implementation dates, compliance deadlines, and transitional periods that initially governed various elements of the TRS program. The Commission proposes eliminating this historical information, as it has become obsolete and constitutes surplusage, detracting from the clarity of the current regulatory obligations. Specifically, the Commission proposes deleting foundational and transitional date language from cost recovery rules found in § 64.604(c)(5) of its rules: the original TRS implementation date "Effective July 26, 1993;" the start date phrases "(beginning July 1, 2023)" regarding the commencement of expanded TRS Fund contributions supporting VRS and IP Relay; and in § 64.604(c)(7) of its rules

the start date phrase ("Beginning on July 21, 2000, all future"). Similarly, the transitional compliance phrase "On or after December 8, 2018," which set the deadline for IP CTS equipment volume controls to be independently adjustable, is now redundant. The Commission further proposes deleting the phrase "Beginning October 17, 2024," marking the effective date for the permanent 80% cap on at-home VRS CA minutes. Finally, the Commission proposes to update the VRS interoperability rules by removing the original compliance phrases "Beginning no later than December 20, 2017," and "Beginning no later than October 24, 2017" as these compliance deadlines have passed.

Authorization of At-Home Service. Section 64.604(b)(4)(iii) of the Commission's rules prohibits VRS providers from allowing CAs to handle calls from home workstations unless the provider was specifically authorized by the Commission. The Commission proposes to delete this rule in its entirety. The Commission believes this provision is now obsolete and superfluous, as the prohibition and its exception are entirely superseded by the current regulatory framework governing at-home VRS call handling. As a conforming change, the Commission also proposes to delete the language in § 64.604(d)(7)(i) of its rules that references VRS providers "authorized by the Commission to employ at-home CAs." The continuous nature of this authorized service means that the generalized prohibition in § 64.604(b)(4)(iii) of the Commission's rules is no longer necessary, as authorization and ongoing oversight are now comprehensively integrated into the provider certification and compliance requirements. The Commission seeks comment on this proposal and its underlying rationale.

Duplicative Audit Authority. Section 64.604(c)(5)(iii)(E)(5) of the Commission's rules grants the Commission authority to audit TRS providers and ensure access to all data collected by the TRS Fund administrator, concurrently affirming the Fund administrator's authority to perform audits of TRS providers reporting data to it. The Commission proposes to delete this provision in its entirety because this audit authority is comprehensively provided elsewhere in Commission regulations, rendering this section unnecessary and duplicative. Specifically, a different mandate for stringent financial oversight explicitly grants the Fund administrator, the Commission, and the Office of Inspector General (OIG) the authority to examine and verify TRS provider data as

necessary to assure the accuracy and integrity of TRS Fund payments. Further, that same provision mandates that TRS providers must submit to audits annually or at times determined appropriate. Since these requirements already ensure that the Commission maintains robust access and verification authority over all provider data and audit processes, the continued retention of § 64.604(c)(5)(iii)(E)(5) of its rules constitutes surplusage. The Commission seeks comment on this proposal.

Duplicative Certification Requirement. Section 64.604(c)(5)(iii)(I) of the Commission's rules contains a requirement for the certification of compensation requests or provider reports by a senior executive, similar to the provision stipulating that the chief executive officer (CEO), chief financial officer (CFO), or other senior executive must certify under penalty of perjury that cost and demand data submitted for reimbursement from the TRS Fund are true and accurate. The Commission proposes to delete this portion because the requirement for executive certification regarding the truthfulness, accuracy, and completeness of financial and operational data already exists within the immediate administrative subsection detailing data collection and auditing, § 64.604(c)(5)(iii)(D)(5) of its rules. The Commission seeks comment on this proposal.

Complaint Procedures. Section 64.604I(6)(v) of the Commission's rules sets forth informal and formal consumer complaint procedures against TRS providers. The subsequent detailed subparagraphs (A) through (I) lays out the specific administrative procedures governing these processes, including the acceptable forms for filing informal complaints (such as letter, facsimile, telephone (voice/TRS/TTY), or internet email), the precise content required for formal complaints, detailed service protocols, and mandated deadlines for filing answers and replies. These rules overlap with and often conflict with the rules for handling both informal and formal complaints generally applicable to all regulated entities, in Part 1, subpart E of the Commission's rules. Consequently, the Commission proposes to cross reference these complaint procedures, which would streamline Commission regulations, reduce administrative burden, and ensure that the process for resolving TRS complaints aligns efficiently with the unified regulatory and administrative framework. The Commission seeks comment on this proposal.

