



August 18, 2010

Marlene H. Dortch, Secretary  
Federal Communications Commission  
445 12th Street, S.W.  
Washington, DC 20554

Re: CG Docket No. 10-51  
“Structure and Practices of the Video Relay Service Program”

Dear Secretary Dortch:

The Registry of Interpreters for the Deaf (RID) respectfully offer the following comments in response to the FCC Notice of Inquiry (NOI) “CG Docket No. 10-51” seeking ideas and feedback regarding the video relay service (VRS) program and how it might work better and more efficiently for those who benefit from it, those who pay into it, and those who work to assure equal communication access.

RID is the largest national organization representing the profession of sign language interpreting with more than 15,000 members at the national level and thousands more at the state affiliate chapter level. RID interpreters comprise the front line workforce of VRS and, as such, both RID and our members appreciate the opportunity to respond to the FCC inquiry. Our members have contacted us in record numbers offering their first-hand perspectives and experiences. From these responses RID has gleaned that there is considerable interest among interpreters to respond with a strong message requesting that the FCC:

- **Protect the quality of VRS** in striving to meet the definition set forth by the Americans with Disabilities Act of qualified interpreter by establishing minimum standards for hiring nationally certified interpreters as CAs;
- **Expand functionality for all deaf and hard of hearing** consumers by requiring VRS providers to expand their services to meet the communication needs of all deaf, hard of hearing, late deafened and deaf-blind consumers utilizing the skills and experience of the interpreter workforce;
- **Recognize that interpreters provide the core service of VRS** and understand that the lessons the profession has learned in its 50 year history, by providing services to the deaf and hard of hearing communities, can benefit VRS efficiencies and expand functionality for consumers;
- **Mandate technical improvements to VRS** so that providers have the ability to route callers to interpreters who can meet their specific needs and preferences. The current CA workforce has the diverse skills needed; it requires ONLY the technical implementation. This would enable the FCC and the VRS industry to increase their consumer base, potential minutes, and meet a need that has heretofore gone unmet; and
- **Assure a healthy and safe work environment** for interpreters.

Our comments follow the outline of the NOI and will focus only on those items that have a direct bearing on our members, the nation's professional interpreters working as CAs in the VRS system.

**Part II – Broader and Economic Issues Concerning Video Relay Service**

¶ 38. **Relay Interpreter Service.** *What other functionalities are required from relay interpreter service to ensure functional equivalence for VRS users?*

- 1. AN EMPHASIS ON QUALITY:** While standards such as speed of answer are important; the ability to interpret satisfactorily for a diverse population of deaf and hard of hearing callers should be the goal. The recent focus on cost-cutting has led providers to look to the professionals, who provide this core service, for relief. Reducing the quality of the workforce may afford monetary savings but will adversely affect the deaf and hard of hearing communities we are all trying to serve. Anecdotal evidence tells us that ‘fishing’ for a good interpreter (where deaf callers connect, evaluate the interpreter and if not confident in the skills, they disconnect and reconnect to evaluate once again) happens much more often than we may think; costing the providers billable minutes, frustrating the consumers, and leaving the interpreters feeling unsatisfactory. This also underscores the fact that the quality levels of the current system are not sufficient for consumer needs.
- 2. PROTECTION FOR QUALIFIED INTERPRETERS:** The second cost-cutting concern is that providers are reportedly increasing expectations for their CAs placing them in a dangerous position of balancing their need for a job with taking care of their physical health. To protect our members, who have been and continue to serve the nation's deaf and hard of hearing a population, RID asks that the FCC:
  - A. Mandate minimum qualifications for CAs that would include national certification, education and experience; and
  - B. Establish minimum standards for safe working conditions for CAs.
- 3. FUNCTIONAL EQUIVALENCE = SUCCESSFUL CALL INTERPRETATION:** Functional equivalence has been described as a service that is equivalent to a dial tone. RID and our members know that the first rule of interpreting is to understand the source language before you can successfully interpret it into a second, target language. RID believes that deaf consumers would benefit from CAs understanding the purpose of their calls prior to connection. While some providers allow their CAs to request clarifying information prior to placing a call, we are concerned that this practice will also be in danger as providers seek ways to reduce costs. This practice, seen only in VRS settings, promotes the outdated view of the interpreter as machine, assuming the complex work of interpreters can be done effectively without the need to negotiate meaning. Interpreting is a highly complex communication process which requires specialized education and training. Not only must interpreters be bilingual and fluent in both American Sign Language and English, but interpreters must also recognize cultural differences and bring their linguistic, cognitive and technical skills to bear simultaneously.

