

Congress of the United States
Washington, DC 20515

May 1, 2019

The Honorable Ajit V. Pai
Chairman
Federal Communications Commission
445 12th Street SW Washington, DC 20554

Dear Chairman Pai:

We write to request that the Federal Communications Commission (FCC) deny ITTA-The Voice of America's Broadband Providers' (ITTA) petition for a declaratory ruling that would permit a carrier to recover Telecommunications Relay Service (TRS) Fund contributions by including line item charges on a customer's bill. Such billing practices have not and should not be permissible and would constitute a direct assault on the landmark Americans with Disabilities Act (ADA) of 1990. Congress passed the ADA to guarantee equal opportunity and to prohibit discrimination against individuals with disabilities, and granting this petition would instead encourage such discrimination.

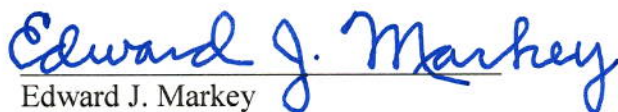
The TRS program was initiated by Congress through Title IV of the ADA, to ensure that persons with hearing or speech disabilities would be able to use necessary telephone services at no additional cost to the individual consumer. To specifically identify the cost of any ADA service (whether it be for a handicap accessible ramp or TRS) on any consumer or corporate bill in the form of a surcharge, fee, or any other form of a line-item discriminates against and ostracizes people with disabilities. Highlighting such costs creates an unacceptable environment where individuals with disabilities are seen as a "cost burden" to society.

This is exactly what the passage of the ADA attempted to prevent. The FCC has long acted in this regard, upholding rules that prohibit common carriers from identifying the cost of TRS (a Title IV, ADA service) as a fee, surcharge or any form of a line-item on customer invoices.

When the ADA was passed into law, Congress acknowledged the isolation and segregation that many individuals with disabilities experience and the pervasive problem this can present in society as a whole. We have made great strides since 1990 in eliminating this discrimination. We oppose any steps backwards that jeopardize the civil rights of Americans with disabilities.

We ask that the FCC uphold its longstanding rules and uphold the mandates of the ADA. Thank you for your prompt attention to this matter.

Sincerely,


Edward J. Markey
United States Senator


Mike Doyle
Member of Congress