

Definition for this letter:

- **Bilingual ASL Competent Hearing People:** These are people who have good command in their spoken native language (i.e. English) and American Sign Language (ASL).
- **P2P: Point to Point.** P2P: telecommunication (i.e. Telephone, videophone) between two individuals who communicate directly with each other instead of via a relay service that offers interpreting service. Example: bilingual Spanish –English speaking person and Spanish only speaking person communicate P2P over the telephone instead of via an interpreter or translator via the Spanish Relay Service.
- **VRS: Video Relay Service:** VRS is a form of Telecommunications Relay Service (TRS) that enables persons with hearing disabilities who use American Sign Language (ASL) to communicate with voice telephone users through video equipment (Video phone/VP), rather than through typed text. VP links the VRS user with a TRS operator – called a “communications assistant” (CA) – so that the VRS user and the CA can see and communicate with each other in signed conversation. The CA voices the deaf person’s ASL to the hearing person and interprets or translates the hearing speaker in ASL to the Deaf person

Facts:

- Bilingual people with whose native language is other than English (i.e. Spanish, French, German, Vietnamese, Korean, Chinese, etc.) can make P2P calls to others that communicate only in their native language (i.e. Spanish, French, German, Vietnamese, Korean, Chinese, etc.) because they are unable to speak or have poor or limited command of English. They do not need a relay service with an interpreter relaying communications between two people speaking in different languages.
- Bilingual ASL Competent Hearing People cannot make P2P calls to others that communicate only in American Sign Language. Federal regulations (or legislation) was written to allow only deaf people to have VPs to make P2P calls with other Video Phone users or via VRS with hearing people. Bilingual ASL Competent Hearing ASL competent people are not allowed to have video phones.

Comment:

This failure to allow Bilingual ASL Competent Hearing People to have VPs to make P2P to and receive P2P calls from Deaf people is a violation of Deaf people’s Functional Equivalency (FE) rights. FCC regulations require that deaf people be able to use telecommunications that are the equivalent of hearing peoples telecommunications. In other words, the FCC’s failure to allow Bilingual Hearing People to have VPs is a violation of their own regulation. This may be a problem because of the way legislation was written or because the FCC in their ignorance didn’t know what they were doing when they were developing regulations. The Deaf Community has requested that this violation of Deaf people’s FE rights be corrected for over a decade.

Below are two ways this violation of FE can be corrected.

1. The Easy Way: Depending on whether the problem is due to the way legislation was written or FCC's own ignorance, change the regulation to allow Bilingual ASL Competent Hearing People to have VPs so that Deaf ASL users and Bilingual ASL Competent Hearing People can make P2P calls via VP or ask the FCC to rewrite the legislation to make this possible.

2. The Challenging Way (with tongue in cheek): Regulate the use of telecommunications so that all bilingual people who wish to communicate in any language except English must use a relay service (i.e. Interpreter relay) to communicate with others who cannot communicate in English. By doing this, the non-English speaking people will have the same FE rights as Deaf people and Bilingual ASL Competent Hearing People. Of course, non-English speaking people may make P2P calls to non English speakers in their native language.

Can you imagine the uproar that would follow if the suggested "Challenging Way" was implemented? And they would be heard because native foreign language users in this country is a high incidence disability (excuse my sarcasm to make a point) that will result in coast to coast nationwide protests. As a deaf person with a low incidence disability, I deeply resent being forced to use the VRS to speak to my two ASL sign competent hearing sons, to my ASL sign competent grandchildren, to my ASL interpreter hearing sister, to my several ASL sign competent hearing friends. I want to be able to make P2P calls with my ASL sign competent family members and friends NOW. It's been over a decade since I've brought this kind of failure of the FCC to take corrective action. If deafness was a high incident disability, such a regulation denying ASL sign competent hearing people having VPs would never have happened.

Please use the powers of your office to correct this oppressive and inexcusable oversight and level the telecommunications field for the Deaf community. Quality of Deaf peoples' lives matter!!!

Lawrence J Brick
Philadelphia, PA

267-297-2970 (Note to FCC, DRO: for P2P use only as I will not accept VRS calls from you)

cc: Senators Casey and Toomey, US Rep Boyle, NAD, TDI, Inc., RID, ASDC