



## SEARCHING FOR MAGICAL ACCESS

Roy Miller

**ROY MILLER:** I'm Dr. Roy Miller, and I think you should know something about me before we start. I wear several different hats, and one of my hats is that of the Executive Director of the Missouri Commission for the Deaf and Hard of Hearing. I have been privileged to serve the citizens of Missouri with hearing loss for almost eight years now, and I've enjoyed that work immensely. A second hat that I wear, and the one that I really have on in this workshop, is that of the President of Telecommunications for the Deaf and Hard of Hearing, Inc. TDI is one of the older organizations serving the needs of deaf and hard of hearing people, having been established in 1968. I have been privileged to work with TDI for thirteen years now. Last, I would mention that I am also a former President of the Association of Late-Deafened Adults (ALDA). I was the second president of ALDA and fortunate to be able to assist with its growth and development in its early years.

We're here today to talk about something that from my perspective is a very important subject, namely, access. How do we get access? Why do we need access? What kind of access works for us? And so forth. The somewhat whimsical title of my talk is "Searching for Magical Access." Here you see Mickey Mouse looking in his crystal ball. What do you think he is doing?



Maybe he is trying to find some kind of magical way to get access. Well, magical solutions to our search for access may or may not exist. Let's hold that issue for the moment and talk about some of our access "needs" – in particular, telecommunications access needs.

Our need to telecommunicate with people is absolutely clear. The Telecommunication Act of 1934 says that it's one of people's most vital needs. Can you imagine what the world would be like if you could not use the telephone? You would be tremendously limited in what you could and could not do. You could not call your grandchildren and talk to them. You could not call your doctor's office and set up an appointment. You could not call the hospital and arrange for diagnostic tests that you might need. You could not call the police in case of an emergency. You could not even call the local pizza parlor and order a pizza like the rest of the world. Without telephone access, our world would be drastically different.

And what about our need for TV captioning? Can you remember the days when TV was not captioned? I think most of us can. How many of us want to go back to those days where we sat in front of the TV and watched the actors put on a show in pantomime, but we never really understood what anybody was saying? Certainly TV captioning is a type of telecommunications access that we need and has immensely added to the quality of our lives.

And in the modern, fast-paced society in which we live we have a need for telecommunications mobility. How many of you have a little alphanumeric pager hanging on your hip nowadays? Many of us are professionals and travel a lot. And with a pager we basically take our office with us now. If we didn't have the mobile telecommunications access that we have we would indeed face a different world.

Now let's look at some of our telecommunications access "problems." What about interactive voice menus on the telephone. How many of you have called a local business and what you go was an automatic answering machine that said "If you want this, push a 1. If you want that, push a 2. If you want something else, push a 3." And so forth. For many deaf and hard of hearing people interactive voice menus are often totally non-navigable. They are a real telecommunications access problem

Now, what about TV captions? How many of you have encountered this situation? You are watching a TV show. It's a murder mystery. It's an hour long. You are watching it, and it's engrossing. You get down to the last three minutes and they're just about to identify who did it. And all of a sudden, the captions disappear. What's happened? What happens oftentimes is that a local station employee has flipped the wrong switch. He is getting ready for the next program that they're going to air, but he flips a switch too soon and the captions on the current program disappear. That's a telecommunications access problem.

And what about movies? Has anybody gone to a movie lately? But, hey, most movies are not captioned. Many deaf and hard of hearing people simply stopped going to movies because they weren't captioned and we couldn't understand the dialogue any longer. Many people with hearing loss want to go to the movies just like their neighbors, their cousins and their friends. They want to enjoy a family outing on Friday evening, with buttered popcorn, watching the big screen – but why pay good money to watch a movie when you can't understand what is being said? It's a telecommunications access problem.

Has anybody called a business lately using a relay service, and was told by the communications assistant that the answering party said "Oh, I am too busy to take a call like this. I am very, very busy. I can't talk." And then "boom," the person hangs up the phone. Businesses hanging up on relay calls is a telecommunications access problem.