At-Home Call Handling. Section 64.604(d)(7)(iii)(B) and (C) of the Commission's rules currently mandate

specific technical and environmental safeguards for at-home VRS call handling. Specifically, paragraph (B) requires that home workstations “Allow a CA to use all call-handling technology to the same extent as call-center CAs”, and paragraph (C) requires that the home workstation “Be capable of supporting VRS in compliance with the applicable mandatory minimum standards set out in this section to the same degree as at call centers.” The Commission proposes to delete these two provisions because they are duplicative of the encompassing requirements already set forth elsewhere in this section and other mandatory minimum standards. The introductory text already requires VRS providers to ensure that each home workstation enables the provision of confidential and uninterrupted service to the same extent as the provider’s call centers and is seamlessly integrated into the provider’s call routing, distribution, tracking, and support systems. It also requires that each home workstation meet the applicable mandatory minimum technical and emergency call handling standards “to the same degree as these are available at call centers.” Maintaining separate provisions that merely reiterate these core performance expectations constitutes surplusage. The Commission seeks comment on this proposal.

TRS Numbering Directory and TRS User Registration Database Administration. Section 64.613(b) of the Commission’s rules concerns the administrative requirements and compensation procedures for the administrator responsible for maintaining the TRS Numbering Directory. The Commission proposes to delete this provision in its entirety because its administrative and compensation requirements are duplicative of the consolidated rules set forth in § 64.623 of its rules. The Commission similarly proposes to delete § 64.615(b) of its rules because the administrative and compensation requirements for the administrator of the User Registration Database are duplicative of the consolidated rules set forth in § 64.623 of its rules. Section 64.623 of the Commission’s rules defines a unified set of requirements—including rules governing neutrality, terms of administration, and compensation—applicable to all designated TRS administrators, explicitly naming the TRS Numbering and the administrator of the TRS User Registration Database. Therefore, retaining separate, dedicated administrative provisions within

§ 64.613(b) of the Commission’s rules constitutes unnecessary surplusage that needlessly complicates the regulatory structure.

IP CTS Labeling Requirements. Section 64.604(c)(11) of the Commission’s rules contains rules governing IP CTS user devices, including prohibitions on captions usage by unregistered users and device labeling requirements. The Commission proposes deleting or revising §§ 64.604(c)(11)(ii)(B), (iii), and (iv) of its rules to remove transitional language governing passed time periods or utilizing obsolete cross-references. Specifically, the Commission proposes to delete paragraph (c)(11)(ii)(B) of its rules in its entirety, as it contains transitional registration requirements applicable to IP CTS users existing as of March 7, 2013, and make conforming changes to paragraph (11)(ii). The IP CTS registration framework was subsequently consolidated under § 64.611 of the Commission’s rules, rendering the provisional registration language and cross-reference obsolete. The Commission also proposes deleting the second sentence of paragraph (c)(11)(iii) of its rules, which set a non-recurrent compliance date for providers to distribute labels for previously supplied equipment no later than August 11, 2014. Since this deadline has long passed, the sentence is surplusage. The Commission further proposes to delete paragraph (c)(11)(iv) of its rules, requiring providers to maintain records of provided IP CTS equipment and stating whether the label was affixed. The Commission believes the record retention requirement provides minimal benefit towards ensuring compliance with the labeling requirement. The Commission also proposes to delete paragraph (c)(11)(v) of its rules requiring providers to ensure that their informational materials and websites include language about the limitations on the use of IP CTS. The Commission believes that IP CTS providers should have more flexibility in their informational materials and websites to inform consumers and professionals about IP CTS while meeting their obligations to prevent misuse of IP CTS. As such, the Commission believes it is unnecessary to require repetitive labeling information that users will see on their device or when they log onto the app. Providers have sufficient incentive to ensure that users know how the service is provided and who may use the service, without the additional explicit directive. The Commission seeks comment on these beliefs.

