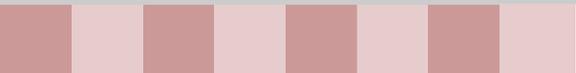


# The Benefits of Balancing Effectiveness and Efficiency

Analysis of proposed price cap methodology for  
reimbursement of video relay service.



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## BACKGROUND

Why a price cap regulatory approach for reimbursement of telecommunications relay services may be detrimental to achieving functional equivalency.

This report intends to respond to the joint comments filed by Communication Access Center for the Deaf and Hard of Hearing (CAC), Communication Services for the Deaf, Inc. (CSD), GoAmerica, Inc. (GoAmerica), Hands On Video Relay, Inc. (Hands On), Snap Telecommunications, Inc. (Snap), Sorenson Communications Inc. (Sorenson), and Sprint Nextel Corporation (Sprint Nextel) (collectively, the "Joint Commenters") in response to the Further Notice of Proposed Rulemaking ("*Further Notice*")<sup>1</sup> released in the Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities (CG Docket #03-123) proceeding. This report urges the Commission to not adopt the price cap regulatory approach "in-whole" as proposed by the Joint Commenters to govern the rates for the provision of video relay services ("VRS").<sup>2</sup> The research presented here was conducted by Daryl Crouse, a certified sign language interpreter, founder and former president of both an interpreting service firm and a competitive local telephone exchange carrier and certified TRS provider and an active member of the profession of sign language interpreters and transliterators, hereafter referred to as interpreters.

The American people have benefitted greatly by the forethought and deliberation the FCC has engaged in since VRS was first recognized as a form of Telecommunications Relay Service (TRS). It is hoped that the FCC will continue to lay the groundwork for functionally equivalent telecommunications through Video Relay Services (VRS), however, concern should be noted by certain aspects of the price cap approach outlined in the joint comments including, 1) the creation of incentives for potentially unsafe working conditions, 2) professional interpreters bearing a significant, possibly disproportionate burden for cost reductions, and 3) introduction of quality concerns that run against the mandate of functional equivalency. While not seeking to oppose improvements in the rate setting methodology, so long as they serve to further the goal of functional equivalency, the apparent singular focus on "efficiency" exhibited in the proposed price cap methodology, at the neglect of a standard of reasonable conduct grounded

in quality and “effectiveness” of service delivery should concern VRS users and regulators. The FCC in carrying out the role of TRS Fund steward should also not support a “blank paycheck” for professional interpreters. However, in order to effectuate a growth in the number of interpreters, there must be safe working conditions, adherence to standards of professional conduct, and equitable remuneration for their services.

Video relay is uniquely a labor intensive form of relay which utilizes the services of credentialed professionals whereas other forms of relay (i.e., traditional relay and internet protocol relay) employ a workforce of those skilled in a trade. Thus, the number of interpreters and those who become interpreters is scarcer. The lack of interpreters and time required to gain the necessary skills to interpret video relay calls create a single point of failure in realizing the benefits of VRS, therefore, health, safety and adherence to commonly understood professional standards would seem to be a necessary macro-level consideration when developing and enforcing regulations governing the provision of VRS. The growing culture of burning the midnight oil in the name of efficiency means that interpreters are putting in longer hours, taking on more responsibility, and facing more pressure than ever before. The intensity may serve the providers well in the short run but will pose great risks in the long run. The singular focus on efficiency by the commenter’s with only one mention, in passing, of quality threatens to cull real talent, that otherwise could reach the top of the profession. The result being a less than linguistically and culturally equivalent, arguably aspects of functional equivalency, experience by VRS users.

