

**STATEMENT OF
COMMISSIONER MICHAEL O'RIELLY**

Re: Implementation of the Twenty-First Century Communications and Video Accessibility Act of 2010, Section 105, Relay Services for Deaf-Blind Individuals, CG Docket No. 10-210

One year ago, I voted to approve a Notice of Proposed Rulemaking seeking comment on rules for the National Deaf-Blind Equipment Distribution Program that is required by the CVAA. I noted that the current pilot program appears to have helped a number of deaf-blind individuals, who face unique challenges, to live more independently and take advantage of education and employment opportunities. Structured correctly, the so-called “permanent program” could extend these benefits to an even greater number of people in need of such equipment.

I will reluctantly support the order extending the pilot program for another year to ensure the program is not interrupted, but I am beyond disappointed that the Commission was not able to complete rules for the permanent program during this *past year*. This rulemaking has had the support of all five Commissioners and a number of outside parties, which does not happen too often. Moreover, the permanent program is actually authorized by law, whereas the pilot program is in a more questionable state. Perhaps if the Commission had prioritized this rulemaking over others, we could have adopted final rules by now. I would love for someone to share with me which other projects were so important to justify such inaction on this matter.

In the meantime, I expect that this additional time will be put to good use and that no further extensions of the pilot program will be required. In particular, I offered several suggestions for the permanent program in my prior statement, such as establishing clearly defined and demonstrable goals; adopting performance measures and tailored reporting requirements; clarifying how funding will be prioritized should demand exceed the budget; and implementing safeguards against waste, fraud, and abuse. These steps are similar to measures that have been adopted for various universal service programs, and some have also been recommended by the Government Accountability Office. Together, they would help ensure that program is as efficient as possible and that the funding is targeted to provide the maximum possible benefit to consumers. I hope that these recommendations, along with the feedback provided in the record, will be given full consideration as staff continues to work towards the final rules in the *coming months*. I look forward to engaging with staff in the near future to learn how the permanent program will be properly structured.