

May 21, 2015

VIA ELECTRONIC FILING

The Honorable Chairman Tom Wheeler
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

RE: Requiring Social Security Numbers for VRS (Dockets Nos. 10-51 and 03-123)

Dear Chairman Wheeler:

We are writing to express profound concern with the Commission's decision to require Video Relay Service (VRS) providers to start collecting deaf, hard of hearing and deafblind users last four digits of their Social Security numbers. Only deaf and hard of hearing users, who account for 50% of every relay call, must shoulder the burden of providing personally identifiable information and not hearing users. This is unequal treatment and flies in the face of the ADA's mandate for equal access to the telecommunications system. The Consumer Groups have long opposed the collection of Social Security number information for any form of relay service and have made this clear in numerous FCC ex partes and filings going back to May 2012.¹ The Commission has time and time again failed to adequately explain to us why sensitive Social Security information is necessary to ensure the integrity of the relay program.

Social Security Numbers Should Not Be Required for VRS

Section 225(b)(1) of the Communications Act requires the Commission "to make available to *all individuals in the United States* a rapid, efficient nationwide communications service" including VRS, and to insure that such services are available "to the extent possible and in the most efficient manner, to hearing-impaired and speech-impaired *individuals in the United States.*"² There is no statutory provision that restricts the availability of relay services, including VRS, to deaf and hard of hearing persons that have Social Security numbers. Congress did not intend that persons residing "in the United States" without a Social Security number would be excluded from the protections of Section 225 of the Act which is a civil right.

We appreciate the Commission providing alternate registration documents for individuals who do not have Social Security or Tribal Identification numbers for the purpose of registering for VRS.³ However, those with Social Security numbers or Tribal Identification numbers should

¹ *Consumer Groups Ex parte meeting*, May 30, 2012, <http://apps.fcc.gov/ecfs/comment/view?id=6017037549>; *Consumer Groups Ex parte meeting*, Aug. 21, 2012, <http://apps.fcc.gov/ecfs/comment/view?id=6017108605>; *Consumer Groups VRS Reform comment*, Nov. 14, 2012, <http://apps.fcc.gov/ecfs/comment/view?id=6017130450>; *Consumer Groups Comments on PFW*, Aug. 15, 2014, <http://apps.fcc.gov/ecfs/comment/view?id=6018268844>; *Consumer Groups Ex parte meeting*, Oct. 1, 2014, <http://apps.fcc.gov/ecfs/comment/view?id=60000870412>;

² 47 U.S.C. § 225(b)(1) (emphasis added).

³ *FCC Order*, May 14, 2015, http://transition.fcc.gov/Daily_Releases/Daily_Business/2015/db0515/DA-15-589A1.pdf.

similarly be permitted to use alternate registration documents such as one's drivers license or passport.

Many deaf and hard of hearing consumers are very uncomfortable sharing their Social Security numbers and placing such sensitive personally identifiable information in a central database which creates an unwarranted risk of identity theft. We are keenly aware of attacks on centralized databases of information across our country. Social Security and Tribal Identification numbers should only be collected when absolutely necessary. The Commission has failed to explain why this information is absolutely necessary and individuals cannot be identified using other kinds of information such as drivers licenses or passports as is allowed for those without Social Security or Tribal Identification numbers.

Moreover, the required collection of Social Security and Tribal Identification numbers falls short of functional equivalency as those who aren't deaf or hard of hearing can purchase telephone plans without these numbers. We recognize that many wireless carriers require Social Security numbers when signing up for plans which include credit towards smart phones, however, most wireless companies will waive the Social Security number requirement with a deposit along with other identifying information.⁴ Additionally, hearing people who use relay services to contact deaf and hard of hearing people do not have to provide sensitive social security or tribal identification information – why does this burden fall solely on deaf and hard of hearing people?

Only the Central Database Should Keep Sensitive Personal Information

It's our understanding that the FCC is requiring VRS providers to retain individuals' social security as well as tribal identification information. We do not understand why it is necessary for VRS providers to retain sensitive personal information and the more places this information is stored, the higher the risk to deaf and hard of hearing people of identity theft. VRS providers do not regularly handle this kind sensitive information and making them keep this information in addition to the central database serves no good purpose.

The Consumer Groups urge the Commission not to require Social Security or Tribal Identification numbers and instead use alternative registration documents. However, if this is not something the Commission is willing to do, then we ask that all users be allowed the option to submit alternate registration documents such as one's drivers license or passport. Deaf and hard of hearing people should not be subjected to elevated risks of identity theft in order to have basic access to telecommunications. This is not functional equivalency and is totally unnecessary when there are many other ways to prove one's identity. Moreover, providers should not be allowed to keep records of sensitive social security or tribal identification information.

⁴ *Carnegie Mellon University Office of International Education Wireless Phone Services guide*, <http://www.cmu.edu/oie/settlingguides/wireless.pdf>.

Sincerely,



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