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Technology News and Commentary for Deaf and Hard of Hearing People



National Coalition Submits A “Cradle-to-Grave” Leadership & Public Policy Document to the Trump White House

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TDI'S MISSION

"TDI provides leadership in achieving equal access to telecommunications, media, and information technologies for deaf and hard of hearing people."

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CORRECTIONS

Last month's article, "Changing of the Guard", was amiss to mention Greg Hlibok's parents by name, Albert and Peggy Hlibok, as they have been a lifelong advocate for the deaf at every level from local, state to national. It also excluded his sister Nancy Hlibok Amann who is currently the superintendent of California School for the Deaf at Riverside.

Contact TDI WORLD editor for reprints of articles in PDF format.

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Board Views



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*TDI President and
Board Member, West Region*

**“Active participation
in government is what
“of, by, and for the
people” is about.”**

Of, by, and for the People

2016 will be known as a turbulent and polarizing election year in the United States. The states held their primaries, electing the Democrat and Republican nominees for President. The media via TV and the Internet was very much involved and showed their biases well as promoting fake news. It seems to be a sad commentary to not have a neutral press that can report without bias on the candidates being considered to lead the nation.

Neither party candidate had a clear cut and positive image. There was an opportunity to elect the first woman President or a candidate who had never held an elected office.

Now that we have President-elect Trump, we will need to keep an eye on policy formulation and see how federal policy will be developed, revised, repealed, or reformulated and how they affect deaf, hard of hearing, and deaf blind individuals. National organizations such as TDI, NAD, ALDA, Hearing Loss Association of America, Black Deaf Advocates, and other national organizations will keep ongoing vigilance over issues affecting our population.

The current FCC Chairman, Tom Wheeler, a Democrat, has announced his retirement; it is usual policy for the FCC chair to submit their resignation if they are a different party than the incoming administration. We will continue to be involved in policy making as these opportunities become available. We will keep you all posted and ask that you become involved as necessary. Active participation in government is what “of, by, and for the people” is about. And to use another popular phrase, “nothing about us without us”, meaning decisions on policy or regulations need to take our active input into consideration.

When the election results were announced, TDI sent Trump a congratulatory message and said we will work with his administration on policies affecting our constituencies. We received criticism for sending what appeared to be a biased message in support of the new administration. We responded and said it is the American tradition to congratulate the winner of national elections and let them know of our existence and expertise in issues affecting the deaf, hard of hearing, deaf-blind and that we will be keeping up with policies and issues affecting these constituencies to ensure we are not excluded and are consulted in the best and fair way to handle our various issues.

We not only have to keep an eye on national issues but state and local issues as well. Please work with your local associations of the deaf, ALDAs, HLAAAs, TDI, BDA, and other similar advocacy groups as issues arise and we need to provide feedback whether it is a pending legislation, a rule making, and the like. Do not complain if policies and rule making processes are not handled to your satisfaction. If you want some improvement or a change in policies, you have to actively participate in the process to let your elected representatives at the local, state, and national level know what your needs are.

The upcoming TDI 2017 Conference in July in Bethesda will be an opportunity to provide your input and feedback at various workshops, plenary sessions, and networking with leaders of the telecommunications, media, and information services industries. Watch for announcements and please plan to join us in July 2017 to be an active part of this conference and networking!



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Capitol Commentary



BY CLAUDE STOUT
TDI Executive Director

“We hope that the new Administration will see it as crucial that we, together as a nation, move forward to address the needs of all Americans, from cradle to grave, through the delivery of consumer-directed policy and services; by incorporating universal design; and by embracing the diversity of our experiences, abilities, and cultures.”

Inviting the Trump Administration to Partner with Us for “Cradle to Grave” Plan

Ask Your Area U.S. Senators and House Representatives to Endorse the Plan

TDI is thrilled to share with you some great news about an important project that Deaf and Hard of Hearing Consumer Advocacy Network (DHHCAN), National Association of State Agencies of the Deaf and Hard of Hearing (NASADHH), and California Coalition of Agencies Serving the Deaf and Hard of Hearing (CCASDHH) have collaborated on in the last several months. Initially, we submitted a national “cradle-to-grave” document, which was a leadership and public policy paper last summer to both the two U.S. Presidential campaigns with the Republican nominee - Donald J. Trump and the Democratic nominee - Hillary Rodham Clinton. When we learned of the election results last month on November 8, with Trump winning the US presidency, we began to establish contacts with his Transition Team.

Thanks to Tayler Mayer, our new Director of Public Relations, for his great work on this special issue. It is his first TDI World magazine issue as our Managing Editor. You will be fascinated to read about some key aspects of this document in the feature article of this issue.

We have requested to meet soon in Washington, D.C. with officials in the Trump Transition Team to discuss a number of proposed initiatives from a national coalition of seventeen consumer and professional organizations in the deaf and hard of hearing community, led by DHHCAN, NASADHH, and CCASDHH. The

initiatives, which number seventy-five under seven areas, are being proposed for the new Administration to pursue in leadership and public policy that will meet our access needs in America. We represent 48 million Americans who are deaf, hard of hearing, late-deafened, deafblind, and deaf-mobile—at least fifteen percent of the entire American population.

We have asked that with the initial meeting, and the activities thereafter, we open a new avenue of dialogue and collaboration with the new Trump Administration. We will make every effort to address our issues and needs so that eventually we have opportunities equal to those of our hearing peers to succeed in every stage of life, from “cradle to grave.” This document represents a significant departure from how we have advocated for our needs and issues. We have to “think outside the box.” Too often, we try to address our issues on a piecemeal basis. In order to do our work more effectively, we need to make sure that what we work on is part of a comprehensive design for a better future. Here is the rationale as follows:

What is the future, five, ten, or thirty years from now, in the workplace for us? Will we have access to competitive employment that provides for a good living? When we go through K-12 to get a high school diploma, go to a college or a university to get a Bachelors’ degree, or even go one step

CAPITOL COMMENTARY Continued from page 4

further, with a Masters' degree, we must be benefitting from full access and opportunity with school systems, and employers such as government, corporate, small business, or the non-profit sector.

What are the plans to ensure that students who are deaf and hard of hearing are getting accessible materials and communication support in local public schools? Very often, local schools are not providing sign language interpreters, caption writers, or videos with captioning in both the classroom and on the Internet. If a school for the deaf is the appropriate option for a student, are the resources adequately provided there to generate the best possible learning environment? Further, there is discussion of distributing public funds directly to parents to use in private schools. Would this plan provide adequate resources to ensure that qualified teachers of the deaf are available? How about for enforcement

of Section 504 and the ADA?

There are some efforts underway by some major cities such as Atlanta to make plans to convert themselves as "smart cities." Local governments, no different from the federal and state governments, are exploring every possible way to make better use of its limited tax resources. Atlanta wants to find every way to make living in downtown within its vicinity attractive, encouraging its residents to buy new/used homes, townhouses, or condos near where they have light rail. In doing so, it hopes it will lessen traffic in the future on its interstates and state/city routes. And by keeping as many living in downtown, there would be reemergence of festivals, stage plays, amphitheater shows, and sport league activities that would be enjoyed by many in the community. There would be more conservation of water, electricity, gas and oil, etc. as a benefit. We support the promotion of "smart cities," provided there are adequate accessible services to make our inner city living pleasant and

inclusive for those who are deaf or hard of hearing.

In the past, more often than not, the U.S. Department of Labor would address our job issues alone, and the same goes for the U.S. Department of Education on our educational issues. Going forward, we encourage the Trump White House to engage both Departments to collaborate more to ensure that issues in education and labor are addressed as reciprocally or mutually related.

The FCC is doing a remarkable job for us in disability access. We must support the Commission in its efforts to upgrade quality of relay services. We cannot let some of its officials be obsessed with the size of the TRS Fund. If for example, we spend a bit more to raise the quality of interpreting services for Video Relay Services, or to reduce the delay between the spoken word and the captioned word in Internet Protocol Captioned Telephone Services, it

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CAPITOL COMMENTARY Continued from page 5

will produce savings in other areas. For example, the more our hearing counterparts are comfortable with using relay services to call us or to receive calls from us, we stand to better compete for jobs. Thus, when we get jobs, we will depend less on entitlement programs, and instead we will be sharing our job earnings with all levels of government through taxes on income and property.

We will work with the Trump White

House, consumer group advocates, and industry players to make such dreams come true that will generate us more revenue to the federal government, rather than to increase any new net outlays against its annual receipt of appropriations from US Congress.

TDI is proud to be a leading member of this national coalition to submit the document to the Trump Transition Team. We encourage you to get in touch with the local offices of two U.S. Senators and a number of U.S. House Representatives from your state, and ask them to express their support for

this document with the Trump White House. We stand ready to serve as a partner and resource to further the goals of the Trump White House in accord with our community principle of "Nothing About Us Without Us." We hope that the new Administration will see it as crucial that we, together as a nation, move forward to address the needs of all Americans, from cradle to grave, through the delivery of consumer-directed policy and services; by incorporating universal design; and by embracing the diversity of our experiences, abilities, and cultures.

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Forward Together



BY TAYLER MAYER
Managing Editor

“We’re not nearing the end of our work; in fact, we are just getting started.”

Tayler Mayer is TDI's newest staff member. Starting as Director of Public Relations in July 2016, he has been learning the ropes. In September, he successfully moved TDI's website to a service which offers free hosting to non-profit organizations. TDI's Google Project Manager, Eric Kaika, and Tayler has been working since November to import the membership database to a Customer Relationship Management (CRM). Once the CRM is built, many tasks will be automated or streamlined freeing up TDI's time to focus on what's important: advocating for the members of TDI. Watch for changes to our membership system, including being able to pay membership dues online. Keep an eye on your e-mail inbox. Send Tayler an e-mail at tmayer@tdiforaccess.org with your first and last name to ensure your e-mail address is updated. Eric and Tayler will guide you every step of the way as we make sure the transition is efficient as possible.

No Time Like Now

In the year 1996, a computer science professor introduced his curriculum with a speculation: if an airplane represents the speed at which technology is evolving, the airplane is accelerating on the runway preparing for take off. The airplane isn't yet flying.

Twenty years later in 2016, I imagine the airplane still has not taken off. I imagine at least we have not begun to comprehend the full speed at which technology can evolve.

Roaring on the runway, the airplane brought us a technology revolution at breakneck speed the last two decades. In 1996, the web was but an infant. A baby. Using it no more than an hour a day turned into where if we lose access to the web, many of us become frustrated -- like a part of ourselves is lost. Our work and lifestyle comes to a screeching and annoying halt.

What kind of future will we see when the metaphorical airplane goes from roaring on the runway to soaring in the air? Mind-blowing unimaginable technology. What was unimaginable 10 years ago now is shortened to unimaginable 5 years ago. As we fast forward into a new era of rapid change, emerging technology becomes even more unimaginable - in a shorter timeframe.

Yet charting technology's speed of growth is not a straight line, but a curved one. The curved plane, arching upward, illustrates that as more time passes, the faster technology advances. Picturing the 5 years between 2026 and 2031, technology will grow exponentially faster than the same amount of years between 2016 and 2021.

This is why organizations advocating for technology accessibility is becoming ever more essential to survival. We're not nearing the end of

our work; in fact, we are just getting started. After two decades, one would think accessibility is on the forefront of designing how we use technology. It is not.