**4. EXPANDED FUNCTIONALITY “CONSUMER ORIENTED SERVICES:”** The current VRS system has become a one-size-fits-all service. Deaf callers vary in their communication needs but receive services based on the next available operator model used in traditional TRS. Each provider has built a team of ASL/English interpreters who are expected to understand and be understood by each caller. Interpreters are as diverse as the communities we serve with strengths, experiences and specialties that could be used to improve the current system and provide more functionality for the deaf and hard of hearing consumers. In the community, there is an attempt to match consumers and interpreters based on compatible needs and skills. Deaf consumers often have favored interpreters; those who can meet their specific needs. In the case of VRS, the industry approach has been to employ CAs based on the number of calls expected with no regard to meeting the linguistic differences of the callers; the next available interpreter takes the next call in line. This random process has resulted in deaf persons connecting to the provider and “fishing” for a favored interpreter. This has to be a wasteful practice for the providers who cannot earn billable minutes until a call is made. Functional equivalence is not met when nationally certified interpreters are not available to meet the communication needs of the deaf caller.

A. **MATCHING COMMUNICATION STYLES and PREFERENCES:** Because the current one-size-fits-all system does not meet the diverse needs of the deaf and hard of hearing community, we are not meeting the needs of the public we aim to serve. There are many deaf, hard of hearing, late deafened or deaf-blind consumers who are not served by the current ASL/English service model. RID recommends that providers investigate the ability to develop queues able to match the individual skills and abilities of their interpreters with the varied needs of their callers. Examples for expanding services beyond ASL/English include:

- i. Transliterators for callers who prefer a more English-based signing or sign supported speech;
- ii. Oral interpreters for deaf and hard of hearing persons who may not know or be comfortable using ASL and who wish to communicate visually for their VOIP calls;
- iii. Cued Speech transliterators provided for deaf individuals whose primary mode of communication is Cued Speech; and
- iv. Captions or text for clarifications.
- v. The current CA workforce has the diverse skills needed; it requires ONLY the technical ability to route the special needs to the right interpreters. This would enable the FCC and the VRS industry to increase their consumer base, potential minutes, and meet a need that has heretofore gone unmet.

B. **MATCHING TYPES OF CALLS TO SKILLS, EXPERTISE OF CA:** By initiating this type of routing system, providers could easily expand its use so that consumers would be able to identify a match for topical specialties. It would be helpful to a caller to know that their call to the Technical Assistance Help Desk is being routed to an interpreter who understands computers and is familiar with the accents often associated with this type of call. The caller who wishes to talk about the World Cup would find his call more effective if he could be directed to an interpreter who identifies sports as a specialty. Having profiles for both the interpreting staff and the consumer base would be an enhancement allowing a diverse consumer base to achieve real functional equivalence. It would also be a way for the competitors in the market to stand out based on consumer-oriented services.

**5. IMPROVED FUNCTIONALITY “9-1-1- CALL HANDLING:”** A recent live demonstration using VRS to contact emergency services showed that it took over five minutes for the deaf caller to be connected to the 9-1-1 center. Many of the VRS providers relay emergency calls to the next available CA without regard to their qualifications, experience, training or comfort level for performing this type of work. Further, there are little or no support services available for the CA who may encounter serious emergency traumas during this type of call. Because emergency calls can be life and death situations requiring highly trained personnel, RID recommends that the FCC separate emergency calls to 9-1-1 from the regular VRS program and its rules and regulations. We recommend that specialized emergency guidelines, policies and procedures be developed for this unique and important service. RID recommends the following:

- A. Minimum standards for E911 interpreters (experience, education, credentials)
- B. Introductory and on-going training (equal to PSAP training)
- C. Consumer education (generic telephone usage/emergency systems)
- D. Interpreter support (EAP counseling, teaming, breaks)
- E. Consistent interpreters (interpreters stay with caller throughout processes whenever possible)
- F. Interpreting continues until entity takes over that provides interpreting services under their own mandates (This will require flexibility on definitions of VRI for this special circumstance.)
- G. Interpreters allowed to facilitate communication for timely connection to the PSAP.