The Commission should continue its tradition of balancing the needs of consumers, the business realities of providers and stewardship of the TRS Fund. By balancing the interdependent needs of providers, society and the workforce, professional sign language interpreters, the Commission can focus its activities and general regulatory authority to best effect the realization of “functional equivalency”. The Commission can set an agenda that produces maximum social benefit as well as gains for providers. Commissioner Cops framed the need for a balancing to “...ensure that the deaf and hard of hearing receive the Telecommunications Relay Services they are entitled to, that providers are fairly compensated for their services, and that the Commission is enabled to administer the program.”<sup>3</sup> This

report also encourages the balancing of the interdependence among all parties, including the valuable workforce of dedicated sign language interpreters that represent the engine of the VRS machine.

#### INTRODUCTION AND SUMMARY

In the above referenced *Further Notice*, the Commission sought comment on a myriad of issues focusing its attention on the compensation of providers of telecommunications relay services (TRS) from the Interstate TRS Fund (Fund).<sup>4</sup> This report offers findings specifically on issues of cost recovery for Video Relay Service (VRS)<sup>5</sup> and seeks to urge the Commission to forgo adoption of the price cap methodology, at least “in-whole” as proposed by the Joint Commenters.<sup>6</sup>

The Commission has previously indicated that Title IV of the Americans with Disabilities Act of 1990 (ADA), encompassing Section 225 of the Communications Act of 1934, as amended<sup>7</sup>, requires the Commission to ensure that persons with hearing and speech disabilities have access to a telephone system that is “functionally equivalent” to voice telephone service.<sup>8</sup> The regulatory regime for cost recovery has necessitated various compensation rates for the forms of TRS [traditional TRS, IP Relay, Speech to Speech (STS), and VRS]. Specifically VRS is considered a labor intensive form of TRS, its intensity exacerbated by the true and proper need to employ highly skilled and credentialed sign language interpreters. Title IV obligates carriers providing voice telephone service to also offer TRS, effectively, remedying discriminatory effects persons with disabilities experience when attempting to use an inaccessible telephone system. The Commission has recognized that costs of providing TRS are a “cost of doing business, *i.e.*, of providing voice telephone service.” Hence, the allowable charges a carrier may charge its customers and the related rate-making process is not akin to the reimbursement cost recovery for TRS and its accompanying reimbursement methodology proceeding.<sup>9</sup> Following the well considered regime for cost recovery for TRS, the proffered price cap methodology of the Joint Commenters doesn't follow the regulatory regime for TRS cost recovery because it is based on the regulatory framework the FCC developed for AT&T and the larger incumbent local exchange carriers (“LECs”).

If the Commission were to implement a price cap methodology, there should be adjustments made to account for the differences between the capital-intensive telephone industry and the labor-intensive nature of providing VRS. The joint comments speak mono-thematically in the language of efficiency, restraint of labor prices, going so far as to claim wages of interpreters account for the majority of providers' costs without offering any analysis of the proportional cost of interpreter wages when compared to management and executive compensation. Again, this should not be taken to mean there should be a "blank paycheck" for interpreters, however, the wages and working conditions must be such that sign language interpreting will be seen as a realistic career choice.

The Commission should consider whether, if the method of reimbursement is permitted to go unrestrained with such a singular focus on efficiency, the quality and effectiveness of video relay remaining to citizens would be diminished to a level inconsistent with the statutory mandate of functional equivalency expected by a free and open society.

#### PRICE CAP FORMULA CREATES INCENTIVES FOR POTENTIALLY UNSAFE-WORKING CONDITIONS

The fundamental purpose of TRS is to enable persons with speech and hearing disabilities to access the national telephone network. The Commission on multiple occasions has indicated the desire to see providers provide not only an efficient service but an effective service. Commissioner Tate has previously encouraged, "...[we must continue to improve the] efficiency of the TRS compensation system to maximize the effectiveness and long-term sustainability of this invaluable program to those who depend upon it."<sup>10</sup> The very essence of maximizing the effectiveness with regard to VRS is a compensation system that grounds the daily, hour to hour, and minute to minute work that interpreters perform in a safe, ergonomic working environment. Due to the confidential and proprietary operations of providers no quantitative data is available on workplace safety. Anecdotally there are reports of interpreters being required to actively interpret longer

periods of time than is considered safe, a situation exposing interpreters to the risk of repetitive motion injury, a career ending disability. While some providers have worked diligently to provide a safe workplace there is a perception that others have not stepped up to the plate.