Correcting Cross Cites. The Commission proposes to correct

inaccurate cross-references in the TRS rules. First, § 64.604(c)(5)(iii)(E)(3) of the Commission’s rules has an outdated cross reference to “paragraph (c)(5)(iii)(C) of its rules. The Commission proposes to amend this rule to correct this cross-reference, to paragraph (c)(5)(iii)(D) of its rules. Second, § 64.615(a)(4)(ii)(B) of the Commission’s rules has an incorrect cross reference to paragraph (a)(3)(i) of its rules. The Commission proposes to correct this cross-reference to § 64.615(a)(4)(i) of its rules. The Commission seeks comment on these proposals.

Closing CG Docket Nos. 10–51 and 12–38

The Commission seeks comment on closing CG Docket Nos. 10–51, Structure and Practices of the Video Relay Service; and 12–38, Misuse of internet Protocol Relay Service. The Commission previously conducted proceedings in these dockets in parallel with CG Docket No. 03–123. In seeking to develop a fresh record on VRS and IP Relay, the Commission does not see a need to maintain a separate duplicative record, and the Commission believe closing these dockets eliminates a duplicative filing requirement that unnecessarily burden commenters, and could lead to unnecessary confusion. The Commission seeks comment on this belief.

Initial Regulatory Flexibility Analysis

As required by the Regulatory Flexibility Act of 1980, as amended, the Commission has prepared this Initial Regulatory Flexibility Analysis (IRFA) of the policies and rules proposed in the *NPRM* assessing the possible significant economic impact on a substantial number of small entities. The Commission requests written public comments on the IRFA. Comments must be identified as responses to the IRFA and must be filed by the deadlines specified in the item.

Need for, and Objectives of, the Proposed Rules. In the *NPRM*, the Commission proposes specific enhancements for IP Relay and VRS, along with administrative reforms to streamline the TRS program. For IP Relay, the Commission addresses the use of ASR for speech-to-text conversion and advanced text-to-speech technologies, the need for metrics for IP Relay quality, and compatibility of IP Relay with RTT technology. For VRS, the Commission proposes to require VRS providers to build in captioning functionality and provide VRS providers with increased operational flexibility by loosening restrictions on

VRS calls while traveling abroad and adjusting physical call center requirements. Finally, the Commission proposes to streamline TRS provider certification processes and update or eliminate obsolete rules.

Legal Basis. The proposed action is authorized pursuant to sections 1, 2, 4(i), 4(j), and 225 of the Act.

Description and Estimate of the Number of Small Entities Impacted. The rules proposed in the *NPRM* will apply to small entities in the All Other Telecommunications industries. The Commission estimates that the majority of “All Other Telecommunications” firms can be considered small.

Description of Projected Reporting, Recordkeeping, and Other Compliance Requirements. The changes proposed in the *NPRM*, if adopted, could impose new or modified reporting, recordkeeping, or other compliance obligations on certain small entities that provide VRS and IP Relay service. Small entities may need to hire professionals such as attorneys, consultants, and engineers to comply with the proposed changes in the *NPRM*. The Commission seeks comment on the impact of requiring RTT technology compatibility for IP Relay providers, and requiring VRS providers to provide built-in ASR captioning. The Commission seeks comment on streamlining existing user registration and verification requirements, which may involve optimal allocations of user registration and verification responsibilities between the provider and the TRS Fund Administrator. The Commission also seeks comment on reducing certification and re-certification requirements for applicants to provide TRS, which would reduce the amount of detail the applicant must provide to demonstrate it will meet all applicable TRS mandatory minimum standards. The information the Commission receives 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 *NPRM*.

Significant Alternatives Considered That Minimize the Significant Economic Impact on Small Entities. The proposed changes to the Commission’s TRS rules are designed to ensure that internet-based TRS align with twenty-first century technological developments and continue to serve the needs of the disability community. For IP Relay, the Commission seeks comment of the economic impact of ensuring compatibility of IP Relay with RTT technology. The Commission also proposes to revise its rule to facilitate

the provision of IP Relay using ASR and text-to-speech technologies. For VRS, the Commission seeks comment on the potential costs incurred by VRS providers to build in captioning functionality. The Commission also would provide VRS providers with increased operational flexibility by loosening restrictions on VRS calls while traveling abroad and adjusting physical call center requirements. The item also seeks to reduce the burden of the certification process on applicants to provide TRS. The item also inquires about reducing burdens through updating or deleting obsolete or unnecessarily burdensome rules.

