

Congress of the United States
Washington, DC 20515

April 23, 2015

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

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consumers
disability

Dear Chairman Wheeler:

As the Co-Chairs of the Congressional Deaf Caucus, we are writing to urge you to freeze the compensation rates for Video Relay Service (VRS), because we are concerned that the declining rates will adversely impact the deaf community's access to functionally equivalent telecommunications service, as mandated by the American with Disabilities Act (ADA).

VRS revolutionized the way deaf Americans communicate over the phone, by removing barriers and helping to level the playing field for this minority community. We are concerned that the FCC's recent actions will undermine these great advances.

In its June 2013 Order, the FCC established an interim schedule to lower compensation rates for VRS providers every six months through 2017. The FCC developed its interim schedule with the expectation that the FCC would assume responsibility for certain provider costs, such as outreach and a neutral platform, before moving to a long-term market-based system for setting rates. We are not aware of any substantial progress in this regard, and we are concerned about the impact of the interim compensation schedule on VRS customer service, innovation, and functional equivalency. Our understanding is that every VRS provider has warned that lower rates will harm service and innovation.

When the FCC similarly cut its compensation rates for IP Relay Service, all but one IP Relay provider exited the market. This left the deaf community with absolutely no choice in provider. At that point, the FCC increased its rate by over 60 percent in an emergency order to accommodate the sole remaining provider, which now has little incentive to innovate.

We do not want to experience a similar outcome in VRS. However, as long as the rates continue to decrease, there is no doubt that service quality and response time will suffer. Further, providers will no longer invest in developing technologies and applications that keep pace with those available to the hearing population. Poor service, reduced access, and yesterday's technologies are incompatible with the ADA's requirement for functionally equivalent telecommunication services for the deaf and hard-of-hearing.

In order to prevent a degradation of VRS and to ensure the service's long-term viability, we request that the FCC freeze VRS compensation rates at the levels in effect on June 30, 2015, pursuant to the Report and Order and Further Notice of Proposed Rulemaking issued by the Commission on June 7, 2013, until the Commission completes the transition to a market-based compensation methodology.

We appreciate your attention and response to this most important issue.

Sincerely,



Kevin Yoder
Member of Congress
Co-Chair Congressional Deaf Caucus



Mark Takano
Member of Congress
Co-Chair Congressional Deaf Caucus