Our brightest thinkers are now imagining a future where people will be riding in self-driving cars which we don't own. Ride sharing companies are working on cars which will pick you up and take you to your specific destination. Car manufacturers such as Tesla and Uber are getting a piece of the action. What was recently an imagination, is now in our foreseeable future.

This is just one of many possibilities our unimaginable future will bring us. If we want to be a part of this incredible future, we must work to ensure new technologies can be easily used by Deaf and Hard of Hearing consumers. TDI has the resources, support and experience to advocate accessibility as a main focus of designing technology for the needs of 1 out of 5 Americans.

But TDI cannot do it on their own. Since 1967, membership has supported TDI's efforts. It always has and always will. It is you, the members, who are making the true difference; without members, TDI cannot continue and further the advocacy work. It is our responsibility right now to future generations to ensure we are not chasing the airplane as it fades away on the runway.

Once the airplane lifts off, what chance is there to catch it? Take a moment to push, advocate and advance accessibility technology by becoming a member of TDI. Not in the future. There is no time like the present. Because once the airplane is airborne, we must be flying on it together -- at full speed into the unimaginable future.

Department of Justice Revises Captioning Rules for Digital Movie Theaters

On January 17, 2017, revised Department of Justice (DOJ) rules become effective regarding the obligation of digital movie theaters to provide captioning service. These rules, 47 CFR §§ 36.303(g) and (h), have been implemented pursuant to the Americans with Disabilities Act of 1990 (ADA) to reflect the transition from analog films to digital movies, and the corresponding improvements in captioning/audio description facilitated by the transition and other technological advances.

What theaters are affected by these DOJ rule changes?

Only public theaters that show movies produced in digital cinema format must comply with the updated rules.

What obligations do these rule changes create for movie theaters showing digital films?

Within 18 months of December 2, 2016, public theaters must ensure that their auditoriums exhibiting digital movies produced or distributed with closed movie captions provide such features to patrons with hearing disabilities at all showings.

What hardware will movie theaters showing digital films need to procure?

Theaters will need to procure and install the hardware that transmits the closed movie captions (generally WiFi-based technology located in the projection room) to the movie patrons, and the individual end-user devices to receive and display the captioning (generally an LCD tablet that can be affixed to a patron's seat, although special glasses enabled with captioning also satisfy the obligation).

The number of individual end-user

Number of movie auditoriums showing digital movies	Minimum number of individual end-user captioning devices
1	4
2-7	6
8-15	8
16+	12

devices required under the rules is based on the size of the theater applying the table below.

Title III of the ADA prohibits public accommodations from discriminating against individuals with disabilities. 42 U.S.C. 12182(a). It further expressly requires owners, operators, or lessees of public accommodations to take "such steps as may be necessary to ensure that no individual with a disability is excluded denied services, segregated or otherwise treated differently... because of the absence of auxiliary aids and services." 42 U.S.C. 12182(b)(2)(A)(iii). An exception exists for instances where compliance would result in an undue burden or a fundamental alteration.

For the purpose of this bulletin, the term "public theater" applies only to public accommodations that own, lease, or operate movie theaters with auditoriums.

DOJ has deferred on whether to undertake a rulemaking to update captioning requirements for theaters showing movies exclusively in analog film format.

What ancillary obligations do these rule changes create for theaters showing digital films?

Theaters showing digital films must ensure that patrons receive notice that closed caption technology is available, and must have staff present capable of operating the technology and demonstrating the technology for

patrons.

What are the exceptions to the new rules?

First, as mentioned above, analog movie theater auditoriums are NOT affected by the new rules, and are NOT required to transition to digital technology. Second, digital theaters are NOT obligated to add captions or provide captioning service if the relevant movie was not produced with them, and are NOT restricted from showing digital movies produced without captions.

Finally, the obligation does not extend to movie theaters where compliance would create an undue burden, although such theaters are still required to provide alternative captioning aids if available.

What if a theater auditorium converts from analog to digital technology after the rules take effect?

If a theater auditorium converts from analog to digital technology between December 2, 2016 and June 2, 2018, it must have the required captioning equipment and end-user devices installed and operational by December 2, 2018.

Alternatively, if a theater auditorium converts from analog to digital technology after June 2, 2018, it must have the required captioning equipment and end-user devices installed and operational within six (6) months of the conversion.



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National Coalition Submits A “Cradle-to-Grave” Leadership & Public Policy Document to the Trump White House

Proposal Seeks to Ensure Equal Access and Opportunity for Deaf, Hard of Hearing, Late-Deafened, Deaf-Blind, & Deaf-Mobile Disabled Americans

TDI is a member of a national coalition, consisting eighteen organizations of, by, and for the deaf and hard of hearing, coordinated by Deaf and Hard of Hearing Consumer Advocacy Network



(DHHCAN), National Association of State Agencies of the Deaf and Hard of Hearing (NASADHH), and California Coalition of Agencies Serving the Deaf

and Hard of Hearing (CCASDHH). The coalition was put together as a follow-up to the inaugural effort, conducted in 2008 when it submitted a document to the Obama-Biden Transition Team. The 2008 document had forty six recommendations in seven subject areas. The coalition decided to do a little differently this year with its second opportunity this year in 2016. First, we made contacts with the two U.S. Presidential campaigns, one with Hillary Rodham Clinton, the Democratic nominee, and another with Donald J. Trump, the Republican nominee. Then when the

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November 8 elections revealed that Trump had won the national election, with a majority of the Electoral College votes than Clinton, we shifted our efforts immediately to working with key officials of the Trump Transition Team.

Claude Stout, Chair of the Deaf and Hard of Hearing Consumer Advocacy Network (DHHCAN) initiated the process early this year among its affiliates. DHHCAN is a coalition of 12 organizations that represent the deaf and hard of hearing population. Soon it became clear that this was a task that goes beyond DHHCAN, so the invitation was extended to NASDAH and CCASDHH who are not members of the coalition. We also extended invitations to three more organizations representing those who are deaf-blind or are deaf and have a mobile disability.

Under TDI's leadership and support for DHHCAN, an ad-hoc coalition of eighteen national organizations and coalitions representing 48 million deaf and hard of hearing Americans responded by sending a list of seventy five recommendations in seven policy areas for the new Trump Administration to consider. Mr. Stout, who is also Executive Director of TDI, and key members of the coalition's steering committee took upon leadership roles by initiating, drafting, negotiating compromise and reaching the consensus necessary for the production of this document. After many emails among the different organizations, the document began to take shape. Because each organization had its own priorities, sometimes what one organization wished to say, another organization may say it differently. Through consensus building, the organizations put aside their differences that could hinder progress. Under the Steering Committee's leadership, several writers

came through with a document that all organizations could accept, it covered all the important points we wanted to share with the two U.S. presidential campaigns, and then the Trump Transition Team while it also respected the diversity of the different constituents. The document stands as a testament to the results achieved through collaborative efforts.

This leadership and public policy document focuses on addressing the human and civil rights of approximately 48 million individuals who are deaf, hard of hearing, late-deafened, deafblind, and deaf-mobile across a broad spectrum of areas:

- Promoting civil rights through legislative, administrative, and enforcement actions.
- Improving the quality of education and related services, and ensuring appropriate transition services
- Increasing employment opportunities through new initiatives and the provision of reasonable accommodations in the workplace.
- Ensuring effective early intervention systems; access to health care, including substance abuse and mental health care; and insurance coverage for hearing health care, including hearing aids, other assistive technology, and comprehensive rehabilitative services.
- Increasing the availability of safe and accessible housing.
- Providing equal access to telecommunications, information services and video programming, realizing the potential of broadband services, and enabling public safety improvements through accessible emergency communications.
- Ensuring accessible transportation

information, services, and facilities.

When the document was sent to the two U.S. presidential campaigns, it was addressed to Clinton's campaign manager, Mr. Robby Mook, and Trump's campaign manager, Ms. Kellyanne Conway.

In the letters accompanying the document to the two U.S. presidential campaigns, we commended their commitment to address the national disability community's access needs and issues. The following were some instances from the two campaigns that accurately represent their awareness of, and sensitivity to, the disability community on issues critical to our future as Americans.

The Democratic National Committee announced its 2016 platform during its convention in Philadelphia, PA, last July, and the following section focuses on guaranteeing rights for people with disabilities:

"No one should face discrimination based on disability status. Democrats are committed to realizing the full promise of the Americans with Disabilities Act (ADA). We will protect and expand the right of Americans with disabilities to get the accommodations and support they need to live in integrated community settings. We will improve access to meaningful and gainful employment for people with disabilities. We will provide tax relief to help the millions of families caring for aging relatives or family members with chronic illnesses or disabilities. And we will continue to fight for ratification of the Convention on the Rights of Persons with Disabilities."

The Republican National Committee adopted its 2016 platform during its convention in Cleveland, OH, last July, and one section aims to advance the

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Americans with Disabilities Act:

“Under the last two Republican presidents, landmark civil rights legislation affirmed the inherent rights of persons with disabilities. Republicans want to support those rights by guaranteeing access to education and the tools necessary to compete in the mainstream of society. This is not just a moral obligation to our fellow Americans with disabilities. It is our duty to our country’s future to tap this vast pool of talented individuals who want to work and contribute to the common good. ...The Individuals with Disabilities Education Act (IDEA) has opened up unprecedented opportunities for many students. Congressional Republicans will lead in its reauthorization, as well as renewal of the Higher Education Act, which can offer students with disabilities increased access to the general curriculum.”

When the document was sent during the summer to the Trump Transition Team, it was first sent to Chris Christie, the original Chair, and after the November 8 national election, when the President-Elect Trump decided to make a change with the Chair of his Transition Team, we sent another copy to Mr. Mike Pence, the Vice President-Elect, who was selected to replace Mr. Christie. A copy of the letter and document to Vice President-Elect Pence was sent each to other key officials of the Trump Transition Team, such as Rick Dearborn, Executive Director, Trump Transition Team, Reince Preibus, Chief of Staff-Designate, Trump White House, Ken Blackwell, Domestic Issues – Agency Action, Trump Transition Team, and Ken Klukowski, Protecting Americans’ Constitutional Rights – Policy Implementation, Trump Transition Team. DHHCAN, NASADHH, and CCASDHH look forward to participating in meetings in the new

year 2017 with officials of the new Trump Administration. TDI will keep you posted on progress we make with the new Administration. Here below is an overview of the collaborative document by the national coalition. In the following pages, you will see we have organized a presentation of the recommendations under each subject area, and assign them to a federal agency or more, that is to be responsible for consideration and follow-up action:

Civil Rights Protection and Enforcement

Responsible Federal Agencies/Offices:
The White House, U.S. Department of State, U.S. Department of Justice, General Services Administration, Office of Management & Budget, U.S. Office of Personnel Management, U.S. Department of Health & Human Services, U.S. Department of Defense, U.S. Department of Labor, and U.S. Department of Education

The Administration should take steps to ensure that federal legislative, public policy, regulatory, and enforcement actions be taken on the issues outlined below, with input from consumer and community-based organizations as partners, to serve the needs of the expanding population of 48 million Americans who are deaf, hard of hearing, late-deafened and deafblind, including those with additional disabilities:

1. Ratify and implement the United Nations Convention on the Rights of People with Disabilities.
2. Ensure that the White House creates a position or office whose function is to create a liaison with the disability community and to inform the President on civil rights and public policy issues that impact people with disabilities.
3. Work with Congress and the

national disability community to amend the ADA to ensure protection against discrimination based on disability:

- Legislatively overrule *Buckhannon v. West Virginia* (532 U.S. 598) (catalyst theory for attorney fees).
 - Raise the \$300,000 limit for damages under ADA Title I.
 - Permit damages under Title III.
 - Grant damages for acts of discrimination without requiring a showing of intentional discrimination.
4. Work with Congress to amend any federal anti-Strategic Lawsuit Against Public Participation (SLAPP) legislation to exempt any civil rights action under the ADA or any similar state law.
 5. Work with Congress to reject entirely any ADA notification bills that limit the ability of people with disabilities to enforce their rights under the ADA to access the programs, services, activities, and facilities of covered entities in the same manner as all citizens.
 6. Work with Congress to ensure additional funding and staffing for the various Office of Civil Rights and the Department of Justice’s Disability Rights Section offices to allow for proper investigation of all cases as they come in.
 7. Take federal action to mandate that each federal, state and local agency, as well as covered entities, create, implement, and maintain well-advertised centralized funds for auxiliary aids and services to ensure that their programs, services, activities, and facilities are accessible for deaf, hard of hearing, late-deafened, and deafblind individuals,

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Members of the National Coalition Steering Committee



Claude Stout

Claude Stout serves as Coordinator for the National Coalition for its project with the "Cradle-to-Grave" document to the Trump Transition Team. He helped draft the recommendations for the Telecommunications, Information Services, and Video Programming section in the document. He is Chair of Deaf and Hard of Hearing Consumer Advocacy Network (DHHCAN). He represents Telecommunications for the Deaf and Hard of Hearing, Inc. on DHHCAN. He is Executive Director of TDI.