The *NPRM* seeks comment from all interested parties, particularly those of small entities. Small entities are encouraged to bring to the Commission’s attention any specific concerns they may have with the proposals outlined in the *NPRM* and suggest alternatives. The Commission expects to consider alternatives that might minimize the economic impact of any final rules on small entities in reaching its final conclusions and taking action in the proceeding.

Federal Rules that May Duplicate, Overlap, or Conflict with the Proposed Rules. None.

List of Subjects in 47 CFR Part 64

Communications, Communications common carriers, Communications equipment, Individuals with disabilities, Telecommunications.

Federal Communications Commission.

Marlene Dortch,

Secretary, Office of the Secretary.

Proposed Rules

For the reasons discussed in the preamble, 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. Amend § 64.604 by:

■ a. Removing and reserving paragraph (b)(4)(iii) and revising paragraphs (b)(4)(iv) and (b)(6);

■ b. Revising paragraphs (c)(1) and (2) and removing and reserving paragraph (c)(3);

■ c. Revising paragraphs (c)(5)(ii), (c)(5)(iii) introductory text, (c)(5)(iii)(A)(1)(ii), (c)(5)(iii)(E)(3) and removing and reserving paragraph (c)(5)(iii)(E)(5);

■ d. Revising paragraphs (c)(5)(iii)(H), (c)(5)(iii)(I), (c)(6) and (7), (c)(8) introductory text, (c)(8)(v) and (vi), (c)(10)(ii), and (c)(11)(ii) and (iii) and removing and reserving paragraphs (c)(8)(i), (c)(11)(ii)(A) and (B), (c)(11)(iv) and (v);

■ e. Revising paragraph (d)(1)(ii) and removing and reserving paragraphs (d)(2), (d)(7)(i), (d)(7)(iii)(B) and (C), and (d)(7)(vi).

The revisions read as follows:

§ 64.604 Mandatory minimum standards.

* * * * *

(b) * * *

(4) * * *

(iii) [Reserved]

(iv) A VRS provider leasing or licensing an automatic call distribution (ACD) platform must have a written lease or license agreement. Such lease or license agreement may not include any revenue sharing agreement or compensation based upon minutes of use.

* * * * *

(6) *Caller ID.* When a TRS facility is able to transmit any calling party identifying information to the public network, the TRS facility must pass through, to the called party, at least one of the following: 711 or the 10-digit number of the calling party.

* * * * *

(c) * * *

(1) *Consumer complaint logs.* States and interstate providers must maintain a log of consumer complaints including all complaints about TRS in the state, whether filed with the TRS provider or the State, and must retain the log until the next application for certification is granted. The log shall include, at a minimum, the date the complaint was filed, the nature of the complaint, the date of resolution, and an explanation of the resolution.

(2) *Contact persons.* State TRS Programs, interstate TRS providers, and TRS providers that have state contracts must submit to the Commission contact information, including a phone number and email, for the person or office responsible for TRS consumer information and complaints about the service provided by the certified State TRS Program or TRS provider.

(3) [Reserved]

* * * * *

(5) * * *

(ii) *Cost recovery.* Costs caused by interstate TRS shall be recovered from

all subscribers for every interstate service, utilizing a shared-funding cost recovery mechanism. Except as noted in this paragraph (c)(5)(ii), costs caused by intrastate TRS shall be recovered from the intrastate jurisdiction. In a state that has a certified program under § 64.606, the state agency providing TRS shall, through the state's regulatory agency, permit a common carrier to recover costs incurred in providing TRS by a method consistent with the requirements of this section. Costs caused by the provision of interstate and intrastate IP CTS, VRS, and IP Relay, if not provided through a certified state program under § 64.606, shall be recovered from all subscribers for every interstate and intrastate service, using a shared-funding cost recovery mechanism.

(iii) *Telecommunications Relay Services Fund.* An Interstate Cost Recovery Plan, hereinafter referred to as the TRS Fund, shall be administered by an entity selected by the Commission (administrator).

(A) * * *

(1) * * *

(ii) For the support of IP CTS, VRS, and IP Relay, on the basis of interstate and intrastate end-user revenues.