For every interpreter removed either temporarily or permanently because of repetitive motion injury it will mean one less skilled interpreter productively working to ensure that VRS users and those they speak with effectively communicate. The Joint Commenters have rightly stated the need for increased training for new interpreters. At the same time, every interpreter must, by the Code of Professional Conduct<sup>11</sup>, render the message faithfully by conveying the content and spirit of what is being communicated, using language most readily understood by consumers, and correcting errors discreetly and expeditiously. A system that encourages efficiency over effectiveness will hinder the interpreter's ability to do just that. While it seems clear that a one-percent (1%) efficiency gain at the provider level would create a windfall in savings for the Fund and profit for the provider. Compare that to the individual interpreter who then becomes the cog creating those efficiency gains, the one-percent difference may be the one that ends their career.

A singular focus on efficiency runs against the goal of functional equivalency because it neglects to account for minimum skills required to interpret the unfathomable variety of topics that a video interpreter encounters on a daily basis (See Quality Problems *infra.*). Secondly, the efficiency factor proposed as part of the price cap methodology creates an economic incentive for unreasonable conduct in the operation of video relay services. This fact is alluded to and then quickly justified as a means to achieve a level of cost savings. The addition of the .5 percent (0.005) to the X-factor would monetarily incentivize providers to push for greater and greater productivity from a workforce that is already strained. This may prove beneficial in the short term but it is a well known fact that it takes several years for an interpreter to gain the minimum necessary skills to interpret video relay calls. Another, possibly more prudent approach is effectiveness which encompasses the efficiency goals. This is the goal the Commission apparently seeks to accomplish as well; Chairman Martin stated

“I, along with my colleagues, remain committed to improving the quality of life for individuals with disabilities by ensuring that they have the same access to communication technologies as people without such disabilities. To this end, we will take all necessary actions to ensure that the TRS program, upon which they rely, is operated as efficiently and effectively as possible.”<sup>12</sup> The Commission is urged to remain true to Congress’ desire that deaf, hard of hearing, deaf-blind citizens enjoy the same benefits that every American does when using the telephone. To that end, the Commission must ensure that providers are not allowed to begin down the slippery slope of mono-thematic efficiency which runs against the goal of functional equivalency.

#### PRICE CAP FORMULA PLACES AN UNREASONABLE BURDEN FOR COST REDUCTIONS ON WAGE EARNINGS OF PROFESSIONAL INTERPRETERS

The price cap methodology appears to be based upon a central theory that the demand for labor (interpreters) and labor supply represent a testable hypothesis about the behavior of the profession in a competitive market under what is presumed to be a perfectly competitive labor exchange. One must remember that any basic model of labor demand is a story about the market behavior of its economic actors. As such, the model is built on three elements: 1) the market conditions under which firms operate, 2) the nature and economic goals of firms, and 3) the production opportunities they face.”<sup>13</sup>

#### Market Conditions

Consider the market which VRS providers must operate; in perfectly competitive markets a wage- and price-taking behavior exists. This creates a situation whereby a firm must take the market wage as given, exercising market power will not effectively influence the wages paid in the market. The effectiveness of the price cap formula appears to be tied to perceived incentives “encouraging all firms [providers] to keep labor costs down”<sup>14</sup> Therefore, absent some kind of imperfect competitive environment, presumably a situation the Commission would not favor, the first prong of

the model falls to its knees.