Barbara Raimondo

Barbara Raimondo represents Conference of Educational Administrators of Schools and Programs for the Deaf on DHHCAN. She helped draft the recommendations for the Education section in the document. She is a consultant with the Laurent Clerc National Deaf Education Center at Gallaudet University.



Zainab Alkebsi

Zainab Alkebsi is Secretary of Deaf and Hard of Hearing Consumer Advocacy Network (DHHCAN). She represents National Association of the Deaf on DHHCAN. She helped draft the recommendations for the Civil Rights Protection and Enforcement section in the document. She is Policy Counsel with NAD.



Sheri Farinha

Sheri Farinha is Chair of California Coalition of Agencies Serving the Deaf and Hard of Hearing. She is Chief Executive Officer with NorCal Services for the Deaf and Hard of Hearing in Sacramento, CA.



Bernie Palmer

Bernie Palmer is Vice Chair of Deaf and Hard of Hearing Consumer Advocacy Network (DHHCAN). He represents Association of Late-Deafened Adults on DHHCAN. He is Executive Director of the Office of Diversity and Equity for Students (ODES) at Gallaudet University.



Tom Dowling

Tom Dowling is Treasurer of Deaf and Hard of Hearing Consumer Advocacy Network (DHHCAN). He represents Deaf Seniors of America on DHHCAN. He helped draft the recommendations for the Housing section in the document. He is retired from U.S. Securities and Exchange Commission.



David Bahar

David Bahar represents Communication Service for the Deaf on DHHCAN. He helped draft the recommendations for the Employment section in the document. He is Director of Public Policy with CSD.



Lise Hamlin

Lise Hamlin represents Hearing Loss Association of America on DHHCAN. She helped draft the recommendations for both the Health Care and Transportation sections in the document. She is Director of Public Policy with HLAA.



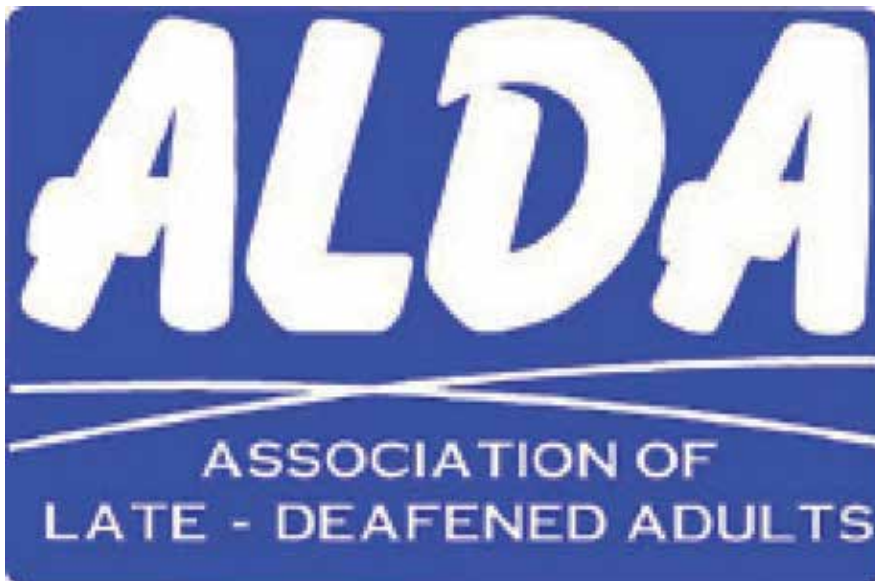
Sherri Collins

Sherri Collins is President of National Association of State Agencies of the Deaf and Hard of Hearing. She is Executive Director with Arizona Commission for the Deaf and Hard of Hearing in Phoenix, AZ.

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including those with additional disabilities², in compliance with Section 504 of the Rehabilitation Act of 1973, as amended in 1978 and Title II of the ADA, as amended in 2008 and the final rule published in the Federal Register on August 16, 2016.³

8. Direct federal agencies to amend their Section 504 regulations to include Certified Deaf Interpreters (CDIs) and Support Service Providers (SSPs) in their list of auxiliary aids, and allow the Department of Justice to amend Title II and Title III of its ADA regulations to include CDIs and SSPs in its list of auxiliary aids and services.
9. Require all federal agencies to ensure that information and educational materials produced by recipients of federal funding are accessible through open or closed captioning or other effective means to provide visual access.
10. Direct federal agencies to implement American Sign Language (ASL) hotlines staffed by deaf and hard of hearing employees.
11. Ensure the development of accessible emergency preparedness procedures across various applicable agencies, including directing the Department of Justice to mandate Public Safety Answering Points to accept text-to-911 and provide direct connections to Next Generation 9-1-1 (NG9-1-1) using various telecommunication modalities, including multimedia applications such as voice, text, images, video and data.⁴
12. Expand funding within the U.S. Department of Justice Office on Violence Against Women to meet the needs of deaf and hard of hearing victims and their families, and direct federal agencies to create and implement initiatives for States to promote equal access to justice for deaf, hard of hearing, late-deafened, and deafblind victims, including those with additional disabilities, such as through the Edward Byrne Memorial Justice Assistance Grant.
13. Direct the U.S. Department of Justice to bring the Bureau of Prisons into compliance with Section 504 of the Rehabilitation Act of 1973 by mandating that federal prisons provide qualified interpreters or other appropriate auxiliary aids and services whenever necessary for all programs, activities, services, and facilities; provide reliable videophones, TTYs, amplified telephones, and captioned telephones to be available for deaf and hard of hearing inmates whenever telephones are available for other inmates; and provide visual notifications to accompany aural notifications. Likewise, direct the Department of Justice to ensure that state and local prisons and jails comply with Title II of the ADA by ensuring that these correctional facilities provide qualified interpreters or other appropriate auxiliary aids and services such as CART or assistive listening devices and systems whenever necessary for all programs, activities and services; provide both reliable videophones, TTYs, and amplified telephones, and captioned telephones to be available for deaf and hard of hearing inmates whenever telephones are available for other inmates; and provide visual notifications to accompany aural notifications.
14. Direct the U.S. Department of Justice to issue regulations for Title II and Title III of the ADA regarding web accessibility, particularly ensuring captioning of Internet audiovisual content and clarifying that places of public accommodation operating over the Internet are covered by Title III without a need for a nexus to a physical location, and regulations regarding movie theater captioning and audio description.



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15. Direct the Department of Justice, the Department of Housing and Urban Development, and the Department of Defense to enforce the use of smoke, carbon monoxide, and other alerting devices that provide effective, accurate, and immediate alerts to deaf and hard of hearing individuals, such as multiple or low frequency, tactile and/or visual interconnected alerting systems in military, commercial, and lodging environments.
16. Direct the U.S. Department of Health and Human Services to adopt its Notice of Exercise of Authority under 45 C.F.R. 84.52(d) (2) regarding recipients with fewer than fifteen employees.
17. Require the U.S. military to permit deaf and hard of hearing citizens to serve in noncombat positions.
18. Recognize, accept, and respect the linguistic diversity and communication choices that each deaf or hard of hearing individual finds effective, including but not limited to ASL (the linguistic identity of the Deaf community), tactile sign language, English-based sign systems, captioning, Computer Assisted Real-time Translation (CART), Cued Speech, speaking, writing, and speech reading—with or without the use of hearing aids, cochlear implants, assistive listening devices and systems, and other hearing assistive technologies.
19. Direct the Department of Transportation to require captioning of all in-flight entertainment and cabin announcements.
20. Direct the Department of Transportation to permit the use of ASL interpreters during road skills testing and to remove the hearing test requirement for Commercial Driver's Licenses and prohibit states

from having such rules.

Education

Responsible Federal Agencies/Offices:
U.S. Department of Education, U.S. Department of Health & Human Services, and U.S. Department of Justice

1. Support passage of the Alice Cogswell and Anne Sullivan Macy Act5, currently H.R. 3535, which will amend the Individuals with Disabilities Education Act (IDEA) to better serve the language and academic needs of deaf, hard of hearing, blind, visually impaired, and deafblind students, including those with additional disabilities.
2. Monitor IDEA Part C early intervention programs to ensure that they appropriately address the language and communication needs of infants and toddlers who are deaf, hard of hearing, and deafblind, including those with additional disabilities 6 (34 C.F.R. §303.13(a)(4)). Needs include the development of American Sign Language and/or spoken English, and English literacy.
3. Establish a new education initiative to support language equality and acquisition for deaf and hard of hearing children's kindergarten-readiness, including children who are deafblind.
 - Ensure that all parents and families of children who are deaf and hard of hearing have resources about language milestones toward kindergarten-readiness in reading and writing skills based on the child's primary language.
 - Ensure that teachers receive training on these milestones and conduct assessments using checklists to track and support such goals in the Individualized Family Service Plan (IFSP)
4. Ensure that states support and maintain the "continuum of alternative placements," (34 C.F.R. §300.115) including placements such as state and center-based schools and specialized programs serving deaf, hard of hearing, and deafblind children. Such placement should be based on a language first approach and prevent the ongoing systemic problem of deaf and hard of hearing children being placed in appropriate programs only after a presumed "less restrictive" placement has failed.
5. Monitor states to ensure that students who are deaf, hard of hearing, and deafblind are placed in settings that appropriately meet their language, communication, and educational needs (34 C.F.R. 300.116).
6. Require that IDEA monitoring ensure that IEP teams comply with the requirement to consider IDEA "special factors" for deaf, hard of hearing, and deafblind students (34 C.F.R. §300.324(a)(2)(iv)).
7. Increase funding and expand personnel training programs for teachers, counselors, administrators, interveners, American Sign Language interpreters, speech-language

and Individualized Education Program (IEP) for deaf children ages 0-5.

- Disaggregate the data to show progress in language development for pre-K children.
- Post on the Office of Special Education and Rehabilitative Services website the data collected per state on the progress of language development in children who are deaf and hard of hearing.