* * * * *

(E) * * *

(3) In addition to the data required under paragraph (c)(5)(iii)(D) of this section, all TRS providers, including providers who are not interexchange carriers, local exchange carriers, or certified state relay providers, must submit reports of interstate TRS minutes of use to the administrator in order to receive payments.

* * * * *

(5) [Reserved]

* * * * *

(H) *Administrator reporting, monitoring, and filing requirements.* The administrator shall perform all filing and reporting functions required in paragraphs (c)(5)(iii)(A) through (c)(5)(iii)(K) of this section. TRS payment formulas and revenue requirements shall be filed with the Commission on May 1 of each year, to be effective the following July 1. The administrator shall report annually to the Commission an itemization of monthly administrative costs which shall consist of all expenses, receipts, and payments associated with the administration of the TRS Fund. The administrator is required to keep the TRS Fund separate from all other funds administered by the administrator, shall file a cost allocation manual (CAM) and shall provide the Commission full access to all data collected pursuant to

the administration of the TRS Fund. The administrator shall account for the financial transactions of the TRS Fund in accordance with generally accepted accounting principles for federal agencies and maintain the accounts of the TRS Fund in accordance with the United States Government Standard General Ledger. When the administrator, or any independent auditor hired by the administrator, conducts audits of providers of services under the TRS program or contributors to the TRS Fund, such audits shall be conducted in accordance with generally accepted government auditing standards. In administering the TRS Fund, the administrator shall also comply with all relevant and applicable federal financial management and reporting statutes.

(I) *Information filed with the administrator.* The administrator shall keep all data obtained from contributors and TRS providers confidential and shall not disclose such data in company-specific form unless directed to do so by the Commission. Subject to any restrictions imposed by the Chief of the Consumer and Governmental Affairs Bureau, the TRS Fund administrator may share data obtained from carriers with the administrators of the universal support mechanisms (see § 54.701 of this chapter), the North American Numbering Plan administration cost recovery (see § 52.16 of this chapter), and the long-term local number portability cost recovery (see § 52.32 of this chapter). The TRS Fund administrator shall keep confidential all data obtained from other administrators. The administrator shall not use such data except for purposes of administering the TRS Fund, calculating the regulatory fees of interstate and intrastate common carriers and VoIP service providers, and aggregating such fee payments for submission to the Commission. The Commission shall have access to all data reported to the administrator, and authority to audit TRS providers. Contributors may make requests for Commission nondisclosure of company-specific revenue information under § 0.459 of this chapter by so indicating on the Telecommunications Reporting Worksheet at the time that the subject data are submitted. The Commission shall make all decisions regarding nondisclosure of company-specific information.

* * * * *

(6) * * *

(v) * * *

(A) * * *

(1) *Form.* An informal complaint may be transmitted to the Consumer &

Governmental Affairs Bureau and shall contain the information required by § 1.716.

(2) [Reserved]

(3) *Service; designation of agents.* The Commission shall forward any complaint to the TRS provider named in the complaint. Such TRS provider shall be called upon to satisfy or answer the complaint within the time specified by the Commission. Every TRS provider shall file with the Commission a statement designating an agent to receive complaints. Such designation shall include a name or department designation, business address, telephone number, and email address.

(B) * * *

(1) Where it appears from the TRS provider's answer, or from other communications with the parties, that an informal complaint has been satisfied, the Commission may, in its discretion, consider the matter closed without response to the complainant or defendant. In all other cases, the Commission shall inform the parties of its review and disposition of a complaint filed under this subpart.

* * * * *

(C) *Formal Complaints.* A formal complaint shall follow the Formal Complaints process in part 1, subpart E of this title.

(7) *Treatment of TRS customer information.* Contracts between the TRS administrator and the TRS vendor shall provide for the transfer of TRS customer profile data from the outgoing TRS vendor to the incoming TRS vendor. Such data must be disclosed in usable form at least 60 days prior to the provider's last day of service provision. Such data may not be used for any purpose other than to connect the TRS user with the called parties desired by that TRS user. Such information shall not be sold, distributed, shared or revealed in any other way by the relay center or its employees, unless compelled to do so by lawful order.

* * * * *

(8) *Incentives for use of internet-based TRS.*

(i) [Reserved]

* * * * *

(v) An internet-based TRS provider shall not offer or provide to any person or entity any form of direct or indirect incentives, financial or otherwise, for the purpose of encouraging individuals to register for or use the internet-based TRS provider's service.