#### Nature and Economic Goals of the Provider

The second prong, the provider's goal and the nature of the provider itself, are typically thought to be aligned with that of the household that labor owns. The common goal, profit maximization, expressed as the difference between revenues/pay received and costs/alternative expenditures of time and effort is assumed. The joint comments ask the Commission to consider a proposal that weighs so heavily in the favor of the provider the interpreter and the provider are no longer working toward the same goal. For example, the Joint Commenters propose to use Gross Domestic Product (GDP) as the inflationary factor in a three-year intertemporal pricing methodology. As the Joint Commenters rightly stated, "GDP-PI is more broadly based than the Consumer Price Index (CPI) because it covers the prices of all goods and services in the economy..."<sup>15</sup> Viewed in light of the already common agreement that the price cap formula should be modified to reflect the divergent use of human capital versus mere machines, one wonders why GDP was chosen versus CPI or some other economic index. The joint comments state that GDP represents a "conservative inflation factor". This approach will only cause a drag on wages for video interpreters when compared to wages paid to interpreters in general. If providers achieve their stated goal to "keep wages down"<sup>16</sup> it is highly unlikely any investment in interpreter training programs will produce the influx of new interpreters touted as the remedy to the growing size of the Fund.

History tells a great deal about the potential damaging effect a GDP inflationary factor could have on the sustainability of the interpreter workforce. (*See Illustrating Example*) According to the Bureau of Economic Analysis<sup>17</sup> Real GDP increased 3.3 percent in 2006 (that is, from the 2005 annual level to the 2006 annual level), compared with an increase of 3.2 percent in 2005. When compared to the same period, personal consumption expenditures increased by 6.0 percent in 2006 and 6.5 percent in 2005. In a shorter span of time (2 years) than the proposed three year term of the price cap methodology a (3.3 percent in 2005 and 2.7 percent) cumulative 6 percent drop in the real wages an interpreter is paid would be felt by

thousands of families across the country.

In what appears to be a disproportionate burden placed upon interpreters for any reduction in the TRS fund becomes clearly evident when a mere two years of historical data is applied as a test case for the economic feasibility of a price cap methodology. Here, a person at the crossroads of choosing their career would have no incentive to choose sign language interpreting as a profession. More worrisome is that this scenario presents a real threat to maintaining the number of interpreters working in video relay today. They would be economically incentivized to leave the profession in order to be able to provide basic sustenance for their family in the future. At a minimum, they would have no incentive to work for a VRS provider because their wages would be inhibited by an inappropriate inflationary factor. The Commission must consider whether the stated goal of increasing the number of interpreters is even a reality that will come true under this methodology. The use of GDP versus some other economic index to

*Illustrating Example*

<b>Annual Salary</b>	<b>2004</b>	<b>2005</b>	<b>2006</b>	<b>Net Effect</b>
<b>Proposed GDP Inflationary Factor</b>	\$50,000	\$51,600 (+3.2% GDP)	\$53,303 (+3.3% GDP)	\$3,303 Maximum possible increase in living wage
<b>Historical personal consumption expenditure</b>	\$50,000	\$53,250 (+6.5 % COSTS)	\$56,445 (+6% COSTS)	\$6,445 Minimum increase in expenses for a family
		(\$1,650)	(\$1,492)	(\$3,142)
		Loss of Real Wages	Loss of Real Wages	Loss of Real Wages

effectively “restrain labor prices”<sup>18</sup> places squarely upon the shoulders of interpreters a significant burden and possibly disproportionate burden to remedy growth of the Fund. Thus, the second prong of the model falls with the first.

Production Opportunities

The third and final prong, the production opportunities faced by providers, is defined as the functionally equivalent provision of telephone

service for people with speech and hearing disabilities. This requires providers employ sign language interpreters time and effort. As the Joint Commenters have aptly stated, “the approach must be adjusted to account for the differences between the capital-intensive telephone industry and the labor-intensive nature of providing VRS.”<sup>19</sup> Thus, interpreters are the fundamental input in the delivery of VRS. Accordingly, there are at least four dimensions that might vary: 1) number of interpreters, 2) hours worked per interpreter, 3) effort expended per hour, and 4) the competence or skill the interpreter employs. Interpreters do not work in a vacuum; they interact with a number of other outputs commonly called capital and now known as “exogenous costs” in the price cap methodology existing at the moment their [interpreters] services are utilized. For example, interpreters effectiveness is either enhanced or hindered by the video equipment, high occupancy rates, internet bandwidth, and consumer knowledge and finesse in using VRS, among a few. When considered together, the human and capital output, a production function can be calculated where  $L$  represents interpreter input and  $K$  represents capital input. The Joint Commenters have provided only one aspect, the labor input ( $L$ ), as the justification for adopting the price-cap formula.