¶ 38. ***Relay Interpreter Service. Have CAs met Quality-of-Service expectations?***

Consumers would be better served if the VRS industry understood the interpreting process and appreciated the need to employ nationally certified interpreters. This work environment is not conducive for learn-as-you-go or on-the-job training affording little opportunity for clarity and background before jumping from one consumer to another under the pressure of keeping wait times down.

Quality of service is ultimately the perception of the deaf consumers and it is not RID’s place to indicate if quality of service has been met. However, RID can comment that quality interpretation is best achieved through the utilization of nationally certified interpreters who have achieved a minimum standard set by both RID and NAD; who maintain certification through continuing education and professional development; and who adhere to a professional code of conduct in serving the deaf community as skilled professionals.

Quality is also measured by the health of the workers and a safe work environment. RID is currently gathering information on safe utilization rates and generic occupational safety in the VRS setting, which includes such things as proper breaks, ergonomically correct work stations, and counseling for trauma. The VRS setting’s impact on the long-term health of the interpreter is just beginning to be researched, but it is imperative to ensure the longevity of the professionals that provide the communication access.

**¶ 49 -56. Relay Interpreter Services - Are there ways to reduce costs and improve efficiencies for the services, including sharing CA resources among VRS providers? Comp to VRS on per min/pre-est. productivity factor - Does this mean incentive 1) inc. # of minutes; or 2) Control Costs.**

VRS is a service requiring skilled, educated, and certified professional interpreters. Discussions of cost cutting measures have relegated these professionals to the status of labor. RID believes that reasonable fees, benefits, training and support for interpreters are direct costs required for any successful VRS program. Cost cutting, therefore, should not focus on costs supporting the core service. RID recommends that the FCC separate the function of outreach and education from the providers to a qualified contractor able to provide needed research, public relations and consumer education to support VRS. If the FCC sought a single contractor to oversee consumer education about the VRS system it would remove the need for providers to expend reimbursement dollars on efforts that are being duplicated from each company. A single contractor, who is not a VRS provider, could attend to the need for identifying the market, the reasons that deaf people are not using the current system, and meeting the need of assuring that all deaf and hard of hearing citizens know about and understand the TRS and VRS systems. RID interpreters have long hoped that the consumer education effort would include best practices for how to make calls and work with interpreters. Centralizing this effort would make the message consistent and neutral.

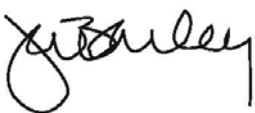
**¶ 68. Reverse Auction Bidders – Giving work to lowest bidders - would this sacrifice quality of service?**

RID repeats its position that quality services require nationally certified interpreters in the role of CAs. We strongly disagree with and would adamantly oppose any type of bidding or auction that would accept the lowest bidder. Instead, we believe and support the concept that the right to be a VRS provider should be reserved for those who meet the standards required for certification and who successfully meet an annual evaluation that would include consumer satisfaction as a condition for continued certification.

In summary, RID believes that the VRS program would prove more cost-efficient and provide more effective, quality services if the FCC established minimum standards requiring nationally certified interpreters, required expanded services to include the communication needs of all consumers, mandated technical improvements, and assured a healthy and safe work environment for interpreters. Investment in the interpreter workforce and in the interpreting process, which provides the core function of VRS, has been remiss but is imperative to the future of service delivery and consumer satisfaction in achieving functional equivalence.

Thank you for your time and consideration of our comments. Should you have any questions or need clarification, please do not hesitate to contact me at [govtaffairs@rid.org](mailto:govtaffairs@rid.org).

Sincerely,



Janet L. Bailey  
Government Relations Representative