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pathologists, aural habilitation professionals, ASL specialists, and CART writers serving individuals who are deaf, hard of hearing, and deafblind (20 U.S.C. §1462(c)). Also, occupational/physical therapists for those who have an additional disability like mobility.

8. Monitor and enforce the IDEA requirement for states to “make positive efforts to employ, and advance in employment, qualified individuals with disabilities” (20 U.S.C. §1405).
9. Fully fund IDEA to raise the current federal funding level of 16% of average per pupil expenditure to the authorized amount of 40% (20 U.S.C. 1411(a)(2)(A)(ii)).

Every Student Succeeds Act

1. Enforce ESSA requirements that assessments be valid and reliable (20 U.S.C. §6311(b)(2)(B)(iii)) and accessible for all students (20 U.S.C. §6311(b)(2)(B)(vii)(II)), including for those with disabilities.
2. Monitor and hold states accountable for ensuring that students who are deaf, hard of hearing, and deafblind are meeting state-identified accountability indicators through data tracking of these students, apart from reporting on them in the “disability” category (20 U.S.C. §6311(b)(2)(B)(xi)).

Departments of Education and Health and Human Services

Early Hearing Detection and Intervention Act

1. Ensure that federally-funded state and local early hearing detection and intervention (EHDI) systems (42 U.S.C. §280g-1) identify and

offer families a full continuum of services and programs, including center-based programs, family-to-family support services, support and mentorship from individuals who are deaf or hard of hearing, American Sign Language services and resources, spoken language services and resources, intervener services, hearing aids or assistive devices as appropriate, and facilitation of fitting of those devices, as well as other resources specifically designed to meet the unique language and communication needs of deaf, hard of hearing, and deafblind infants and toddlers.

Departments of Education and Justice

Americans with Disabilities Act

1. Continue to enforce the “effective communication” provisions of the ADA as applied to schools, including for students who are deafblind. (28 C.F.R. §35.160).

Employment

Responsible Federal Agencies/ Offices: The White House, U.S. Department of Labor, U.S. Office of Personnel Management, U.S. Office of Management and Budget, Social Security Administration, U.S. Department of Commerce and Internal Revenue Service

In 2014, 34.4% of U.S. civilians with disabilities ages 18-64 living in the deaf and hard of hearing community were employed, compared to 75.4% for people without disabilities—a gap of 41 percentage points.⁷ This severe lack of employment opportunities for the community should be recognized as a crisis.

One significant barrier to employment deaf and hard of hearing employees face is access to communication.

Effective communication—used by all on a daily basis to collaborate; build relationships; and negotiate with coworkers, managers, and clients or customers—is key to success in today’s global workforce.

For the deaf and hard of hearing, accommodations such as sign language or oral interpreters, CART or assistive listening devices and systems, as well as accessible telephones and in-person or remote accommodations for meetings are often required to ensure effective communication in the workplace. Lack of access to these resources, due to constrained supply, demand, and funding sources, significantly impacts those with all degrees of hearing loss in hiring, retention, and career advancement.

The need for accommodations encompasses not only those in the deaf and hard of hearing community, but also veterans returning from conflict with hearing loss, mature workers who lose hearing as part of the aging process, those with other disabilities that may prevent them from communicating according to societal norms (non-verbal Autistic spectrum, speech disabilities, stroke survivors), and speakers who use English as a Second Language.

The next administration should:

1. Recommend the replication and use of Centralized Reasonable Accommodations Funds to cover the cost of communications accommodations. If this expense is written into the overall operating budget of an organization, the cost would not be as burdensome, much like how 9-1-1, Telephone Relay Service, and Federal Universal Service Charges fees or taxes consumers pay on their monthly telephone and wireless service bills.

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2. Propose that the tax credit be made available to those transitioning off Social Security benefits such as the Social Security Disability Insurance program (SSDI). The Work Opportunity Tax Credit (WOTC) provides for an annual tax credit of up to \$2,400 to employers who hire people from certain low-income groups. However, the paperwork and documentation required to use the WOTC makes it burdensome and difficult for businesses to take advantage of it. Moreover, the tax credit does not apply to those on SSDI or youth in transition with IEPs or 504 plans and Congress often allows the WOTC to expire then reinstates it retroactively, making it unpredictable for many businesses.
 3. Request that the Small Business Tax Credit be expanded—or alternatives be developed—to cover 100% of eligible access expenditures. A Small Business Tax Credit, Section 44, provides a tax credit of up to \$5,000 annually for certain small businesses to be used for the cost of providing reasonable accommodations such as sign language interpreters, readers, materials in alternative format, the purchase of adaptive equipment, the modification of existing equipment, or the removal of architectural barriers.
- However, the Section 44 credit covers only 50% of eligible access expenditures, posing a significant financial burden for many small companies.
4. Encourage that the Architectural/Transportation Tax Deduction (Section 190) be expanded—or alternatives be developed—so that a greater number of employers can claim this credit for work done toward removing accessibility barriers. It currently allows businesses of any size to deduct up to \$15,000 annually for the costs of removing barriers to accessibility. Only certain expenses are deductible and modifications must meet certain standards under the IRS Code. As a consequence, the deduction is often difficult for businesses to understand and utilize. Indeed, a 2002 Government Accountability Office report found only a small proportion of corporate and individual taxpayers with a business affiliation were taking advantage of these tax incentives and most were concentrated in only a few industries.
- In 2010, Executive Order 13548 (EO 13548) was signed, calling for the hiring of an additional 100,000 individuals. By the end of 2015, that target had

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ACCESSIBILITY









Comcast Accessibility Center of Excellence

Comcast customers seeking assistance for accessibility support now have a valuable new resource at their disposal: Comcast's Accessibility Center of Excellence (ACE).

Comcast ACE will provide customers who rely on key services—including closed captioning and video description services—direct access to a specially trained customer support team dedicated to accessibility support.

Customers can reach Comcast ACE directly by phone at

855-270-0379

9:00 AM to 10:00 PM Eastern
seven days a week.

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not been met. Further, federal agencies usually hire people with non-targeted and/or non-severe disabilities. Despite the ambitious goal set in EO 13548, and despite an emphasis on hiring persons with targeted disabilities, Schedule A employees only make up one percent of the overall number of federal employees. In addition, despite the ADA's prohibition against a job qualification standard that screens out or tends to screen out disabled persons, we have found that some federal agencies screen out applicants and/or current employees based on their use or non-use of hearing aids, cochlear implants and/or other assistive hearing devices and systems during job qualification testing.

5. Reissue EO 13548 with separate hiring targets for people with targeted and/or severe disabilities, and people with "other", non-targeted and non-severe disabilities, as defined by the Office of Personnel Management.
6. Ensure that all federal agencies that require hearing acuity testing ensure that those agencies 1) provide a realistic and data-driven rationale for setting such requirements and 2) adhere to the ADA by evaluating individuals on a case-by-case basis and allowing the use of hearing aids, cochlear Implants, or other types of devices that assist hearing (e.g., PSAPs, and any new category of hearing aids) and systems during job qualification testing.
7. According to the FY 2013 report from the Rehabilitation Services Administration (RSA) on Vocational Rehabilitation ("VR") programs, only 64.9% of VR cases resulted in successful employment. This should not be considered a satisfactory rate, and RSA has done little to address it. From 2012 to

2013, the number of VR applicants decreased by 6.8%, due in part to applicants being frequently discouraged from applying for VR service.

8. Generate an increase in VR funding for all 50 states through the Department of Education, with goals set for the hiring of additional VR counselors fluent in ASL and familiar with deaf culture.
9. Ensure that VR counselors are hired who are trained and knowledgeable regarding assistive listening devices and systems, CART, captioned phones or other telecommunication devices or services to ensure success in the workplace for people who are hard of hearing
10. Take action to reform VR processes to:
 - bring about an increase in the rate of VR cases resulting in successful employment, and
 - increase the number of new cases admitted into the VR system, from the current 40% level to a 75% by 2020.
11. Implement data reporting to track and assess individuals who have successfully obtained employment through VR, for a period of five years. Current VR cases are considered closed after 90 days of successful placement into employment, which doesn't provide support to ensure long-term success in the workplace.

Health Care

*Responsible Federal Agencies/Offices:
U.S. Department of Health and
Human Services and Social Security
Administration*

1. Support reauthorization of the Early Hearing Detection and Intervention Act to improve

hearing detection and intervention systems.

2. Ensure that federally-funded state and local early hearing detection and intervention systems offer families a full continuum of services and programs, including center-based programs; family-to-family support services; ASL services and resources; auditory and speech habilitation services; occupational/physical therapy services; and other resources specifically designed to meet the unique language and communication needs of deaf, hard of hearing, deafblind, and deaf/mobile disabled infants and toddlers.
3. Direct the U.S. Department of Health and Human Services (HHS) to fund and lead a nationwide campaign with consumer groups, service providers, and government agencies to raise public awareness about hearing loss, the need for prevention, and the importance of regular hearing screenings throughout life— and to provide assistance and resources for deaf and hard of hearing individuals and their families to learn how to address and adjust to hearing loss.
4. Support and implement the 12 recommendations provided in the National Academies of Sciences, Engineering, and Medicine's report, *Hearing Health Care for Adults: Priorities for Improving Access and Affordability*, including recommendations for affordable and available hearing health care, Medicare coverage of hearing aid, consideration of a new category of "over the counter" hearing aids as well as greater research into hearing health care.
5. Direct HHS and the U.S. Substance

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Abuse and Mental Health Services Administration to establish a national blue ribbon commission, consisting of specialized mental health care providers and deaf, hard of hearing, late-deafened, deafblind, and deaf/mobile disabled consumers to implement and oversee a strategic planning process with all 50 states and territories which will:

- Ensure full and equal access (including but not limited to language and culturally appropriate direct services) to community-based and school-based substance abuse and mental health services for diverse groups of deaf, hard of hearing, late-deafened, and deafblind people of all ages, across the continuum of service modalities.
 - Strengthen university-based training, recruitment, and retention of substance abuse, domestic violence, sexual assault, and mental health care professionals (particularly those who are deaf and hard of hearing themselves) to work with deaf, hard of hearing, late-deafened, and deafblind people of all ages.
 - Research evidence-based practices in substance abuse and mental health services with diverse groups of deaf, hard of hearing, late-deafened, and deafblind people.
6. Require Medicare and private insurance companies to cover all types of hearing aids, cochlear implants and other implantable devices, related examinations, and training in rehabilitative strategies including skills development in ASL, English-based sign systems, cued speech, speech, speech reading, auditory rehabilitation and

mapping services for hearing aid and cochlear implant users, and the use of hearing assistive technology for individuals who have recently lost their hearing.

7. Increase funding for research on disability demographics. Expand funding for medical research in the areas of hearing, vision, and language; advances in technology to improve hearing in noisy environments; standards for acoustics in meeting places and public areas; affordable technology; technological accommodations in the workplace; and stress-related conditions such as the incidence of high blood pressure, diabetes, depression and their association with hearing loss.
8. Direct HHS to increase enforcement actions to ensure access and outreach to routine and emergency health care, in person and/or by telephone that supports a consumer's choice of effective language and communication mode. This includes determining which scenarios warrant proper and safe use of Video Relay Interpreting, and which do not.

Housing

Responsible Federal Agencies/Offices: U.S. Department of Housing and Urban Development, and U.S. Department of Health and Human Services

Direct the U.S. Department of Housing and Urban Development to educate stakeholders and enforce the provision of accessibility features for deaf, hard of hearing, late-deafened, deafblind, and deaf/mobile disabled individuals in housing that is subject to the Fair Housing Act or Section 504 of the Rehabilitation Act.