Does anybody watch television late at night, say one or two o'clock in the morning? I realize that most of you are probably asleep during those "wee" hours, but some people who are deaf or hard of hearing work second shift and are just getting home at that time. Are TV programs captioned at 2:00 AM? The Federal Communication Commission's (FCC) most recent rule governing TV captioning says that all new, non-exempt programming has to be captioned. That sounds wonderful! Many people think that means that "all" programs on television will be captioned. Unfortunately, there are many programs that are exempt. All the programs between 2:00 in the morning until 6:00 in the morning are exempt. They don't have to be captioned. All the programs with "no-repeat value" don't have to be captioned. Many of the "oldies but goodies" will not be captioned for several years because they fall into the category of "archive" programs rather than "new" programs, and the schedule for mandatory captioning of "archive" programs is very different than that for "new" programs. There are many exemptions to the captioning rule, so don't think that you will turn on the TV set and everything will be captioned. It won't. But we want "everything" to be captioned with no exemptions. We want no exceptions to the rule; just caption everything on TV twenty-four hours a day, seven days a week. But we don't have that situation. It's a telecommunications access problem.

Does anybody here have a cell phone that doesn't work with your hearing aid or with your cochlear implant? When cell phones first came onto the market they were all analogue phones, and there was little if any compatibility problem. And then there was a change in the industry, with the development of digital cell phones. The digital cell

phones send out magnetic waves that often cause a hearing aid to go crazy. It's a telecommunications access problem.

Has anybody flown on an airplane lately where they showed a great movie with Tom Cruise, the super action hero? In the movie he was really going at it, but you found yourself sitting there asking "Why?" There are no captions on the movies shown on just about all of our airlines. We wish that they were captioned, but they are not. It's a telecommunications access problem.

Many hard of hearing people now have a captioned telephone (CapTel), and they enjoy a level of telecommunications access that they have never had before. But currently there are about ten states in the country that do not provide CapTel relay services. Of course, those states have what they think are good reasons for not providing those services. But the bottom line is that we are working with a system where some people in the country can enjoy the access provided by the CapTel relay service while other people in this country are left out. It's a telecommunications access problem.

And, last, I suspect that all of you have experienced this situation. You are watching a TV show and all of a sudden the captions become totally garbled. They look like a series of random letters. Unfortunately we seem to be seeing a decline in the quality of TV captioning. What has happened, of course, is that with the growing demand for captioning services, the expert caption writers are too few to meet the demand. The industry has had to work with new writers with less experience and with a lower degree of skills. As a result, the captions on TV sometimes realistically have declined as we've increased the requirements for how many of the programs that are on TV have to be captioned. It's a telecommunications access problem.

Now let's talk some about what you do when faced with a telecommunications access problem. Do you just do nothing? Do you just accept it? You know it's a problem, but you say to yourself "That's how the world is." Do you sit around and blame your deafness? Do you think to yourself "It wouldn't be this way if only I weren't deaf"? Do you rationalize the situation by thinking "If I hadn't lost my hearing then I wouldn't have this problem, and everything would be wonderful"? Is that what you do, blame your deafness? Or do you sit around and scream, pout, sulk, or even cry? Maybe you blame everything on the hearing world and think "It's those suckers who create all of my problems!" Some people do that. Or maybe you actually complain to somebody such as a family member, or your neighbor, or your friend – while you just steam inside. Is that what you do? Or maybe you wave your magic wand, or you simply say "Schazam" and hope that the access problem disappears. Well, I've got news for all of you. Wishing, hoping or searching for magical access is basically a lost cause. It simply isn't going to work. Access does not appear magically. Most often we have to do something to get it.