A singular focus on efficiency instead of effectiveness can cause the fourth dimension, competence, to be neglected. The price cap formula, taken as a whole, does not account for this dimension nor does it take fully into account the level of effort expended by the interpreter because the interpreter and provider are no longer aligned along a common economic goal. In the short run the key consideration, the law of diminishing marginal returns, arises in some form whenever both fixed [capital] and variable [interpreters] factors are employed as here in VRS. The law of diminishing marginal returns states that if a variable factor is increased relative to a fixed factor, the marginal productivity of the variable factor, interpreters, eventually declines and then does not increase again. This is not to say that there are no increases in productivity. In the long run, a providers fixed costs become variable (e.g. adoption of new technology). Therefore, the marginal product for capital inputs, hypothetically holding the level of labor input steady, creates a situation whereby the ability to use capital (i.e. technology) more efficiently increases the productivity and effectiveness of

labor. This paradigm creates a system of greater human capital success without dehumanizing the person to a mere efficient telecom dial tone.

Additionally, there is no information offered in the joint comments of any proactive steps being taken to offer greater capital inputs to affect greater VRS productivity. Instead, the Commission is asked to allow reimbursement for “any costs beyond the providers control not reflected in the inflation adjustment.” This apparent reclassification echoes a stated disadvantage in the joint comments of any cost-of-service approach which creates incentives to allow reimbursable costs to go up. Here, a provider which allowed their reimbursable costs to spiral up could similarly allow their exogenous costs to spiral upward by simply claiming the cost was beyond their control. The difference here is that instead of requiring providers to operate as well as the “reasonable” provider, an objective standard, the price cap formula would create distinct situations where providers could claim additional costs that would be subjectively measured. Ironically, the suggestion that providers would be freed from “the significant burdens and costs associated with annual filings and projections, as well as the attendant audits, reviews, disputes, and the like...”<sup>20</sup>, under the proffered structure every instance of unanticipated costs would spawn a new filing, projection, audit, review and surely on occasion dispute. Instead of a single annual event the Commission may encounter multiple filings from one or more providers during a single fiscal year to determine whether an exogenous cost adjustment is warranted.

PRICE CAP FORMULA INTRODUCES PROBLEMS OF QUALITY AND INEFFECTIVE LEVERAGING OF HUMAN CAPITAL THAT RUN AGAINST THE MANDATE OF FUNCTIONAL EQUIVALENCY

The Commission’s recognition of Spanish VRS was founded on the principal that relay is meant to ensure that individuals who wish to communicate over the telephone are able to effectively accomplish that activity. The Commission has been visionary at times in doing everything within its power to further the goal of functional equivalency. It is of interest to note that the profession of interpreters is comprised of those who provide trilingual (English, Spanish and American Sign Language) services.

As diverse as the profession is, the diversity of those who use VRS is even greater. The Commission has previously recognized that effective communication, moreover a functionally equivalent experience is paramount to the realization of the legislative mandate proclaimed by the Americans with Disabilities Act (ADA).

Upon reading the proposed rate methodology the word “quality” will be found a single time in the last paragraph. The Commission should take note of this oversight for the quality not just the quantity of minutes provided. The later is certainly a strong economic incentive for providers to focus on quantity at the neglect of quality. It is the fundamental right of every VRS user to enjoy a service that is available [speed of answer] in such time that affords functional equivalency. A faster speed of answer would mean greater functional equivalency for all parties and support this goal. Thus, again the Commission must balance the needs of society, the realities of technology and business, and the sustainability of the workforce behind video relay.

