

S. 2355

"Telecommunications for the Disabled Act of 1982"

STATUS:

Approved by the Senate
Approved by the House Commerce Committee on 9-23-82
(House may act on Monday, 9-27)
A conference committee would be necessary.

SUMMARY:

In order to ensure that persons with impaired hearing have reasonable access to telephone service, the FCC shall adopt (within one year):

- Regulations to require that certain newly-manufactured telephones be compatible with hearing aids.

HOUSE version: essential telephones, i.e., "coin operated telephones, telephones provided for emergency use, and other telephones frequently needed for use by persons using such hearing aids."

SENATE version: FCC shall make rules for coin-operated telephones; FCC may make rules for other telephones used or provided for emergency use.

- Technical standards to ensure compatibility
- Labeling requirements (for packaging materials) to advise consumers on the compatibility of telephones and hearing aids.

Other provisions:

- The FCC's rules may balance the costs & benefits to all telephone users. (And the regulations should not impede technology.)
- HOUSE version only: Common carriers may provide specialized equipment for disabled persons, and recover such costs in its regulated tariffs.
- HOUSE version only: State PUCs (and not the FCC) shall ensure compliance.

FCC POSITION:

On May 6, 1982, Leon Kestenbaum presented the FCC's position before a Senate subcommittee. He noted that in Computer II the FCC had concluded that terminal equipment should be subject to the marketplace rather than regulatory constraints. However, in the questioning, it was acknowledged that regulation addressing a special problem may not be inconsistent with the FCC's open market approach. Also, Kestenbaum stated that the FCC's responsibilities generally have not included setting technical standards for terminal equipment nor rules for consumer information labeling, as provided in the bill.

Pending at the FCC is a related proceeding, CC Docket 78-50, which addresses telephone services for the hearing-impaired.

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