

**STATEMENT OF
COMMISSIONER GEOFFREY STARKS
APPROVING IN PART, CONCURRING IN PART**

Re: *Misuse of Internet Protocol (IP) Captioned Telephone Service*, CG Docket No. 13-24; *Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities*, CG Docket No. 03-123; *Structure and Practices of the Video Relay Service Program*, CG Docket No. 10-51.

Not surprisingly, IP CTS providers disagree with the Commission's decision to resume the glidepath toward a lower, cost-based compensation rate, although they have been on notice since 2018 that rates would be adjusted downward to better reflect the reasonable costs of providing telephone captioning service. We would have arrived here sooner had we not, in March of this year, suspended the glidepath and held rates steady in light of uncertainty related to the COVID-19 pandemic. I would have voted for an additional extension to keep the current compensation rate in place given the on-going pandemic-related national emergency. I therefore concur with this aspect of the item.

As to the other pandemic-related waivers granted (and extended three times), the released draft of this item neither would have extended pandemic-related waivers of speed-of-answer and certain other requirements under sections 64.604 and 64.606 of the Commission's rules nor made a determination that they will no longer be needed because pandemic conditions have improved. There are too many unknowns to risk making compliance for providers harder or forcing providers out of business because they cannot comply with pre-pandemic service requirements. The challenges brought about by the COVID-19 pandemic presumably will persist for as long as the pandemic persists. It therefore made little sense to me to arbitrarily eliminate those waivers as of November 30, 2020. I therefore appreciate the Chairman agreeing to my request that we extend those waivers, and direct the bureau to consider further extensions so that the waivers remain in force until pandemic conditions improve.

Finally, although we have already conditionally approved the use of fully automated IP CTS using automatic speech recognition (ASR) technology, the jury is still out on how accurate, and thus reliable, the service is or will be. Commenters express concern about the use of ASR for important calls for which accuracy is paramount, such as those involving medical diagnoses or emergency assistance. Moreover, in the same way that facial recognition programs using artificial intelligence and machine learning often exhibit deeply troubling biases for demographic groups defined by sex, age, and race, studies have shown that speech recognition services make far more errors when transcribing the speech of people of color than of white people.¹ Thus, I share the concerns of those who question whether ASR technology is ready for prime-time to fully achieve the statutory mandate of functionally equivalent telephone service.

¹ A Stanford University study showed speech recognition error rates almost twice as high for blacks as for whites, even when the speakers were the same age and gender and spoke the same words. On average, 35 percent of the words spoken by blacks were mis-transcribed, while only 19 percent of those spoken by whites were mis-transcribed. See Edmund L. Andrews, "*Stanford researchers find that automated speech recognition is more likely to misinterpret black speakers*," Stanford News (Mar. 23, 2020), at <https://news.stanford.edu/2020/03/23/automated-speech-recognition-less-accurate-blacks/>.

We have not yet established service quality standards or service-specific rates that reflect the current capabilities and lower cost of ASR-assisted IP CTS. Our haste to approve the use of ASR may result in providers migrating to fully automated IP CTS as a more cost-effective alternative at the expense of service quality and functional equivalence. We must therefore proceed cautiously but quickly toward establishing appropriate service quality metrics and compensation rates for all captioned telephone service, including ASR-assisted IP CTS.

My thanks to the Consumer and Governmental Affairs Bureau and other staff for their work on this important item.