As I have tried to indicate, there are all kinds of telecommunications access problems. Now let's see what kind of problems some of you have encountered and wrote about on the cards that I distributed at the beginning of this workshop. One person says that they

have, indeed, experienced no captions available on a TV program that they wanted to watch. My question is "What do you do if you want to watch a TV show, you turn it on, and there are no captions there?" What do you do? Do you just change the channels and watch something else?

**AUDIENCE MEMBER:** I usually change channels or simply turn it off.

**ROY MILLER:** She simply accepts, accepts, accepts. Life goes on. Is that going to change the system by you changing the channel? I don't think so. So I am going to suggest that in the future you try a little different strategy than just accepting or avoiding.

Somebody else says that the text they were reading while using CapTel Relay service is often garbled and has many spelling errors. What do you do? Whoever said they experienced that, what do you do when you are watching CapTel and you see garbage on your screen?

**AUDIENCE MEMBER:** I contacted the CapTel service representative, and they looked into it for me. They came to the conclusion that something was wrong with my CapTel phone. They redid some programming and apparently it fixed most of the problem. Now it only happens infrequently.

**ROY MILLER:** Wonderful! He advocated for himself, and the problem was largely corrected. But you could have simply said "I can't read this junk," then hung up and played scrabble instead. If you had simply accepted that situation, nothing would ever have changed. You would still have a bad telephone with all of the garbled captions. You advocated for yourself and managed to correct most of the problem.

Somebody else writes that a communication assistant (CA) with a relay service cut off her telephone call before it was done, that the CA terminated her conversation. If a CA cuts you off, then I would suggest two things. Number one, you should realize that if a CA cuts you off it's against the FCC rules. Number two, if your conversation is terminated without your approval you should immediately call back to that relay service and ask to talk to a supervisor. Why? That CA has basically behaved incorrectly and management should be made aware of that. Now, it may have been a technical cut-off. We don't know that. It may have been a line or a system glitch. We don't know that. But at least get back in touch with the supervisor there and let them know that you've had a problem with a particular call, and that you want to talk about it to see if you can resolve the problem so that it doesn't happen again in the future.

**AUDIENCE MEMBER:** I have tried to call TV stations when their news programs were not captioned. The problem is trying to get through to the newsroom. Either my call is not answered at all or I get shifted from one person to another. Sometimes they will say, "Oh, we'll check on that with the engineers," and the program captions will come back on. Sometimes it's just a hassle to get through to the station to find out why they're not captioning the news. I am not a big TV fan so with other programs I don't bother to complain. But I am a big news fan.

**ROY MILLER:** Let me ask a question. Are you talking about watching the national news like on ABC, CBS, or NBC, or are you talking about watching the local news?

**AUDIENCE MEMBER:** While watching the local news on a St. Louis station.

**ROY MILLER:** You are one of the fortunate people. You live in one of what is called the "Top 25 Markets" in the country, meaning you live in one of the twenty-five places (metropolitan areas) where a broadcast signal reaches the most homes. The FCC rules require all local news programming from a network affiliate station in the "Top 25 Markets" must be real-time captioned. And that means that if you turn on the TV and there is no captioning on the local news then you have a right to complain.

On the other hand, many persons with hearing loss live in small cities or rural areas. Their local television station is not in one of the "Top 25 Markets." Any TV station that is not in a "Top 25 Market" is allowed to use the electronic newsroom (ENR) system, and with ENR technology anything that's on the teleprompter goes out as captions, but any dialogue that's not on the teleprompter is not captioned. So generally the weather is not captioned, sports are not captioned, live interviews in the studio are not captioned, and remote coverage of breaking news stories are not captioned. But people who live outside the "Top 25 Markets" can't complain about that because that's not against the rules.

**AUDIENCE MEMBER:** But, as I said, the problem is getting through to the TV station.

**ROY MILLER:** I understand that. You also need to understand that at news time the television station's staff is generally very, very busy. Everybody has a job to do. And if you are talking about the 10:00 PM news, there usually isn't a receptionist at the station who has nothing to do but answer the phone. You are talking about a small staff of people who are trying to direct the show, operate the cameras, work the control room panels, and so forth. It's a very busy time, so don't be offended because sometimes they don't answer. Call them back the next day when they're not so busy, when there is an operator there. Just don't accept it and say, "Oh, shucks," and then go on your way.