Fund research to explore alternatives to current residential visual smoke and carbon monoxide detectors for

deaf, hard of hearing, late-deafened, deafblind, and deaf/mobile disabled individuals; and support the design and production of fully effective and affordable safety equipment with universal design features including auditory, visual, and tactile alerting systems.

Increase the availability of housing options accessible to deaf, hard of hearing, late deafened, deafblind, and deaf/mobile disabled individuals of all ages, including collaboration with the U.S. Department of Health and Human Services Administration on Aging for the development of programs, including accessible housing for senior citizens. This also calls for a reexamination of current regulations with the U.S. Department of Housing and Urban Development, regarding use of federal funds to develop housing facilities, that are more accessible and culturally suitable for low-income residents and/or senior citizens who are deaf, hard of hearing, late-deafened, deafblind, or deaf/mobile disabled.

Telecommunications, Information Services, & Video Programming

Responsible Federal Agencies/Offices: The White House, Federal Communications Commission, U.S. Department of Justice, U.S. Department of Health and Human Services, U.S. Copyright Office, U.S. Congress, U.S. Department of Transportation, U.S. Department of Education, and U.S. Food and Drug Administration

1. Issue an executive order directing that all federal agencies and related commissions review their rules and regulations for compliance with existing laws and policies that ensure effective access to communication and information by deaf and hard of hearing people.

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2. Coordinate with the Federal Communications Commission (FCC) to have its Disability Rights Office build on its commendable work such as providing guidance or information on its services through videos that are both captioned and interpreted in ASL, generating quarterly reports on consumer complaints about the accessibility of telecommunications and video programming equipment and services, expanding the role and functions of its new disability advisory committee to provide input and solutions on a range of access issues that are under the FCC's jurisdiction, and ensuring that appropriate investigation and resolution are made for all disability-related complaints.
3. Work with the FCC to ensure that Internet-based and digital telephone and television technologies are accessible, usable, secure, and compatible for people who are deaf and hard of hearing, also those who are deafblind or deaf and mobile-disabled under the 21st Century Communications and Video Accessibility Act - and that they offer access to telecommunications relay services (TRS). Such new technologies or shifts include but are not limited to gaming systems, Virtual Reality, HD Voice, video telephony, amplified phones, and the Internet of Things (IoT). Consider the following examples for the deafblind: new ovens in the market today are no longer tactile-controlled, but are driven by a touch screen; and when captions are shown on television or on the Internet, the caption data can be sent untethered, such as passing through a wireless network to a Braille, which is used by the deafblind to follow the video program by reading captions via Braille from his or her Braille.
4. Encourage the FCC to establish a firm action plan to ensure that outstanding closed captioning issues are addressed and resolved. These issues include narrowing or eliminating the current categorical exemptions from the FCC's closed captioning rules and reports or updates on best practices in caption quality from the 2004 and 2011 captioning quality petitions by a coalition of national consumer groups of, by, and for the deaf and hard of hearing. This also includes regulatory action by the FCC to adopt a schedule to phase out inferior electronic newsroom technique captioning for local news, weather, and sports outside the top 25 markets nationwide; implement metrics for live captioning quality; and adopt new techniques that are at least functionally equivalent to real-time captioning.
5. Coordinate with the FCC and, if necessary, Congress to address gaps in the coverage of FCC's Internet Protocol captioning rules for online-exclusive content that has never broadcasted or exhibited on television.
6. Coordinate efforts with Congress, appropriate federal agencies, consumer advocates, and key stakeholders to spearhead full government response with adequate legislative or regulatory action, training, and financial wherewithal to ensure direct and equal access by deaf and hard of hearing people to Next Generation 9-1-1 services.
7. Ensure that the FCC fully implements its recent decisions related to its Connect America Fund initiative to pave the way for its Universal Service Fund (USF) programs to subsidize low-income deaf, hard of hearing, late-deafened, and deafblind individuals and their service providers (for instance, schools and libraries) in the acquisition of broadband service to partially cover the cost of telecommunications devices, and to conduct a meaningful outreach campaign to ensure access to information and communication by deaf, hard of hearing, late-deafened, and deafblind individuals across America. In particular, the administration should ensure that the FCC accounts for the need for deaf and hard of hearing people, as well as people with speech disabilities, to access plans with increased data limits and flexible voice plans to accommodate the use of relay services as basic communications.
8. Provide full support for captioned radio technology, which is currently languishing after some encouraging research and development by National Public Radio, Towson University, and its other partners.
9. Coordinate with Congress and the U.S. Copyright Office to implement appropriate exemptions and limitations in copyright law, including the exclusive rights of copyright holders and the anti-circumvention measures in Section 1201 of the Digital Millennium Copyright Act, to ensure that the development of accessibility technology, accessible adaptations to and of content including closed captions, and accessibility services are considered fair use applications and not hindered by copyright concerns.
10. Enlist the White House's support in coordination with the U.S. Department of Health and Human

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Services to provide funding for expanded activities addressing the technology needs of Americans who are deaf and hard of hearing with its Rehabilitation Engineering Research Center and other related funding programs.

11. Secure a strong commitment from the White House to fulfill the promise and potential of the ADA, specifically the fourth provision for a national telecommunications relay service program. The relay service program has witnessed some meaningful progress in twenty-six years. Today, several forms of relay services are being offered to a diverse deaf and hard of hearing population and their hearing contacts across the country, but new initiatives are needed in the next few years to achieve functional equivalency using “state of the art” relay services.
12. Coordinate efforts from both the FCC and the U.S. Department of Justice to make revisions, and then enforce their respective policies and regulations for accessible technologies and services in prisons at federal, state, and local levels for Americans who are deaf and hard of hearing that are incarcerated in these facilities.
13. Support addressing unique access needs in critical communication and information avenues for those who are deafblind, have low vision, a speech disability, or are deaf or hard of hearing, and have an additional disability such as mobility.
14. Fully support the FCC’s Report and Order Released August 5, 2016 that take steps to implement a historic consensus proposal drafted in a collaborative effort by consumer organizations working with the

wireless industry. These efforts will ensure people with hearing loss have greater access to innovative wireless handsets over the next 5 years, and pursue a goal of 100% hearing aid compatible handsets deployment in eight years.

15. Encourage the FCC to spur competition and innovation in the video navigation marketplace that would improve the accessibility of multichannel video programming for deaf and hard of hearing consumers, while making clear that all competitive navigation devices—whether hardware, software, or a combination of both—will be subject to the FCC’s accessibility rules.
16. Encourage or mandate more public places to require that their public TV sets display captioning. Recent examples include the City of Portland, OR, US airports (by DOT), and the state of Minnesota (medical facilities).

Transportation

*Responsible Federal Agencies/Offices:
U.S. Department of Transportation and
Federal Communications Commission*

1. Direct the U.S. Department of Transportation (DOT) to implement measures that ensure full visual access to all public announcements made at all airports and public ground transportation facilities.
2. Direct the DOT to ensure that communication access is available on board all airplanes, trains, buses and other public transportation vehicles both for on board announcements and communications as well as entertainment. This includes meeting such needs of those who use wheelchairs.
3. Direct the DOT to make highway

emergency communications systems, including those located at rest areas, accessible to deaf, hard of hearing, late-deafened, deafblind, and deaf/mobile disabled travelers.

4. Direct the DOT to include the FCC in the interagency efforts to establish Next Generation 9-1-1 services to ensure access by people with disabilities by enabling direct communication by these individuals with public safety answering points (PSAPs) and emergency services through video, text, and voice carried by wireline, wireless, and Internet-based communication networks.
5. Direct the DOT to issue regulations for the Air Carrier Access Act that ensure access to all airline services and ensures that individuals who are deafblind or deaf/mobile disabled can exercise their right of self-determination for independent travel with or without personal assistants.
6. Ensure that people who use service animals have equal access to all forms of public transportation.

We respectfully invite the Trump White House to actively participate with us and other stakeholders in a bipartisan dialogue and exchange of information, with the ultimate goal of improving the quality of life for all Americans.

The national coalition stands ready to serve as a partner and resource to further the goals of the Trump White House in accord with our community principle of “Nothing About Us Without Us.” Together as a nation, we must move forward to address the needs of all Americans, from cradle to grave, through the delivery of consumer-directed policy and services; by incorporating universal design; and by embracing the diversity of our experiences, abilities, and cultures.

Members of the National Coalition



American Association of the Deaf-Blind (AADB) is a national consumer advocacy organization of, for and by

deafblind Americans. The mission of AADB is to enable deafblind individuals achieve their maximum potential through increased independence, productivity, and integration into the community. Founded in 1937 to have deafblind people meet and provide moral support to one another, AADB evolved into a formal organization in 1984 with 501 (c) (3) status, bylaws, and a board of directors, the majority of whom are deafblind themselves. <http://www.aadb.org/>

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American Deafness and Rehabilitation Association (ADARA)'s mission is

to facilitate excellence in human service delivery with individuals who are deaf & hard of hearing. This is accomplished by enhancing professional competencies of the membership, expanding opportunities for networking among ADARA colleagues, & supporting positive public policies for individuals who are deaf & hard of hearing. It strives to be the leader among professional organizations in transforming the paradigm of rehabilitation of their clientele to enhancing the quality of life with deaf & hard of hearing people. This intent is achieved through a balanced approach of consumerism & professionalism & requires the organization to continually examine fundamental philosophies & attitudes that manifest themselves in the image of the organization & the configuration of the membership. www.adara.org

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Association of Late-Deafened Adults (ALDA) was formed in Chicago, Illinois in 1987. It has evolved to membership that

is international in scope, working collaboratively with other organizations and individuals around the world to serve the needs of people who are late-deafened. Through a support network of chapters, groups, and individuals, ALDA promotes public and private programs to alleviate the problems faced by those with late-deafness in becoming reintegrated into all aspects of society. ALDA also provides educational information through publications and an annual conference, as well as advocacy on behalf of, and in support for, late-deafened adults and their families and friends. www.alda.org

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California Coalition of Agencies Serving the Deaf and Hard of Hearing (CCASDHH) got its start, inspired by the 1970's civil rights era in which American citizens advocated for their right to equal access to employment, education, housing, all government services, and dignity. Section 504 of the Rehab. Act of 1973, as amended in 1978, and the Americans with Disabilities Act created an avenue for this coalition, as advocates "of, by, and for" the deaf and hard of hearing consumers to focus on efforts providing mandatory services under the Department of Social Services. Approximately, 3.8 million deaf and hard of hearing individuals have access to the services and resources of the eight-member agencies with the Coalition throughout 58 counties in California. <https://www.facebook.com/pg/ccasdh/about/>

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CSD (also known as Communication Service for the Deaf, Inc.) is a private, nonprofit organization dedicated to providing broad-based services, ensuring public accessibility and increasing public awareness of issues affecting deaf and hard of hearing individuals. Through global leadership and a continuum

Members of the National Coalition (contd.)

of quality communication services and human service programs, CSD provides the tools conducive to a positive and fully integrated life. www.csd.org

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Founded in 1868, the
**Conference of Educational
Administrators of Schools
and Programs for the Deaf**

(CEASD) is committed to the promotion of excellence within a continuum of equitable educational opportunities for all children and adults who are deaf or hard of hearing. CEASD advocates on behalf of individuals who are deaf or hard of hearing and supports the efficient and effective management of schools, programs, program service centers, and governmental units offering educational and related programs and services. CEASD's membership consists of over 100 member schools and programs serving over 12,000 deaf and hard of hearing children and their families. www.ceasd.org

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Cerebral Palsy and Deaf Organization (CPADO) is a membership and consumer advocacy organization.

