

My name is Kristie Casanova de Canales. I am a nationally certified ASL interpreter and a U.S. citizen who currently works with a U.S.-based VRS provider out of my home office in central Mexico. Given my unique position, I feel compelled to comment on the FCC's proposed rulemaking that was issued just days ago. I am copying the sections that most stood out to me and including my feedback in dark blue after each section. I hope that you find my perspective and experience helpful and I trust that you will truly take it into consideration before making any final decisions on these matters.

I. NOTICE OF PROPOSED RULEMAKING

A. Location of VRS Call Centers

1. We recognize that some providers have established VRS call centers that are located outside the United States. ASL is generally not the primary form of sign language used in countries outside North America. We are concerned, therefore, that VRS providers may not be able to find qualified ASL interpreters¹ to staff these call centers. For instance, of the over 15,000 members of the Registry of Interpreters for the Deaf, the national membership organization for professional sign language interpreters in the United States, only 188 members are located outside the United States and its territories.² Moreover, there are approximately 600 members of the Association of Visual Language Interpreters of Canada (AVLIC), which is Canada's national professional association representing interpreters whose working languages are English and ASL.³ We are also concerned that VRS call centers outside the United States may lack appropriate supervision and otherwise not operate in compliance with our rules, and that these call centers may be (or have been) a source of fraud and or otherwise may not be handling legitimate VRS calls.

2. For these reasons, we tentatively conclude that we will amend our rules to require that all VRS call centers be located in the United States.⁴ Because of our concerns about fraud, we also tentatively conclude that this rule should become effective immediately upon publication of the summary of the order adopting it in the Federal Register. We seek comment on these tentative conclusions and any other issues relating to this issue.

The arguments against allowing VRS call centers to operate from outside the U.S. are, in a nutshell: Providers won't be able to find qualified interpreters, the centers may lack supervision, may be a source of fraud, and may not otherwise operate in compliance. I'll address these concerns point by point.

Qualifications – I have an Associate's degree in ASL interpreting and sign transliterating, I have a BA in Communications, and this fall I begin my MA studies in Applied Linguistics. I have three national certifications from the RID – CI, CT, and NIC. I have 10 years of experience working as an ASL interpreter professionally, have presented at national conferences on the topic of VRS interpreting, have done research that has contributed to a book on multilingual and multicultural interpreting (my chapter focused on Spanish VRS in the United States), and I have worked at least 20 hours a week in VRS for the past five years, in 5 call centers with two different providers. I think we could safely say that, although I currently work from outside the United States, I am more qualified than *many* people working in U.S.-based call centers.

The centers may lack proper supervision – I am able to communicate with my fellow interpreters via secure instant messaging software and those messages are monitored by management to ensure I do not share inappropriate information about calls or callers. Further, I am fully aware that my calls can be and *are* periodically monitored remotely by management so that they can ensure protocol is followed, the calls processed are legitimate, etc. While no manager looks in on my calls in person, I can also attest that during two and a half years working at one of the nation's largest VRS providers, a live observation only occurred one time. The VRS company I currently work with is able to monitor when I sign in, when I sign out, and to observe actual calls just as they were when I was still working in the U.S.

Centers abroad may be a source of fraud – This argument, quite frankly, just makes me shake my head. ANY center could be a source of fraud, as the FCC is perfectly aware. It is illogical to categorically decide to disallow non-US centers to exist because they *could* be a source of fraud. I am just as concerned as anyone else about fraud. In fact, when I have had concerns about company call practices, I have contacted the FCC and reported those concerns myself. I am hardly encouraging fraudulent practices. Whether people are likely to engage in fraud is clearly more a matter of their personal ethics and the company culture than of geographical location.