Let's talk about a couple of other things that people wrote about. Somebody writes that the movie on an airline flight they recently took was not captioned. I fly a lot, and the movies are never captioned. What should you do if the movie on your flight is not captioned?

**AUDIENCE MEMBER:** I recently saw an instructional movie that was captioned on one American Airlines flight.

**ROY MILLER:** That was the safety movie. More and more of the airlines are actually learning that an important consideration regarding the safety information is that it's effectively communicated to all of their passengers. Once in awhile, on a long flight, a feature movie is shown on the little drop-down monitors. But those movies are never

captioned. What can you do when that happens? What does the law say about that situation?

**AUDIENCE MEMBER:** I don't know what the law says about captioning movies on airplanes. But whenever I see a movie that is not captioned, and I don't care where it is, whether it's on an airplane or at the Gateway Arch in St. Louis, I always tell somebody that the movie was not captioned. If I have time and I have a piece of paper on me, I write it down and then give it to somebody. I enjoy visiting national parks, and I do the same thing in the national parks. Most videos in our national parks are now being captioned.

**ROY MILLER:** Wonderful! He is really doing two different things here. In some circumstances he is advocating for his rights, and in other circumstances he is educating people about what he wants. There is a distinct difference between a movie on an airplane that is not captioned and a movie in a national park that is not captioned. All videos in national parks must be made accessible to deaf and hard of hearing people. That's the law. And it normally means that they have to either caption the video or provide a person with hearing loss a written script indicating what is said in the video. So when you go to a national park and you see a video that is not captioned, and you tell them it's not captioned, you are advocating for yourself because you have a right to have accessible videos in a national park. However, airplane practices are governed by rules of the Federal Aeronautics Association (FAA), and do not come under the Americans with Disabilities Act (ADA). There is no law that says that an airline has to caption an in-flight movie. So, in that case you are not advocating for your rights, but rather you are educating them about what you would like to see happen in order to improve their services.

I want to talk now a little bit about what you can or should do in order to advocate for your telecommunications access rights. What should you do when you know that the law gives you a right to telecommunications access but you are denied that access?

Theaters, movie theaters and live-performance theaters come under Title III of the ADA. They're what are called "public accommodations," and they are required by law to provide deaf and hard of hearing people with "effective communication." If you need an FM system and you walk in and they don't have one, what should you do?

Well, obviously you would want to contact the manager of that theater, explain the law, and explain what you need. And you must be sure to always actually request what you need. That's an important point. Remember that the law says that certain places have to provide you with effective communications, and to do that they are required to provide you with what are called "auxiliary aids and service" upon request. You can't just walk in and say, "I'm here. Where is my TTY?" It doesn't work that way. It's a request-based system for auxiliary aids and services. So if you want to go to see a particular movie, and you need an FM system to understand the movie, pick up the telephone, call the theater ahead of time, and let them know when you are coming and

that you are going to need an FM system. You need to do what the law requires you to do if you expect the theater to meet your needs.

If you have a problem involving captions on TV, first you will want to contact the station or cable company involved. Explain exactly what happened, what time it happened, and what the program was that you were watching. You've got to have all of your facts ready to show that you had a problem with captioning. Don't just call the station and say, "Yeah, I had a problem when I was watching TV last night, and the captions disappeared." You have to be able to document all of the information that they need in order to trace down what the problem was. If you don't get satisfaction from them and they are a network affiliate, go to the network. The telephone numbers and other contact information for all of the networks are available on their websites.

**AUDIENCE MEMBER:** We don't have cable or a satellite dish at our home, and when we don't have captions we blame it on the fact that we do not have either of these conveniences. Is that true? Do you need a satellite dish or cable in order to get captions?