Its' mission has been to generate incentives for members of this special constituency which has various forms of cerebral palsy or another mobile disability, to pursue for higher quality of life, and to promote maximum achievement of their full potential and recognition of their contribution to society herein America. www.cpado.org

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Established in 1992, the **Deaf and Hard of Hearing Consumer**

Advocacy Network (DHHCAN) provides a forum for proactive coordination of information for addressing and influencing legislation. It also seeks to further the movement toward universal, barrier-free access with emphasis on quality, certification and standards. Twelve organizations are members of this national coalition of, for, and by the deaf and hard of hearing: Alexander Graham Bell Association for the Deaf and Hard of Hearing (AGBADHH), American Association of the Deaf-Blind (AADB), American Deafness and Rehabilitation Association (ADARA), Association of Late-Deafened Adults (ALDA), Communication Service for the Deaf (CSD), Conference of Educational Administrators of Schools and Programs for the Deaf (CEASD), Deaf Seniors of America (DSA), Gallaudet University Alumni Association (GUAA), Hearing Loss Association of America (HLAA), National Association of the Deaf (NAD), Registry of Interpreters for the Deaf, Inc. (RID), and Telecommunications for the Deaf and Hard of Hearing, Inc. (TDI). www.dhhcan.org

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Deaf in Government (DIG) functions as a knowledgeable national organization to identify and find resources to solve problems and issues affecting the Deaf & Hard of Hearing Federal workforce. It encourages pride and motivation in the Deaf and Hard of Hearing in Government to promote achievement of their full potential and recognition of their societal contributions. It promotes equal opportunity, equal access and career enhancement for Deaf and Hard of Hearing in Government employees nationwide. It supports training, networking, and mentoring activities for career development and advancement. It sponsors a national effort to promote the educational, professional development and well being of the Deaf and Hard of Hearing workforce. It seeks to make positive contributions toward the socio-economical, political, cultural and linguistical well being of Deaf and Hard of Hearing people. It collaborates with organizations representing Deaf, Hard of Hearing, interpreters and other supportive personnel, and other entities. www.deafingov.org

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Members of the National Coalition (contd.)

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Deaf Seniors of America (DSA) is a membership organization that was

established after its first conference in 1992. Originally called the National Association of Deaf Seniors Citizens (NADSC), the current name was adopted in 1997. The mission of DSA is to improve the quality of life for senior citizens who are deaf by providing seminars dealing with issues impacting their well-being and safety; conducting awareness projects or activities among decision makers, providers of service and the general public regarding their unique needs, and acquainting those senior citizens with national, state, and local resources that will contribute to their positive image and fuller participation in the mainstream society. www.deafseniorsofamerica.org

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Gallaudet University Alumni Association (GUAA) was founded in 1889. Its mission includes three objectives: a.) to preserve and increase the influence and prestige of Gallaudet University as an institution of higher education for the deaf. b.) to

promote those concerns that affect the welfare of the Deaf in general, especially those associated with education., and c.) to perpetuate the friendships formed during college life and to promote social and fraternal relations among alumni of different college generations. The Association represents more than 18,000 alumni of Gallaudet who live across the United States and around the world. It has more than 7,000 Life members and 52 chapters in the U.S., Japan, and Canada. [http://www.gallaudet.edu/institutional-advancement/alumni-relations/alumni-association-\(guaa\).html](http://www.gallaudet.edu/institutional-advancement/alumni-relations/alumni-association-(guaa).html)

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Hearing Loss Association of America (HLAA) is the nation's leading consumer organization representing

people with hearing loss. HLAA impacts accessibility, public policy, research, public awareness, and service delivery related to hearing loss on a national and global level. HLAA's national support network includes an office in the Washington D.C. area, 14 state organizations, and 200 local chapters. The HLAA mission is to open the world of communication to people with hearing loss through information, education, advocacy, and support. HLAA provides cutting edge information to consumers, policy makers, business professionals and family members through our website, an award -winning publication, Hearing Loss, an online newsletter, ENews, and message boards. In addition, it brings consumers and policy makers together to learn about hearing accessibility issues at our national and regional conventions. www.hearingloss.org

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National Association of the Deaf (NAD) was established in 1880 by deaf leaders who believed in the right of the American deaf community to use sign language, to congregate on issues important to them, and to have its interests represented

at the national level. These beliefs remain true to this day, with American Sign Language as a core value. As a nonprofit federation, the mission of the NAD is to preserve, protect, and promote the civil, human, and linguistic rights of deaf and hard of hearing Americans. The advocacy scope of the NAD is broad, covering the breadth of a lifetime and impacting future generations in the areas of early intervention, education, employment, health care, technology, telecommunications, youth leadership, and more. www.nad.org

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National Association of State Agencies of the Deaf and Hard of Hearing (NASADHH) functions

Members of the National Coalition (contd.)

as the national voice of state agencies serving Deaf and Hard of Hearing people and promotes the implementation of best practices in the provision of services. It seeks to increase public awareness through research, education, and informational activities about the abilities and capacity of persons who are deaf or hard of hearing, and to promote their independence. It provides resources and consulting to improve equal access opportunities to effective communication. It creates best practices in the federal, state, and local provision of services. It provides a forum for administrators of state agencies to study, deliberate, and act upon matters affecting services to deaf and hard of hearing persons. It establishes and maintains liaison with federal agencies and national non-profit organizations as they develop policies and administer programs affecting services to deaf and hard of hearing persons. It seeks to be a voice on public policies and strategic initiatives to improve programs and services to deaf and hard of hearing persons. www.nasadhh.org

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National Coalition on Deaf-Blindness (NCDB) provides information and advocacy in a collaborative way to

policy makers, fiscal agents, educational professionals and community leaders on behalf of children and youth who are deaf-blind, in conjunction and partnership with adults who are deaf-blind, families, and stakeholders. www.thedbcoalition.org

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The National Family Association
for Deaf-Blind

National Family Association for Deaf-Blind (NFADB) believes that individuals who are deafblind are

valued members of society and are entitled to the same opportunities and choices as other members of their community. NFADB is the largest national nonprofit organization serving the deafblind community. It trains and supports families as they advocate for the needs of their child and family. It connects families to other families with similar interests and needs. It collaborates with other organizations to make sure the voices of consumers and families are heard at the state and national levels. It advises professionals researching best practices for educating,

training and assisting individuals who are deafblind. www.nfadb.org

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Registry of Interpreters for the Deaf (RID) is a non-profit organization, founded in 1964 and incorporated in 1972, that seeks to uphold standards, ethics, and professionalism for American

Sign Language interpreters. RID is the only organization in the United States that credentials both deaf and hearing interpreters to provide services in a wide range of settings, as well as test and certify interpreters for legal work. As of 2014, RID had over 15,000 members and 58 affiliate chapters. www.rid.org

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Telecommunications for the Deaf and Hard of Hearing (TDI) is a consumer advocacy organization that provides leadership in achieving equal access to telecommunications, media and information technologies for 48 million

Americans who are deaf and hard of hearing. TDI publishes the TDI World quarterly magazine and the annual TDI National Directory & Resource Guide, also known as the Blue Book. TDI produces a substantial number of joint policy filings with other sister national & regional consumer organizations annually with the Federal Communications Commission, and other federal agencies on related disability access issues. www.tdiforaccess.org

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A NEW WAY TO GET HELP: Text-to-911 in the United States

BY JIM HOUSE, COMMUNICATION
SPECIALIST, HEARING, SPEECH & DEAF
CENTER

Before the Internet, TTYs provided deaf, hard of hearing, and speech disabled persons with direct access to 911 call takers through the telephone network. As the Internet grew, people who discarded their TTYs and landline phones lost this direct connection that the traditional telephone network provided. Text-to-911 is one step in restoring this direct connection. The technology used in Text-to-911 is very basic today, but it will evolve as the nation transitions to Next-Generation-911

(NG911) and new features will be added.

The current model of Text-to-911 was developed as an interim solution in response to the 21st Century Communications and Video Accessibility Act (CVAA). CVAA applied many accessibility rules we have used in older technologies for many years into the newer digital technology. As required by the CVAA, the Federal Communications Commission (FCC) formed the Emergency Access Advisory Committee (EAAC) to ensure that people with disabilities continue to have direct access to 9-1-1 services from their mobile phones in case of an

emergency.

CALL IF YOU CAN - TEXT IF YOU CAN'T

Text-to-911 does not replace voice calls to 9-1-1 during emergencies. Instead, it is another option to summon emergency services in specific situations such as when:

The caller has hearing or speech disabilities

A stroke or other medical emergency makes the caller unable to speak

The situation is dangerous and you cannot speak out loud such as during

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home invasions, violent domestic arguments, hostage situations, or when there is an active shooter at the scene.

Any other emergency situations where you cannot speak out loud.

“It is very important that you only use Text-to-911 if you are not able to make a voice call. A voice call will get help coming to you much quicker than text will due to the technological limitations of Text-to-911,” said Ziggy Dahl, Washington State E911 Coordinator.

KEY POINTS:

Callers should text 9-1-1 when voice is not an option. Speaking on your cell phone to call 9-1-1 is still the most effective way to reach emergency dispatchers. Texting is not always instant, so if it is a life-threatening emergency, it may take longer to receive messages and dispatch emergency services. When the caller texts 9-1-1, the message goes over the network to the call center. Then as the call taker reads the text there may be more questions to ask via text. Do not hang up or disconnect until help arrives.

In your first message to 9-1-1, let the call taker know your location and the type of assistance that you need such as police, fire, or medical. Also let the call taker know if you are deaf, hard of hearing, deaf-blind, or have speech disabilities. Hearing people might be asked to call back by voice if it is safe to do so.

Remember to:

- Use whole words, and spell out street names fully.
- Do not text abbreviations, slang, or emoticons (little pictures) so that your message will be clear to whoever reads it.
- Use only plain text, do not send attachments, videos or pictures at

this time.

- Your cell phone must include a data plan that allows you to send and receive text messages using an app offered by your wireless carrier.
- Do not use third party apps that you downloaded from someplace else.
- Keep your messages short and to the point. All text messages are transmitted in blocks of up to 160 characters. If you type longer messages, then those long messages may be broken up and sent in the wrong order than how you typed it. The call taker may receive the last part before reading the first part of your request for emergency assistance.
- Text to 9-1-1 should only be between the texter and the 9-1-1 services. Do not include other people when you text 9-1-1 – no group messages.
- Keep your phone near you and watch for responses from the dispatcher. Be ready to answer any follow-up questions. Turn off ringtones and other tactile/vibration and flash alerts if you do not want nearby people to know you are receiving messages. Make sure you can still detect new messages through subtle visual indicators on your phone.

Currently, Text-to-911 is transmitted over cell towers. A group of cell towers may be used to triangulate an area of where an emergency may occur – it could be 50-150 meters (up to 500 feet) radius, no accurate location, however, giving the call taker precise location information will greatly help the responders find you quicker. If you do not know the exact address where the emergency is occurring, use street names, signage, milemarker, and business landmarks that you can see to help guide the responders closer to your location.

