

FCC Consumer Advisory

Doing Business Using IP Relay

Overview

The Federal Communications Commission (FCC) has received informal complaints that people without disabilities, who are posing as deaf or hard of hearing consumers, are misusing an Internet based telecommunications relay service (TRS) called Internet Protocol (IP) Relay to perpetrate fraudulent business transactions, often by using stolen or fake credit cards. This practice has caused concern among businesses and legitimate users of IP Relay who are deaf or hard of hearing or who have a speech disability. Merchants that accept orders made by telephone for goods or services should take steps to ensure that, for *any* order placed by phone, the payment method or credit card is valid and the purchaser is authorized to use the particular credit card. The FCC is taking steps to prevent the misuse of IP Relay, and alerts businesses to actions they can take to protect themselves from misuse while still enjoying the benefits of conducting business by phone with millions of Americans who are deaf or hard of hearing or have a speech disability.

Background

The Americans with Disabilities Act of 1990 (ADA) requires that TRS be made available nationwide so that people who are deaf or hard of hearing or who have a speech disability can use the telephone network to call voice telephone users. TRS facilities are staffed by specially trained communications assistants (CAs) who relay calls between a person using a text telephone (TTY) or other device, and a person who uses a telephone. For example, during the call, the CA voices what the person using a TTY or other device types, and types what the telephone user says. Many TRS users now use a computer or similar device and the Internet to communicate with an IP Relay CA, who continues to serve as the link to the telephone user. Advancements in technology are enabling other forms of TRS as well, such as connecting through video conferencing equipment with a CA who is a sign language interpreter. For more information about TRS in general, see our consumer fact sheet at <http://www.fcc.gov/cgb/consumerfacts/trs.html>. For more information about IP Relay, see our consumer fact sheet at <http://www.fcc.gov/cgb/consumerfacts/iprelay.html>.

The ADA and FCC regulations governing the provision of TRS require that calls made using TRS be “functionally equivalent” to telephone calls. Reaching a CA and instructing the CA to make a TRS call is, in effect, the same as receiving a dial tone. CAs are

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generally intended to be transparent in handling TRS calls and are required to keep all TRS calls confidential. For these reasons, FCC regulations require that CAs relay all calls verbatim and generally prohibit CAs from intervening in any conversation.

Anyone can use TRS. Using TRS, people who are deaf or hard of hearing or who have a speech disability can communicate with telephone users and vice versa. Unfortunately, people *without* disabilities who are posing as deaf or hard of hearing consumers are misusing IP Relay to perpetrate fraud. Although the ADA prohibits businesses from rejecting calls made using TRS, businesses can take the steps outlined below to protect themselves against fraud.

What You Can Do

The FCC urges merchants to use caution in handling telephone orders for goods or services. Merchants that accept orders made by telephone for goods or services should take steps to ensure that, for *any* order placed by phone, the payment method or credit card is valid and the purchaser is authorized to use the particular credit card. In addition, there are some indicia of fraudulent telephone orders or business transactions that merchants can use to help determine if an order placed by telephone is legitimate. These indicia include a caller who:

- is happy to order “whatever you have in stock;”
- supplies multiple credit cards as one or more are declined;
- cannot provide the credit card verification code number (the three digit number on the back of the card);
- wants the goods shipped through a third party and/or to an overseas location;
- will not identify himself or give a company name;
- changes delivery or payment method after the order has been approved.

If you have been a victim of fraud or attempted fraud, you can report it directly to the Federal Trade Commission (FTC) at www.ftc.gov or 1-888-FTC-HELP (1-877-382-4357). You can also report such activities to state law enforcement agencies. Further, you can file complaints and information regarding Internet crimes with the Federal Bureau of Investigation (FBI) at www.ic3.gov.

What We Are Doing

The FCC is working with the Department of Justice, the FBI, and the FTC to prevent fraudulent business transactions made by phone or over the internet. In addition, the FCC has issued Public Notices to warn businesses of the potential for fraudulent business transactions being perpetrated through IP Relay. The FCC is also working with consumer groups and IP Relay providers to prevent misuse. Finally, the FCC has issued a Further Notice of Proposed Rulemaking seeking comment on other steps it might take to prevent misuse of IP Relay.



Don't Hang Up!

We remind businesses that, if they accept calls, receive orders, or do business by phone with the public, the ADA requires them to accept calls, receive orders, and do business by phone with members of the public who are deaf or hard of hearing or who have a speech disability and use TRS. By working together, the FCC, law enforcement, informed businesses, and TRS providers can combat fraud and ensure that people who are deaf or hard of hearing or who have a speech disability have equal access to the products and services any business has to offer.

For more information about the applicability and requirements of the ADA, see the United States Department of Justice ADA Web site at www.ada.gov or call the ADA Information Line at 1-800-514-0301 (voice) or 1-800-514-0383 (TTY).

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For this or any other consumer publication in an accessible format (electronic ASCII text, Braille, large print, or audio) please write or call us at the address or phone number below, or send an e-mail to FCC504@fcc.gov.

To receive information on this and other FCC consumer topics through the Commission's electronic subscriber service, click on <http://www.fcc.gov/cgb/contacts/>.

This document is for consumer education purposes only and is not intended to affect any proceeding or cases involving this subject matter or related issues.

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