**ROY MILLER:** No, that idea is absolutely wrong. The captioning rules of the FCC apply to all program producers and distributors. They apply to the networks, to cable companies, to satellite services, and to broadcast stations. Just because you don't have cable or satellite service in your home has nothing to do with the law about captioning.

**AUDIENCE MEMBER:** I think that sometimes captioning problems don't have anything to do with your TV station; rather the problems have to do with the atmospheric conditions. Sometimes there are electrical impulses from storms that interfere with the feed coming in. I don't have cable TV either, and my TV is captioned most of the time. But sometimes the atmospheric conditions interfere with the captions.

**ROY MILLER:** That's true. Sometimes there are electrical problems, whether they're atmospheric or technological in nature. But I want to caution you. Please, don't just sit back and say "Oh, there are no captions so there must be a storm somewhere." That's giving the broadcast industry an easy out. Rather, call the station and investigate the situation. Don't just assume that it's an atmospheric problem. It lets the TV station off the hook when they may really be at fault.

Oftentimes people in your state agency serving people who are deaf and hard of hearing can help you either in your search for information, search for a contact, or in drafting some kind of a request or complaint. These agencies have a variety of names, including Commission for the Deaf and Hard of Hearing, Office of Deaf and Hard of Hearing Services, Bureau for the Hearing Impaired, and so forth. The personnel in these agencies are good people for you to get to know, as they can usually help solve an access problem.

But what should you do if you fail to get your captioning problems resolved by your local station, your cable company, the network involved, or your satellite service? Then take you're your complaint to the FCC. Let them know that you had a problem that you have been unable to resolve. Furthermore, if you are not already a member I urge you to join the Association of Late-Deafened Adults (ALDA) and Telecommunications for the Deaf and Hard of Hearing, Inc. (TDI). Why? Because those two organizations are continually advocating at the national level to secure new telecommunications access rights for you and to be sure that your current rights are enforced.

But how does a person actually complain to the FCC? In any complaint to the FCC you are always required to specify the time, date, program, TV station, cable supplier or satellite service, and a description of the problem. The FCC makes it very easy for to you complain. All you've got to do is write a little letter. You don't have to fill out any specific form. Simply write them a note. Explain what happened, when it happened, what station you were watching, and what program was being shown. That's all there is to it. You can send that note by the U.S. postal service, e-mail, or fax. You can also go to their website and fill out their complaint forms online if you prefer.

If you are a speaker of American Sign Language (ASL), you can send a videotape describing your problem in ASL. The FCC will accept either videotapes or written complaints. Note, however, that you cannot provide a formal complaint over the telephone. No. They need either paper or videotape documentation. Complete instructions for filing complaints with the FCC can be found at [www.fcc.gov/cgb/complaints.html](http://www.fcc.gov/cgb/complaints.html).

If you want to send a letter, you can send it to Federal Communications Commission, Consumer & Governmental Affairs Bureau, Consumer Complaints, 445 12th Street, SW, Washington, D.C. 20554. If you want to send e-mail, you can send it to [fccinfo@fcc.gov](mailto:fccinfo@fcc.gov). Their fax number is 1-866-418-0232, and their telephone numbers are 1-888-225-5322 (Voice) and 1-888-835-5322 (TTY).

Sometimes the FCC is not the appropriate government entity to complain to if you have an access problem. I'll give two examples. You are planning to stay at a certain hotel, so you call them ahead of time and explain, "I'm deaf and I will need a TTY in my room. I also will need a visual fire alarm." They say, "Sorry, we don't have any of that stuff."

The law says that hotels have to provide certain auxiliary aids and services upon request to deaf and hard of hearing people. But hotels are not regulated by the FCC. Rather, hotels come under Title III of the ADA. So, if you have to complain about telecommunications access in a hotel, you need to go to the U.S. Department of Justice (DOJ), which enforces Title III of the ADA.