If you are in a rural area away from major highways, or near the county border, there may not be any towers to pick up your message. If the next county does not have text to 9-1-1 service, your message may disappear, and you will receive a bounce-back message saying that text to 9-1-1 is not available at that time. You will need to find another way to contact 9-1-1 by voice or through the relay service.

HOW TO TEXT 9-1-1 IN AN EMERGENCY:

- Make sure you are in an area that accepts Text-to-911. Other areas may send you a bounce-back message asking you to contact 911 a different way.
- Enter 9-1-1 in the TO: field.
- In the text box, type in the location and what kind of emergency help is needed.
- Push the “Send” button.
- Be prepared to answer questions and follow instruction from the 9-1-1 call taker.
- Always text simple words and do not use abbreviations.
- Keep texts responses brief and concise.
- Do not text other people while you are waiting for responses from 9-1-1.

Remember, do not text while driving.

FREQUENTLY ASKED QUESTIONS ABOUT TEXT-TO-911:

How do I find out if the area I am in has Text-to-911 capability?

Contact your local 9-1-1 center using their non-emergency number or check their website to see if they are prepared to accept text messages. Please do not test the service because this creates additional unnecessary work at the call centers.

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If Text-to-911 is available in my area, what type of wireless phone or service do I need to send an emergency text?

Check with your wireless phone provider or local 911 center. Generally, you must have a phone with texting capability and a valid contract that includes a data plan. You can make a voice call to 9-1-1 even if the phone does not have an activated service plan, but you cannot text if the phone does not have an active data plan.

What is the status of Text-to-911 service in the United States?

Below is a map of the United States showing which counties have reported to the FCC that they are ready or almost ready to accept Text-to-911 as of September 2016. The counties and states shown in green currently provide Text-to-911 services. The counties shown in orange are still in progress of setting up Text-to-911 and will be launched within the next 6 months. However the map applies to those PSAPs that submitted an application with the FCC to facilitate connection to their local wireless phone providers.. Other PSAPs who make direct contacts with wireless phone providers are not

included in this map.

What if I travel to Canada?

If you travel to Canada, please note that Canada uses Text WITH 911. This type of service is restricted to pre-registered deaf and hard of hearing residents with a specific device and phone number that is registered with their local or provincial emergency management agency. Due to the registration restriction being tied to a specific phone number, hearing people and visitors with hearing or speech disabilities, or any unregistered device cannot text 9-1-1 in Canada.

What happens in the US if someone texts a 9-1-1 call center that does not accept texts?

If Text-to-911 is not available in your area you should receive an alert or bounce-back message. This message will warn that text is not available at this time, and they should make a voice call to 9-1-1. Deaf callers will need to use the TTY or the relay service.

What other options are available for captioned telephone users?

Hard of hearing callers using desktop captioned telephones may call 9-1-1 directly. Other types of captioned telephones, including web browsers and mobile apps may need to connect through a relay service in order to summon assistance from the local 9-1-1 center.

How are the upgrades being paid for?

The 911 system is funded by an existing fee that is

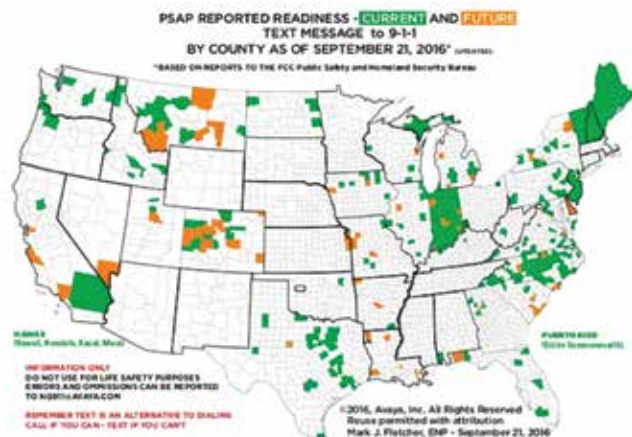
already included in phone bill. You may see one or two lines such as LOCAL or COUNTY 911 TAXES and/or STATE 911 TAXES.

Who governs Text-to-911 exactly?

FCC rules require all wireless carriers to support Text-to-911 service; however, it is up to each 9-1-1 center or Public Safety Answering Point (PSAP) to decide when to accept text. The FCC has jurisdiction over telephone providers while the US Department of Justice (DOJ) oversees the 9-1-1 call centers or Public Safety Answering Points (PSAPs) under the Americans with Disabilities Act (ADA) Title II regulations on equal access to government services. Many PSAPs continue to use phone-based services, including TTY calls. The ADA regulations in this area have not been updated yet to reflect new technologies, however, DOJ is letting the PSAPs know of their obligations to provide direct and equal access to emergency services through effective communication methods such as texting.

What is coming next?

As Internet based 911 services continue to be implemented, more features can be added. Text-to-911 was developed as an interim solution while the 9-1-1 infrastructure is moving toward NG911. Traditionally, TTY usage is dwindling, and people need a way to call 9-1-1 directly now that many no longer have a landline phone. You can call 9-1-1 through the relay service, but the relay operator may need a little extra time to search for the right call center based on your location. This is indirect access. However, The FCC encourages emergency call centers to begin accepting texts as text providers develop text-to-911 capability, but it is up to each call center to decide the particular method in which to implement and deploy text-to-911 technology. The FCC only has jurisdiction over wireless



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telephone providers while the PSAPs are locally controlled within regulations set by the US Department of Justice. The ADA says we must have direct access to 9-1-1 and other emergency services without a third party such as relay services or extra apps on your phone. To learn more, go to www.ada.gov/911ta.htm and www.fcc.gov/consumers/guides/what-you-need-know-about-text-911

For quicker help when you text to 9-1-1, you will need to provide specific location information. Currently, texting relies on towers or groups of towers to locate your position within 500 feet. Location technology is not yet precise. If you are in a high-rise apartment or office building several floors up, GPS will not be able identify which floor you are located. Newer technology has been approved by the FCC that will do a much better job of guiding responders to your location, even if you are on the 15th floor or several levels below in a parking garage. This improvement has not been implemented yet. A few years from now, your mobile phones will be able to use this technology. For an in-depth description of location finding technologies used in 9-1-1, go to www.computerdealernews.com/news/need-help-call-911-but-will-they-find-you-in-time/43983

Real-time text (RTT) which is being developed and will be available within next year or so, will allow text messages to be displayed letter by letter as the individual is typing the message without having to hit the enter key like TTY calls from many years ago. Today's current SMS messages do not allow the other person to see what you typed until you press SEND. This would be a critical improvement. For example, if you text HELP I AM HAVING A HEAR... and fail to hit send, the call taker will not see your message at all. With RTT, if you text HELP I AM HAVING A HEAR...,

the call taker will immediately see what you have typed. Even if the message is incomplete, whoever is reading your text can guess that you are having a heart attack and for some reason you could not finish the message. An ambulance would be sent to you much quicker with less guesswork. For more information about RTT, go to www.realtimetext.org/

Texting will also improve as the 9-1-1 system evolves with new technology. As we are becoming more connected through the Internet, call centers will be able to take advantage of NG-911, a project under the US Department of Transportation. By 2020 with NG-911, you will be able to send videos and pictures. The call taker will be able to summon a trained interpreter when there is a caller who does not speak English, including people who use sign language. To learn more about that possibilities that NG-911 can offer, look at www.911.gov/911-issues/standards.html and www.its.dot.gov/research_archives/ng911/index.htm

All of this looks exciting but will not happen overnight. Text-to-911 is a first step to NG-911. Different states have their own plans to implement NG-911. If your area does not have Text-to-911 yet, it is probably being worked on. Watch for announcements and check with your local 911 center about their plans to roll out text capabilities. Offer to help them spread the word to your neighbors and friends when the time comes.

About the author:



Jim House is a Communication Specialist at Hearing, Speech, & Deaf Center (HSDC) in Seattle, focusing on communications technologies and acquisition of critical

information needed to preserve or improve the quality of life. He is also involved in several consumer/civic/industry forums and coalitions covering

access issues with captioning, emergency communications and in mobile, text and video telecommunications. In addition, Jim serves as Co-Chair for the Disability Advocacy Group, a coalition of community based agencies serving people with various disabilities along with emergency management professionals in Seattle and King County.

In 2015, as a result of Jim's ongoing leadership and community involvement, Portland, Oregon passed a captioning activation ordinance requiring all television sets in public places to display captions during business hours as a measure to increase access to emergency information when away from home. Some of Jim's other far-reaching achievements during his tenure at Telecommunications for the Deaf and Hard of Hearing, Inc. (TDI) include witnessing the enactment of the 21st Century Communications and Video Accessibility Act of 2010 (CVAA) at the White House. Jim also gave numerous presentations on consumer advocacy, television and Internet captioning issues. He wrote several successful grant proposals, including \$3M in federal funding to develop emergency preparedness training programs and other projects. He has been involved in planning for publications, conferences and workshops. With a layman's understanding of "how things work", Jim has given sophistication to TDI's publications highlighting best practices and leadership in access to telecommunications, media, and information technology resources for professionals and consumers alike.

Prior to TDI, Jim has been an advocate of various disability rights issues for more than 25 years on local and state levels. In 1987, he was a key player in the establishment of the first real-time local news captioning service in Washington, DC on its ABC affiliate, WJLA TV-7.

For more information about the author, check out <https://www.linkedin.com/in/jimhouse7>. Email Jim House with suggestions for future articles about accessible technology at jhouse@hsrc.org



TDI In Action

June - August 2016

AADB = American Association of the Deaf Blind
 ALDA = Association of Late Deafened Adults, Inc.
 ASDC = American Society of Deaf Children
 CC – closed captioning
 CCASDHH = California Coalition of Agencies Serving Deaf and Hard of Hearing, Inc.
 CGB = Consumer and Governmental Affairs Bureau
 CPADO = Cerebral Palsy and Deaf Organization
 CTS – Captioned Telephone Service
 DHHCAN = Deaf and Hard of Hearing Consumer Advocacy Network
 DRO = Disability Rights Office
 E-911 – Enhanced 911
 FCC = Federal Communications Commission
 FNPRM – Final Notice of Proposed Rulemaking
 HLAA = Hearing Loss Association of America

IP – Internet Protocol
 NAD = National Association of the Deaf
 NBDA = National Black Deaf Advocates
 NG-911 – Next Generation 911
 RERC-TA = Rehabilitation Engineering Research Center on Telecommunication Access
 SCAT/SCABT = Speech Communications Assistance By Telephone, Inc.
 SoA = Speed of Answer
 TAP = Technology Access Program at Gallaudet University
 TDM = Time Division Multiplexing, a method of handling electronic communications
 TIA = Telecommunications Industry Association
 TLPC = Samuelson-Glushko Technology Law & Policy Clinic
 TRS – Telecommunications Relay Service
 VRS – Video Relay Service

Captioning, Subtitles, and User Interfaces

■ (June 13) This ex parte filing documented the June 9 meetings which TDI, NAD, and HLAA took part at the FCC with the five Commissioner offices, and the staff of Media and Consumer and Governmental Affairs Bureaus and the Office of General Counsel, to discuss consumers' video navigation choices. We shared our frustrating experiences with current set-top boxes, including one representative's experience of having to choose between keeping a box that is too old to customize caption settings, or having to pay to upgrade to a box that also includes unneeded features—effectively amounting to a surcharge for accessibility. We stressed that, as long as all competitive navigation devices are explicitly subject to the Commission's baseline accessibility rules, deaf and hard of hearing consumers would benefit

from competitive navigation devices competing on accessibility features. <https://ecfsapi.fcc.gov/file/60002184308.pdf>