The variety of topics and conversations which an interpreter faces on a daily basis is almost unfathomable. A minimally trained interpreter would hardly be prepared to effectively interpret during the minutes, hours and days of their job. It is commonly understood that interpreters possessing, at minimum, a generalist certificate<sup>21</sup> will perform successfully in VRS<sup>22</sup>. Upon a reading of the joint comments it is theorized that by investing in interpreter training programs labor wages will somehow be kept down. The hypothesis being that by shifting the supply of interpreters available in the workforce a downward movement in the equilibrium wage paid will be realized. The economic reality of a specialized field such as sign language interpreting is that the equilibrium wage is not necessarily reduced by a shift in supply. There is no mention in the joint comments of the methodology or criteria for how providers will identify the interpreters comprising the marginal increase in supply. Without further information to explain the minimum skill set, it is assumed that the new labor pool will be made up of those exact graduates whom the investment is made in. The Joint Commenters are to be applauded in their plan to invest in the training of young interpreters. The investment will certainly pay dividends in the long

run. However, if a system of immediate entry by recent graduates, not yet certified, is envisioned by the providers the Commission must seriously consider what effect there will be on the quality of video relay because those new interpreters would not have adequate linguistic capabilities (i.e., knowledge of regional variations in American Sign Language (ASL), ability to understand the manual alphabet "fingerspelling", and applied logic in ethical decision making). Will the consumer experience less than functionally equivalent telephone service? If the method of reimbursement is permitted to go unrestrained with such a singular focus on efficiency, the quality and effectiveness of video relay remaining to citizens could be diminished to a level inconsistent with the statutory mandate of functional equivalency expected by a free and open society.

## CONCLUSION

As the Commission embarks upon its work in 2007, an opportunity is here presented for the wise and learned consideration of reimbursement of VRS. This report supports the common goal expressed by Commissioner McDowell when he said, "I hope we can simplify and clarify the compensation of costs associated with providing TRS services. Greater transparency will provide everyone with the opportunity to ascertain whether TRS compensation rates are reasonable and appropriate. Hopefully, at the end of the day, we find that the growth in the program comes from increasing and improving services to those with hearing and speech disabilities, rather than from waste or misuse. Requiring a more transparent process will help us to make that determination."<sup>23</sup> The public should feel confident in knowing the Commission will continue its great work by learning and understanding how its regulatory decisions affect not only the consumer and the providers but greatly affect at the macro-level the sustainability of the sign language interpreter workforce. There should not be a "blank paycheck" for interpreters; however, a balancing of consumer, provider, labor and rate payer needs can be achieved. The reality of interdependence means that no single part of the system should be forced to work in potentially unsafe conditions, accept less than functionally equivalent service or bear the greatest burden of cost reductions. The

Commission must ask the fundamental question whether the inherent quality and functional problems introduced by a system of efficiency sans measurements of effectiveness run against the mandate of functional equivalency such that our free and open society expect.