There is a very important local issue that some deaf and hard of hearing people face. What if a deaf person wants to go to a meeting of their city council, but normally city council meetings offer no communications access to deaf people. So a deaf person calls the city clerk and asks for an interpreter to be present at the meeting. But the city

clerk says, "Sorry, we can't afford to provide interpreters at city council meetings." It's not the FCC that has the responsibility to deal with that problem, and Title III of the ADA would not cover the city council meeting. Instead, it's Title II of the ADA that places accessibility mandates on state and local government entities. All state and local governments must make their programs and services accessible to deaf and hard of hearing people.

If there is a city council meeting you want to go to, and you tell them ahead of time that you'll need a certain type of accommodation, under Title II they have to provide it. Where do you go if they say, "Sorry, no"? You go to the DOJ instead, which also has responsibility for enforcing Title II of the ADA. The DOJ is a huge national bureaucracy that has a lot of different offices, bureaus, divisions, and so forth, and specific complaint procedures may vary slightly among those different sections. But in general, a formal discrimination complaint needs to be signed and submitted on paper. Apparently the DOJ will not accept complaints if they are sent by either fax or e-mail. A formal complaint has to be in a letter for the DOJ. Complete information regarding filing complaints can be found on their website at [www.usdoj.gov](http://www.usdoj.gov).

For your information, you can contact the DOJ by sending a letter to U.S. Department of Justice, 950 Pennsylvania Avenue, NW, Civil Rights Division, Disability Rights Section – NYAV, Washington, D.C. 20530. Their fax number is (202) 307-1198, and their telephone numbers are 800-514-0301 (Voice) and 800-514-0383 (TTY). Questions for the DOJ can be sent by e-mail to [AskDOJ@usdoj.gov](mailto:AskDOJ@usdoj.gov).

I mentioned earlier that you should consider joining ALDA and TDI, if you have not already done so. I am sure that you all know about ALDA, but maybe some of you don't know much about TDI. Telecommunications for the Deaf was created in 1968 basically to repair, modify and distribute to deaf people big, bulky, heavy teletypewriters that were discarded by Western Union and AT&T. The legal name of TDI was changed in 2005 to Telecommunications for the Deaf and Hard of Hearing in recognition of the fact that we have always served a much broader community than only deaf people. And the current mission of TDI is to promote equal access to telecommunications and media for people who are deaf, hard-of-hearing, late-deafened, and deaf-blind. TDI works for all of the different sectors of the deaf and hard of hearing population.

Membership in TDI includes the annual National Directory and Resource Guide, generally called simply the "Bluebook," which is a book of TTY numbers of people, organizations and businesses all over the United States. There is a quarterly "GA-SK" magazine, which is one of the most informative magazines about technology and access issues that you can find. I highly recommend it. TDI sends out action alerts and information items on its "TDI eNotes," and it has a website with an online "Bluebook." ALDA distributes the ALDA News and ALDA Biz, and both organizations give you self-pride in knowing that you are basically contributing to an organization that's fighting in Washington D.C. for your access rights.

TDI and ALDA have been working together for many years to improve your telecommunications access. Let me now discuss just a few of the access issues with which they have been involved. TDI fought for the Hearing Aid Compatibility Act of 1988, which mandated that all landline telephones had to be hearing aid compatible. Both organizations supported enactment of the Americans with Disabilities Act of 1990, which mandated the creation of a national relay service.

And both supported the need for the Television Decoder Chip Act of 1990. Does anyone remember the old days when, if you had a television set, in order to get captions you had to purchase a separate decoder box and put it on top of the TV. And then you had to connect the two together and turn on both. Oh, my goodness, where did those days go? Why did they disappear? Because Congress passed a law that said that every television set with a 13-inch or larger screen that was either manufactured in the U.S. or imported had to have a little teeny microchip inside of it that enabled it to display captions. That was the Television Decoder Chip Act of 1990. So almost every television set that you can buy today has to be able to display captions.

