

Congress of the United States  
Washington, DC 20515

513

CCB  
Consumer  
disability  
accessibility

May 21, 2015

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

Dear Chairman Wheeler:

Recently, all six U.S. providers of Video Relay Service (VRS) presented the Federal Communications Commission (FCC) with a proposal to enhance and preserve this service, which is *the* means by which deaf and hard-of-hearing consumers who use American Sign Language (ASL) communicate over the telephone with hearing individuals. We understand that the providers' "Joint Proposal" would increase the speed with which calls are answered, improve interoperability among providers, and test new service offerings, while preventing the potentially catastrophic deterioration of this service by freezing the rates paid to VRS providers across all tiers. As Members of Congress who stand behind the Americans with Disabilities Act's promise of equal access; who represent deaf consumers; who host VRS call centers in our home states; and/or who believe the FCC should support, not hinder a robust and competitive VRS marketplace, we are writing to urge the Commission to promptly consider the VRS providers' proposal.

VRS is the primary technology used by the signing community to communicate over the telephone with people who are hearing. We have been told that the introduction of high-quality VRS in 2003 has been transformational in the lives of people who are deaf and has helped level the playing field for many. Dr. I King Jordan, the first deaf president of Gallaudet University, wrote in a 2013 op-ed, "I do not exaggerate when I say that VRS has changed my life."

The Americans with Disabilities Act mandates the provision of functionally equivalent telecommunications service for people who are deaf. Because VRS provides a near seamless way for people who are deaf to communicate with those who are hearing and vice-versa, it is the only service today that comes close to meeting this mandate. However, providers of VRS have become alarmed that the steep rate cuts set in motion by the Commission's June 2013 Order threaten the viability of VRS. These service providers have warned that as rates continue to ratchet down, service quality and innovation will necessarily deteriorate, and some providers will be forced to leave the market. This is exactly what happened when the FCC similarly cut rates for IP Relay, leaving the deaf with only one provider. Any similar deterioration in service will have a catastrophic impact on VRS consumers.

The major deaf consumer groups and the organization representing ASL interpreters support the VRS providers' Joint Proposal. Leaders of nine consumer groups filed a letter with the FCC on April 7<sup>th</sup> urging adoption of the Joint Proposal. The Registry of Interpreters for the Deaf (RID) also filed a letter last month encouraging the same. This unprecedented consensus of opinion speaks to the seriousness of the situation.

Given the importance of VRS to providing functionally equivalent telecommunication services to people who are deaf, and of upholding the promise of the Americans with Disabilities Act, we urge you to address the necessary issues to ensure that VRS can continue to serve the needs of the American people.

Sincerely,



Mia B. Love  
Member of Congress



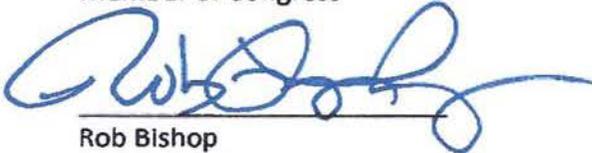
Dave Loebsock  
Member of Congress



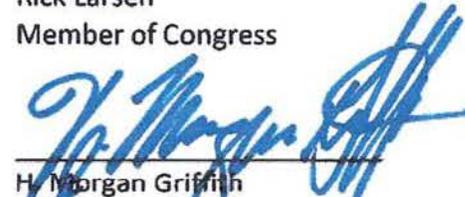
Chris Stewart  
Member of Congress



Rick Larsen  
Member of Congress



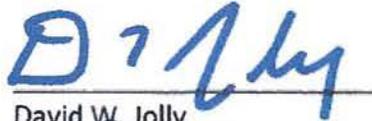
Rob Bishop  
Member of Congress



H. Morgan Griffith  
Member of Congress



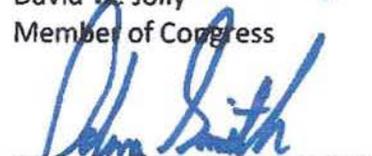
Betty McCollum  
Member of Congress



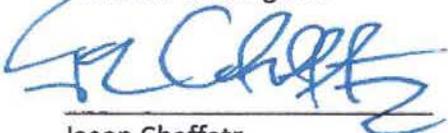
David W. Jolly  
Member of Congress



Steve Chabot  
Member of Congress



Adam Smith  
Member of Congress



Jason Chaffetz  
Member of Congress



FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON

July 15, 2015

OFFICE OF  
THE CHAIRMAN

The Honorable Rob Bishop  
U.S. House of Representatives  
123 Cannon House Office Building  
Washington, D.C. 20515

Dear Congressman Bishop:

Thank you for your letter urging the Commission to promptly consider a joint proposal submitted by all six video relay service (VRS) providers regarding this important service. Your views are very important and will be included in the record of the proceeding and considered as part of the Commission's review.