(vi) Any internet-based TRS provider that does not comply with this paragraph (c)(8) shall be ineligible for

compensation for such service from the TRS Fund.

* * * * *

(10) * * *

(ii) Any volume control or other amplification feature can be adjusted separately and independently of the caption feature.

(11) * * *

(ii) No person shall use IP CTS equipment or software with the captioning on, unless such person is registered to use IP CTS pursuant to 47 CFR 64.611(j).

(A) [Reserved]

(B) [Reserved]

(iii) IP CTS providers shall ensure that any distributed IP CTS equipment has a label on its face in a conspicuous location with the following language in a clearly legible font: "FEDERAL LAW PROHIBITS ANYONE BUT REGISTERED USERS WITH HEARING LOSS FROM USING THIS DEVICE WITH THE CAPTIONS ON." For software applications on mobile phones, laptops, tablets, computers or other similar devices, IP CTS providers shall ensure that, each time the consumer logs into the application, the notification language required by this paragraph appears in a conspicuous location on the device screen immediately after log-in.

(iv) [Reserved]

(v) [Reserved]

* * * * *

(d) * * *

(1) * * *

(ii) VRS service must be offered under the name by which the eligible VRS provider offering such service became certified and in a manner that clearly identifies that provider of the service. Where a TRS provider also utilizes sub-brands to identify its VRS, each sub-brand must clearly identify the eligible VRS provider.

* * * * *

(2) [Reserved]

* * * * *

(7) * * *

(i) [Reserved]

* * * * *

(iii) * * *

(B) [Reserved]

(C) [Reserved]

* * * * *

(vi) [Reserved]

* * * * *

■ 3. Amend § 64.606 by revising paragraphs (f)(1), (f)(2), and (g) to read as follows:

§ 64.606 Internet-based TRS provider and TRS program certification.

* * * * *

(f) * * *

(1) States must notify the Commission of substantive changes in their TRS programs within 60 days after they occur, and must certify that the state TRS program continues to meet federal minimum standards after implementing the substantive change.

(2) Internet-based TRS providers certified under this section must notify the Commission of substantive changes in their TRS programs, services, and features within 60 days after such changes occur, and must certify that the interstate TRS provider continues to meet Federal minimum standards after implementing the substantive change. Substantive changes shall include, but not be limited to:

* * * * *

(g) An internet-based TRS provider, certified under this section, must within 60 days of receiving a request from the Commission, submit a report with a detailed description of its current practice and future plans for complying with each rule specified in such request.

■ 4. Amend § 64.613 by removing and reserving paragraph (b).

§ 64.613 Numbering directory for internet-based TRS users.

* * * * *

(b) [Reserved]

* * * * *

■ 5. Amend § 64.615 by removing and reserving paragraph (b) and revising paragraph (a)(4)(ii)(B) to read as follows:

§ 64.615 TRS User Registration Database and administrator.

(a) * * *

(4) * * *

(ii) * * *

(B) Any user for which a VRS or IP CTS provider makes a request under paragraph (a)(4)(i) of this section

* * * * *

§ 64.619 [Removed and Reserved]

■ 6. Remove and reserve § 64.619.

■ 7. Amend § 64.621 by removing and reserving paragraphs (a)(3) and (4) and revising paragraphs (b)(1) and (2) to read as follows:

§ 64.621 Interoperability and portability.

* * * * *

(b) * * *

(1) VRS providers shall ensure that their provision of VRS and video communications, including their access technology, meets the requirements of the VRS Provider Interoperability Profile.

(2) VRS providers shall provide a standard xCard export interface to enable users to import their lists of contacts in xCard XML format, in accordance with IETF RFC 6351.

* * * * *

■ 8. Amend § 64.623 by revising paragraphs (a) and (b)(4) to read as follows:

§ 64.623 Administrator requirements.

(a) For the purposes of this section, the term "Administrator" shall refer to the TRS Numbering administrator and the administrator of the TRS User Registration Database. A single entity may serve in one or more of these capacities.

(b) * * *

(4) Neither the administrator of the TRS User Registration Database nor any affiliates thereof shall be unduly influenced, as determined by the Commission, by parties with a vested interest in the outcome of TRS-related activities.

* * * * *

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