Do you think that the folks in congress just gave that access to deaf and hard of hearing people out of the goodness of their hearts? Do you think that they said, "Oh, look at all of those poor deaf people. They have to have two pieces of equipment, and they often don't know how to hook them together. Let's make life easy for those folks." Do you think that's what happened? If my cynical sense of humor is too much for you, I apologize. That's not what happened. People had to fight, fight, fight. They had to go to congress and testify before committees. They had to talk about revising the drafts. They had to compromise. They had to negotiate. Who basically did that? Staff at TDI, representatives of ALDA, along with advocates from other national organizations did that.

How many of you use the relay service? Anybody? I use the relay service everyday by simply dialing 7-1-1. That's a nice, short, easy-to-remember number. But does anybody remember the day when every state had a separate relay number that was an 11-digit number? If you crossed the state line from Missouri to Iowa, and you forgot your little slip of paper with the Iowa relay number on it, you were in trouble. Where do you think the idea of "7-1-1" came from? TDI filed the original petition with the FCC that asked them to reserve two "N-1-1" numbers for use by relay callers. TDI asked for 7-1-1 for deaf TTY users to call the relay service, and they wanted another "N-1-1" number for hearing people to call the relay. The FCC had a problem. There are only nine "N-1-1" numbers available. 9-1-1 was reserved to call for emergency services. 4-1-1 was reserved to call for directory assistance. So there were actually only seven "N-1-1" numbers actually available back then.

At that time there were a lot of companies that were starting to get the idea that, "Oh, if we just had a very easy way for people to call us we could make a lot of money." So there were a variety of private companies that wanted an "N-1-1" number for their business. The FCC finally accepted the argument that reserving an "N-1-1" number for relay services was in the national interest, and they reserved one number, 7-1-1, for that

purpose. That one number, of course, now works for both hearing people and for TTY users with hearing loss. How did the deaf and hard of hearing population get that easier access? TDI petitioned for it. TDI, ALDA and other supporters fought for it with the FCC. We advocated for it. And now life is easier because a relay user can go anywhere and simply dial 7-1-1 and get connected to the relay service in that state.

What about the “minimum speed of answer” requirement for relay services. Does anybody remember what happened in the old days when you called the relay and 150 other people were calling them at the same time? You had to wait, wait, and wait -- sometimes for five minutes or longer. Today when you call a relay service you get an answer almost immediately! Why? What caused the change? That happened because the FCC agreed with the request of TDI and other national organizations that we needed a speed of answer requirement for relay services. The FCC finally added a speed of answer requirement to their rules, and today every relay vendor has to provide statistics to the FCC showing that they have met the speed of answer requirements. How did we get that? We had to advocate for it. We had to fight for it.

We also got a “minimum typing speed” requirement put into the FCC rules governing relay services. Back in the days before the ADA was passed there were a variety of relay services around the country that were operated by volunteers. Some of you may have lived in a state with such a relay and remember that somebody at a church or at the state school for deaf children would sit there part of the day and volunteer their services as a relay operator. But their typing skills often left a lot to be desired. To mitigate this problem, once the ADA was passed the FCC adopted a rule that said every communication assistant had to demonstrate their typing ability by meeting a minimum typing speed requirement. But where did the FCC get the idea that we needed that rule? From advocates like TDI and ALDA.

TDI and ALDA continue to try opening telecommunications access doors almost every day. CapTel Relay service has to be made mandatory in all states. How are we going to accomplish that? The only way is to advocate with the FCC, and have the FCC mandate CapTel Relay as a required service in all states. What are we doing to try and make that happen? TDI, along with ALDA and other organizations such as the Hearing Loss Association of America (HLAA), has filed a petition with the FCC asking the FCC to make CapTel a required relay service. Will it happen? I sure hope so!