As you note, in 2013, the Commission unanimously adopted an Order and Notice of Proposed Rulemaking (NPRM) to reform the Video Relay Service (VRS) program. In that Order, the Commission recognized the benefits of having multiple VRS providers in order to ensure high quality, functionally equivalent service. The Commission adopted a gradual four-year schedule for adjusting rates in the direction of cost-based levels for that reason, as well as to improve the predictability of reimbursements and assist providers in planning efficiently for the transition to a new ratemaking approach that would use competitive bidding to establish market-based rates. In slowly adjusting the compensation rates during the period in which it is implementing structural reforms, the Commission is trying to give all VRS providers, and especially the smaller ones, a reasonable opportunity to grow, increase efficiency, and test the value of their service on a level playing field.

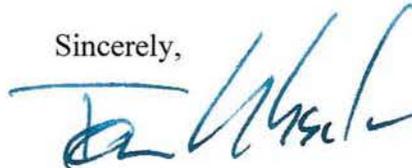
We are in the second of the four years contemplated by the Order to implement the various reforms and on track to successfully implement all of the steps outlined by the Commission in 2013. For example, on May 1, the Commission announced the award of a contract to develop an open source video access platform for use by VRS providers and the deaf community. The platform is intended to improve VRS interoperability and facilitate the use of point-to-point video communication by people who rely on American Sign Language (ASL). As for the rates specifically, in 2012 and 2013, the Commission received rate recommendations from the Telecommunications Relay Service (TRS) Fund Administrator, audits of the providers by the FCC Office of Inspector General, input from the industry and consumer groups, and internal analysis of the financial information submitted by the VRS providers. The Commission adopted a relatively gradual, steady four-year reduction in rates to the levels proposed by the TRS Fund Administrator and also consistent with recommendations by the Inspector General's office.

With respect to the specific issue you raise concerning freezing the VRS compensation rates, the Commission is currently considering a Further Notice of Proposed Rulemaking

(FNPRM) that seeks comment on the proposal submitted by the six VRS providers, requesting a one-year delay in the four-year schedule of rate adjustments. The FNPRM, if adopted, would, after an abbreviated comment period in light of the timing concerns highlighted by consumers, consider the providers' petition; it would also seek comment on other proposals, such as a temporary freeze for providers below a certain threshold of minutes and that may serve communities that larger VRS providers do not target. The Commission will consider these arguments, as well as the data submitted, as part as its oversight of VRS programs and compensation rates.

I appreciate your interest in this matter. Please let me know if I can be of any further assistance.

Sincerely,

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Tom Wheeler



OFFICE OF  
THE CHAIRMAN

FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON

July 15, 2015

The Honorable Steve Chabot  
U.S. House of Representatives  
2371 Rayburn House Office Building  
Washington, D.C. 20515

Dear Congressman Chabot:

Thank you for your letter urging the Commission to promptly consider a joint proposal submitted by all six video relay service (VRS) providers regarding this important service. Your views are very important and will be included in the record of the proceeding and considered as part of the Commission's review.

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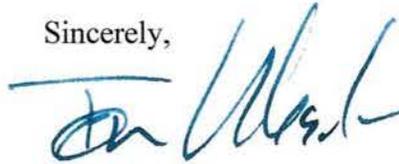
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FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON

OFFICE OF  
THE CHAIRMAN

July 15, 2015

The Honorable Jason Chaffetz  
U.S. House of Representatives  
2464 Rayburn House Office Building  
Washington, D.C. 20515

Dear Congressman Chaffetz:

Thank you for your letter urging the Commission to promptly consider a joint proposal submitted by all six video relay service (VRS) providers regarding this important service. Your views are very important and will be included in the record of the proceeding and considered as part of the Commission's review.

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Tom Wheeler



OFFICE OF  
THE CHAIRMAN

FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON

July 15, 2015

The Honorable Morgan Griffith  
U.S. House of Representatives  
1108 Longworth House Office Building  
Washington, D.C. 20515

Dear Congresswoman Griffith:

Thank you for your letter urging the Commission to promptly consider a joint proposal submitted by all six video relay service (VRS) providers regarding this important service. Your views are very important and will be included in the record of the proceeding and considered as part of the Commission's review.

As you note, in 2013, the Commission unanimously adopted an Order and Notice of Proposed Rulemaking (NPRM) to reform the Video Relay Service (VRS) program. In that Order, the Commission recognized the benefits of having multiple VRS providers in order to ensure high quality, functionally equivalent service. The Commission adopted a gradual four-year schedule for adjusting rates in the direction of cost-based levels for that reason, as well as to improve the predictability of reimbursements and assist providers in planning efficiently for the transition to a new ratemaking approach that would use competitive bidding to establish market-based rates. In slowly adjusting the compensation rates during the period in which it is implementing structural reforms, the Commission is trying to give all VRS providers, and especially the smaller ones, a reasonable opportunity to grow, increase efficiency, and test the value of their service on a level playing field.

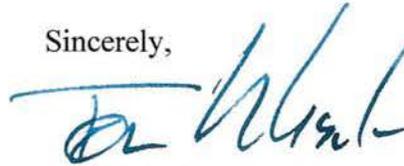
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FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON

July 15, 2015

The Honorable David Jolly  
U.S. House of Representatives  
2407 Rayburn House Office Building  
Washington, D.C. 20515

Dear Congressman Jolly:

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Tom Wheeler