FCC's Biennial Report to US Congress on CVAA

■ (June 13) TDI, NAD, DHHCAN, HLAA, ALDA, CPADO, DSA, and DHH RERC filed a response to the FCC's public notice, which solicited comments to inform the preparation of the 2016 biennial report to Congress required by the Twenty-First Century Communications and Accessibility Act of 2010 ("CVAA"). We applaud the progress that the Commission has made with respect to RTT and its potential as an alternative to current generation TTY technology. We commend the Commission for its recent NPRM, which seeks comment on the joint consensus proposal by industry and consumer group stakeholders addressing how HAC phones can reach 100 percent hearing

aid compatibility. We also support the need for high definition (HD) voice-enabled phones and better noise-cancelling technology to reduce background noise in calls. While there has been some progress with respect to the availability of Text-to-911, based on the Commission's most recent list, only approximately 600 PSAPs have implemented Textto-911. We continue to find the vast majority of certain kinds of advanced communication services ("ACS") not to be fully accessible to deaf and hard of hearing people. As we stated in our 2012 Comments, "individual companies can engage in a number of activities to make their products and services accessible to people who are deaf or hard of hearing." While many deaf and hard of hearing people enjoy video conferencing services, these services, as explained in the attached 2014 Comments, are not completely accessible and usable by deaf and hard of hearing people. The ongoing

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issues have been as follows: 1. Relay services are not accessible through video conferencing services because they are tethered to ten-digit telephone numbers; 2. Video conferencing services, including off-the-shelf services, need to be interoperable with videophones provided by Video Relay Service (VRS) providers. 3. Video conferencing services need to be interoperable with each other. 4. Video conferencing services need to allow users to prioritize specific functions so that they best support the communications needs of the deaf and hard of hearing user. Many deaf and hard of hearing people continue to be unable to access or fully participate in games that use ACS components for communication between participants. Relay services should be included in these games to allow deaf and hard of hearing gamers to be included in this form of social interaction. The continued lack of accessible alerting features for ACS results in missed calls and other messages. For instance, video conferencing services, particularly on smart phones, often do not include accessible alert functions such as vibration and/or flashing lights. Many wireless service plans include data caps that have a heightened effect on deaf and hard of hearing users because they cannot use voice services as an alternative form of communication. Instead, such users rely on data and video services that both require more expensive smart phones and use data at a high rate. We recommended that "the Commission require industry participants to produce periodic activity reports that specifically account for research and development activities that directly involve the deaf and hard of hearing community." <https://ecfsapi.fcc.gov/file/60002188209.pdf> The FCC just

filed the Third Biennial Report with the U.S. Congress this week, and here is the link to the report: http://transition.fcc.gov/Daily_Releases/Daily_Business/2016/db1007/DA-16-1161A1.pdf

TRS

■ (June 20) TDI and NAD met at the FCC on June 16 with officials of Consumer and Governmental Affairs Bureau and the Office of Managing Director. We discussed the implementation of the Telecommunications Relay Service user registration database ("TRS-URD") and issues raised in the Consumer Groups ex parte letter filed on April 28, 2016. In the letter, we said that we support a single TRS-URD registration even if a consumer chooses to use multiple service providers or switch service providers. The FCC officials agreed that after a date certain, the TRS-URD Administrator should accept forms of consumer identification that were unexpired at the time they were submitted to a provider regardless of when submitted to the TRS-URD Administrator. In addition, we reiterated our request that the Commission create and release -- in advance of the deadline to complete the TRSURD registration -- a video explaining in detail the information to be collected from consumers for the TRS-URD registration and any additional data that might need to be collected if there are problems with registration. In addition, a downloadable text version of the information should also be available on the Commission's website.

[https://ecfsapi.fcc.gov/file/10620898611853/TDI%20Ex%20Parte%20\(062016\).pdf](https://ecfsapi.fcc.gov/file/10620898611853/TDI%20Ex%20Parte%20(062016).pdf)

■ (August 17) TDI, NAD, DHHCAN, ALDA, CPADO, DSA, NASADHH, and CCASDHH submitted comments in response to the Commission's request for comments concerning VTCSecure's Petition filed on July 6, 2016. VTCSecure requests that the Commission permit it, and any other telecommunications relay service ("TRS") provider that chooses to do so, to offer direct sign language ("SL") customer support service by granting such providers access to the TRS Numbering Directory specifically to (1) add the direct SL customer service telephone number(s) to the TRS Numbering Directory, and (2) obtain routing information required to make outbound calls from the direct SL customer service telephone number(s) to enable representatives to call back deaf, hard of hearing, deaf blind or speech impaired individuals when a call is interrupted, when a particular request needs additional research or follow-up, and when a consumer leaves a message requesting a call back because customer support is closed or a consumer has reached the top of a queue. We conditionally support the Petitioner's request for the waiver or clarification necessary to support the provision of direct SL customer support services. We also respectfully request that the Commission permit VRS providers to assign ten-digit iTRS numbers to hearing individuals. To the extent that the Commission grants the Petitioner's request, it should do so only to the extent that (i) similar relief is granted to other qualified providers of direct SL customer support service; (ii) direct SL customer support services offered by third parties is classified as TRS before such providers may access the TRS Numbering Directory; and

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(iii) applicable consumer protection rules including CPNI protections are applied to providers of direct SL customer support services.

[https://ecfsapi.fcc.gov/file/108171982411079/TDI%20et%20al%20Comments%20\(081716\).pdf](https://ecfsapi.fcc.gov/file/108171982411079/TDI%20et%20al%20Comments%20(081716).pdf)

Real Time Text Technology

■ (July 11) TDI, ALDA, CPADO, HLAA, and NAD submitted comments supporting the FCC's efforts to transition from text telephone (TTY) to real-time text (RTT) technology and responding to issues and questions raised in the FCC's April 29 Notice of Proposed Rulemaking (NPRM). For many years, TTY technology was the sole means for persons who are deaf, hard of hearing, deaf-blind, and speech disabled and those with additional disabilities to send and receive "person-to-person text communications in real-time" over the telephone network. However, TTY technology experiences reliability and transmission problems on modern, IP-based networks. RTT, a native IP accessibility solution, has emerged as an effective alternative to TTY because it maintains the core function of TTY while also offering advantages in terms of availability, reliability, and improved or additional functionalities. The Consumer Groups strongly support

the Commission's proposal to establish rules providing for support of RTT technology on IP-based wireless technologies. The Consumer Groups agree with the Commission's proposal that Tier I wireless service providers be required to implement RTT by December 31, 2017, and further propose that non-Tier I providers be required to implement RTT by June 30, 2018. The Consumer Groups also support the Commission's proposal that covered "handsets and other text-capable end user devices... sold after December 31, 2017[] have RTT capability." The Consumer Groups also strongly support the Commission's proposals regarding interoperability and backward compatibility, which are critical to ensuring that RTT services become a usable communications medium and that remaining TTY users are not harmed by the transition.

<https://ecfsapi.fcc.gov/file/1071251543146/Consumer%20Groups%20Comments%20to%20RTT%20NPRM.pdf>

■ (July 25) TDI, NAD, HLAA, ALDA, DSA, and CPADO submitted reply comments supporting the FCC's efforts to transition from text telephone (TTY) to real-time text (RTT) technology and responding to issues and questions raised in the FCC's April 29 Notice of Proposed Rulemaking (NPRM). While we agree that RTT should not serve as a replacement

for TRS, we strongly believe that the effective integration of RTT into TRS is essential to RTT's widespread accessibility and larger integration into the mainstream telecommunications ecosystem. Specifically, TRS functional equivalence would be significantly enhanced if RTT capabilities are incorporated into TRS platforms and terminal equipment in such a way that IPRTT, IP-CTS, and IP-VRS are available via an accessible interface. We reiterate the need for a common standard in order to achieve RTT interoperability across communication platforms, networks, and devices. To best achieve this interoperability, we urge the Commission to adopt RFC 4103 as a safe harbor standard, and to reject calls for the alternative use of performance objectives. We urge the Commission to reject the notion that SMS-based text-to-911 is sufficient, so as not to stunt development and implementation of technologies, such as RTT, that offer potentially lifesaving improvements to emergency communication flow. As others agreed with us, it is imperative that the transition from TTY to RTT not leave behind those users that still rely on TTY.

<https://ecfsapi.fcc.gov/file/1072580432958/2016-07-25%20CG%20Dkt%20No%2016-145%20GN%20Dkt%20No%2015178%20Reply%20Comments%20of%20Consumer%20Groups.pdf>



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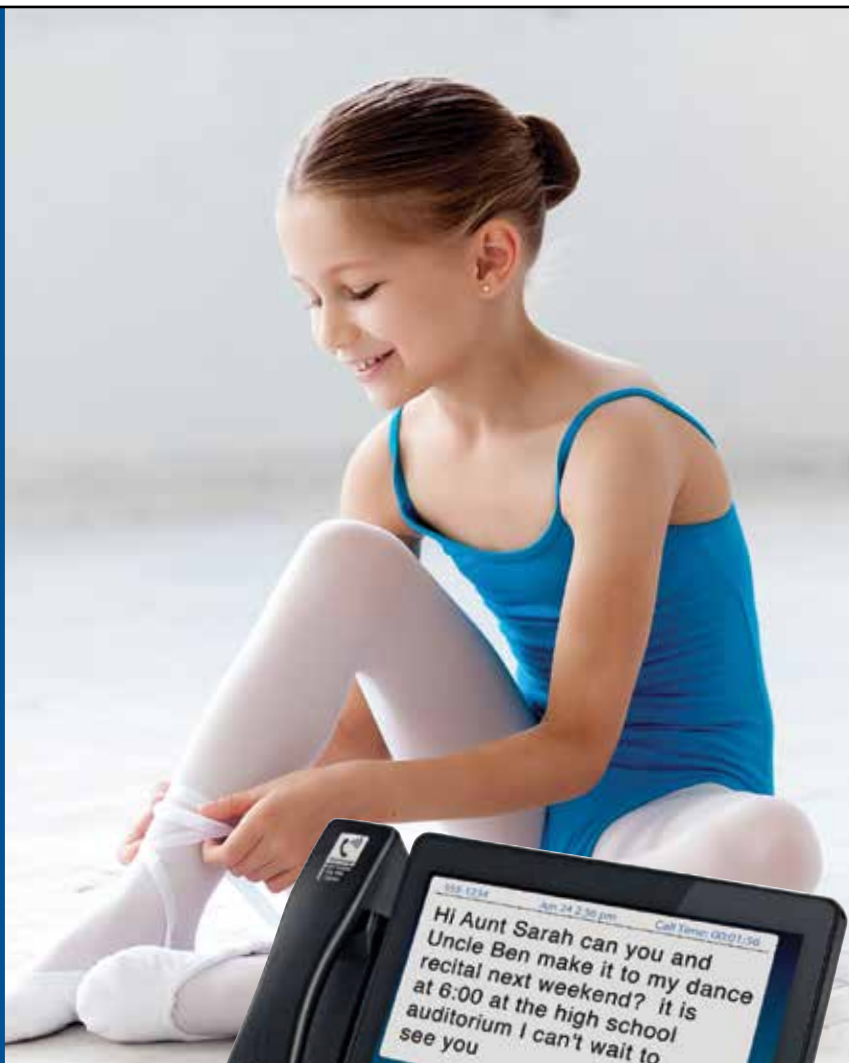
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