They may otherwise not be in compliance – My call center has been documented, photographed, etc. to ensure that such items as a locked door, freedom from interruptions, back-up batteries, back-up headsets, etc. are in order. This has been periodically verified by my management (spot checks via videophone in which I have to visually confirm that the call center is still in complete compliance). I have received 911 training and our system is prepared to handle these calls. I'm not sure where these concerns come from, but I can assure you that in my case my call center is compliant. The insinuation that my geographical location would make me non-compliant, less skilled, more likely to commit fraud, or insufficiently supervised is an insult to my professionalism and my dedication to this field.

VRS CAs Working from Home and Compensation

3. We recognize that some VRS providers allow their CAs to work from home, and recognize the benefits that come with the flexibility of these arrangements. At the same time, we note that both the Act⁵ and the Commission's rules,⁶ specifically safeguard the confidentiality of calls, and the practice of CAs working from home raises concerns about whether the confidentiality of calls can be guaranteed under that arrangement. This practice also raises concerns about whether CAs working from home can meet other mandatory minimum standards applicable to the provision of relay. Specifically, it is unclear whether VRS CAs working from home have the ability to handle emergency calls in accordance with our rules,⁷ or to transfer a call to another CA if the CA cannot continue to handle the call.⁸

Again, the arguments against allowing VRS CAs to “work from home” are varied, and I'd like to address them point by point.

Confidentiality may not be guaranteed in a home-based call center – As I mentioned above, I have been required to demonstrate on various occasions that the door to my office remains locked when I am working. In addition, my secure instant messages are reviewed to ensure I am not discussing confidential information with my colleagues. Further, I would like to make a comparison between traditional call centers and the remote office I currently work out of. I have experienced both work environments, and have seen that confidentiality is LESS of an issue when one works from a home-based call center. When I worked in a traditional call center, I had fellow interpreters poke their heads into my cubicle while in a call because the call content they heard while passing by “made them curious”. This is absolutely unacceptable. Fortunately that cannot happen in my current office. When I worked in a traditional call center, I would regularly overhear interpreters share confidential information in the break room as they vented and griped about various callers. Again this is an unfortunate breach of confidentiality which, fortunately, cannot occur in my current call center.

Emergency calls may not be handled according to the FCC's standards – while I have not processed any 911 calls in a while, I know that interpreters working from home-based call centers with the VRS provider I currently contract with have handled 911 calls as recently as a couple weeks ago, and that these calls have been processed with no glitches. I'm not sure why the FCC feels that a home-based office vs. a traditional call center would make this less likely, but my experience does not confirm the FCC's fears.

CA's may not be able to transfer calls to other CA's – Has the FCC actually spoken with the VRS providers who allow interpreters to work from home offices?? If I were not able to transfer when I needed to, I would certainly have never begun working in this environment. This concern is absolutely unfounded. I provide both English and Spanish VRS and I feel very supported knowing I can transfer calls as I need relief.

In summary, I would just like to point out the positive side to continuing to allow VRS providers to hire interpreters who live outside the United States and who will work from home offices – I am a nationally certified interpreter who is bound by the RID Code of Professional Conduct and the FCC's mandates. My taxes go to the United States. I help mitigate the extreme shortage of qualified ASL interpreters through my work, and I serve the deaf and hard of hearing community by processing legitimate calls. I am an asset, but if the FCC decides to follow through with its tentative decisions, I will be unable (because of my geographical situation) to continue to work in VRS. I will likely be replaced by someone with less certification, fewer years of experience, and possibly without the passion for the integrity of this field that I hold so dear. And I am not just one person. There are many qualified and professional interpreters like me, in the U.S. and beyond its borders, who will be removed from the pool of VRS interpreters if the FCC goes forward with these decisions. Please consider the negative impact of these decisions on honest people who want to continue earning a livelihood doing something they love and believe in, and on a community of disabled Americans who desperately need more qualified interpreters. I trust the FCC will not react in a knee-jerk or fear-based fashion, but will instead give ample time to the public to make comments and take all those comments into consideration in order to make a fair decision. Thank you for your time,
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