#### REFERENCES

- 1 *Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities*, Further Notice of Proposed Rulemaking, 21 FCC Red 8379 (2006) (FCC 06-106) (“Further Notice”).
- 2 Joint Comments of Communications Access Center for the Deaf and Hard of Hearing, Communications Service for the Deaf, Inc., GoAmerica, Inc., Hands On Video Relay Services, Inc., Snap Telecommunications, Inc., Sorenson Communications, Inc., and Sprint Nextel Corporation, CG Docket No. 03-123, October 30, 2006 (“*Joint Comments*”).
- 3 *Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities*, Further Notice of Proposed Rulemaking, CG Docket No. 03-123, Copps Statement.
- 4 TRS, created by Title IV of the Americans with Disabilities Act of 1990 (ADA), enables an individual with a hearing or speech disability to communicate by telephone or other device through the telephone system with a person without such a disability. See 47 U.S.C. § 225(a)(3) (defining TRS); 47 C.F.R. § 64.601 (14). As discussed below, the Fund compensates providers of eligible interstate TRS services, and other TRS services not compensated by the states, for their reasonable costs of providing service. See generally *Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities*, CC Docket Nos. 90-571 & 98-67, CG Docket 03-123, Report and Order, Order on Reconsideration, and Further Notice of Proposed Rulemaking, 19 FCC Rcd 12475, 12479-83, paras. 3-8 (June 30, 2004) (2004 TRS Report & Order).
- 5 VRS is a form of TRS that enables the VRS user and the video interpreter (VI) to communicate via a video link in sign language rather than text. Interpreters typically holding a national certification governed by the RID Certification Council (CC), Ethical Practices System (EPS) and Certification Maintenance Program (CMP) are employed in the provision of VRS. See 47 C.F.R. § 64.601(17) (defining VRS).
- 6 See Joint Comments of Communication Access Center for the Deaf and Hard of Hearing, Communication Service for the Deaf, Inc., GoAmerica, Inc., Hands On Video Relay Services, Inc., Snap Telecommunications, Inc., Sorenson Communications, Inc., and Sprint Nextel Corporation to Further Notice (filed October 30, 2006) at 2 (recommending the adoption of a price cap plan for VRS and IP relay service based on the regulatory framework the FCC developed for

- AT&T and the larger incumbent local exchange carriers (“LECs”), including the Bell Operating Companies (“BOCs”))
- 7 Pub. L. No. 101-336, § 401, 104 Stat. 327, 336-69 (1990); 47 U.S.C. § 225.
  - 8 47 U.S.C. § 225(a)(3).
  - 9 See Notice, at 7 para. 1
  - 10 *Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities*, Further Notice of Proposed Rulemaking, CG Docket No. 03-123, Tate Statement
  - 11 Registry of Interpreters for the Deaf, Inc. (2005, July 1). RID's Code of Ethics. Retrieved December 26, 2006, from Registry of Interpreters for the Deaf: <http://www.rid.org/codeofethics.pdf>
  - 12 *Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities*, Further Notice of Proposed Rulemaking, CG Docket No. 03-123, Martin Statement
  - 13 Registry of Interpreters for the Deaf, Inc. (2005, July 1). *RID's Code of Ethics*. Retrieved December 26, 2006, from Registry of Interpreters for the Deaf: <http://www.rid.org/codeofethics.pdf>
  - 14 Joyce P. Jacobsen & Gilbert L. Skillman, *Labor Markets and Employment Relationships, A Comprehensive Approach* (Blackwell Publishing 2004)
  - 15 See Joint Comments, at 7 para.1
  - 16 See Joint Comments, at 8 para.1
  - 17 Bureau of Economic Analysis (February 2007 Report). *Personal Income and Outlays*. Retrieved February 22, 2007, from Bureau of Economic Analysis: <http://www.bea.gov/newsreleases/national/pi/pinewsrelease.htm>
  - 18 See Joint Comments, at 6 para.1
  - 19 See Joint Comments, at 5 para.2
  - 20 See Joint Comments, at 4 para.1
  - 21 Registry of Interpreters for the Deaf, Inc. *Explanation of Certifications*. Retrieved December 26, 2006, from Registry of Interpreters for the Deaf: <http://www.rid.org/expl.html>
  - 22 Witter-Merithew, A., & Johnson, L. J. (2005). *Toward Competent Practice: Conversations With Stakeholders*. Alexandria, VA, USA: Registry of Interpreters for the Deaf, Inc.
  - 23 *Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities*, Further Notice of Proposed Rulemaking, CG Docket No. 03-123, McDowell Statement

**The Federal Communications Commission should consider whether, if the method of reimbursement is permitted to go unrestricted with a singular focus on efficiency, the quality and effectiveness of video relay remaining to citizens would be diminished to a level inconsistent with the statutory mandate of functional equivalency expected by a free and open society.**

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