What about real-time captioning of all local news broadcasts? I talked about the idea that if you live in one of the “Top 25 Markets” you are lucky because the law says that the network affiliates have to real-time caption all of their news broadcasts, including local news. How can we get that changed to expand that access to others living in small towns and rural areas? We have to either advocate with the individual TV stations and try to get them to change their behavior (which the law does not require them to do) or go to the FCC and try to change the regulations that affect the system. Has TDI tried that? Yes, it has submitted a petition to the FCC that includes the request for real-time captioning of all local news broadcasts by all TV stations regardless of where they are located.

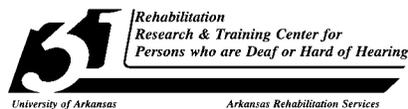
There are all kinds of things that both TDI and ALDA are doing at the national level to improve the telecommunications access of people with hearing loss. One of those things that you might be interested in is the CEPIN project. I won't talk about that very much, except to say that the Department of Homeland Security awarded TDI a grant of almost \$1.5 million a couple of years ago to develop a workshop about emergency preparedness, and to deliver that workshop in sixteen cities around the country. The workshop brings together emergency responders and people with hearing loss to discuss ways that communications can be improved in emergency situations. For anybody who is interested in learning more about the CEPIN project they can get additional information by visiting the CEPIN website at [www.cepintdi.org](http://www.cepintdi.org).

I want to leave you with two important ideas today. First, deaf and hard of hearing people must advocate for telecommunications access nearly every day of their lives because the world is not going to give us access unless someone advocates for it. We can advocate on a local level by complaining to our local television station. We can advocate on the state level by taking our issues to our state Public Service Commission or our state legislature. And we can advocate on the national level by complaining to the FCC and the DOJ. Second, in addition to advocating as individuals to ensure that our current telecommunications access rights are being enforced, we also need organizations that will speak for us in an effort to get new access rights promulgated. And two of the very important organizations working on our behalf are TDI and ALDA. They are always working in an effort to change the rules of the system for our benefit.

So where is the magical access? The magic is somewhere inside all of you. You have to become involved. You have to expend the energy. You have to take the time. You have to step up and advocate for yourself, and join organizations that advocate for all of us. The only way to protect our current telecommunications access rights, ensure enforcement of those rights, and expand those access rights as new technology emerges is to use the magical power that is contained in all of us. We must continue to advocate, both individually and collectively, in order to secure the benefits that telecommunications access can provide to deaf and hard of hearing people.

## Biographical

Dr. Roy E. Miller received his Ph.D. degree in Political Science from the University of Illinois in 1971. In 1972 he learned that he had Neurofibromatosis, Type-II (NF-2), and he had an acoustic neuroma removed from his right-side hearing nerve. In 1987, at the age of 47, he had an acoustic neuroma removed from his left-side hearing nerve, an operation that left him completely deaf. He taught at Southern Illinois University at Carbondale for thirty-two years, and retired from SIUC in 1999. Dr. Miller is a former president of the Southern Illinois Center for Independent Living, Hearing Loss Link, and the Association of Late-Deafened Adults. He is a former Distinguished Mary E. Switzer Rehabilitation Research Fellow of the National Institute on Disability and Rehabilitation Research, and a former member of the Statewide Independent Living Council of Illinois. He is currently a member of the National Association of the Deaf (NAD), the Association of Late-Deafened Adults (ALDA), Self Help for Hard of Hearing People (SHHH), and the Missouri State Rehabilitation Council. Dr. Miller also currently serves as the president of Telecommunications for the Deaf and Hard of Hearing, Inc. (TDI) and as the Executive Director of the Missouri Commission for the Deaf and Hard of Hearing (MCDHH). Dr. Miller has published numerous articles concerning hearing loss, has given many presentations at national and international meetings related to deafness, and has received several awards for his work in behalf of deaf and hard of hearing people, including the H. Latham Breunig Humanitarian Award from TDI, the I. King Jordan Award from ALDA, and the ALDA Brainstorm Award.



Edited by:

Douglas Watson and Carolyn Piper

Formatted by:

Wanda Simon