



National Association of the Deaf

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Senator Rossana López León
Senator Ángel Martínez Santiago
Senado-El Capitolio
P.O. Box 9023431
San Juan, PR 00902-3431

Dear Senators Rossana López León and Ángel Martínez Santiago,

The National Association of the Deaf (NAD) is alarmed to learn of your proposed legislation that seeks to "certify" government employees as sign language interpreters after just six hours of training. We are aware that the bill passed in the Senate and is currently under consideration in the House Committee on Tourism and Social Well-being. For the reasons set forth below, we have asked the Committee to oppose the bill and also ask that you do what you can to rescind the bill so that it does not become law.

Founded in 1880, the NAD is the oldest national civil rights organization in this country and has for 137 years sought to protect, preserve, and promote the civil, human and linguistic rights of deaf and hard of hearing individuals in the United States of America. As the nation's premier advocacy group of, by, and for deaf and hard of hearing individuals, the NAD perceives this legislation as misguided and harmful to deaf and hard of hearing residents of Puerto Rico.

We believe that the findings in your proposed legislation are accurate: deaf and hard of hearing Puerto Ricans remain excluded from many services due to the absence of qualified sign language interpreters. However, the legislation you have proposed will have dire adverse effects for these deaf and hard of hearing people and also violates United States federal laws.

Both the Americans with Disabilities Act, 42 U.S.C. § 12101 *et seq.*, and the Rehabilitation Act, 29 U.S.C. § 701 *et seq.*, mandate that state governments provide equal access to its residents with disabilities.

Regulations implementing Title II of the ADA, which applies to all aspects of state and local governments including the government of Puerto Rico, requires covered entity to "take appropriate steps to ensure that communications with applicants, participants, members of the public, and companions with disabilities are as effective as communications with others." 28 C.F.R. § 35.160(a). However, such effective communications with persons who use sign language requires the provision of *qualified* sign language interpreters, which is defined by regulations to be "an interpreter who, via a video remote interpreting (VRI) service or an on-site



appearance, is able to interpret effectively, accurately, and impartially, both receptively and expressively, using any necessary specialized vocabulary.” *Id.* § 35.104.

In order to interpret effectively and accurately, an interpreter needs to be fluent in two languages and be trained in traversing instantly and continuously between the two languages. Such a skill requires many years of training, and it is unheard of to acquire qualified interpreting skills in six hours let alone six months. Even a person who is already fluent in two languages cannot function effectively as an interpreter with even six hours of training, as the process of learning interpreting skills itself takes years. Contrary to the perception of many, sign language is a fully formed complex language complete with phonology, morphology, syntax, and pragmatics. Sign language is not a simple language that can be learned in six hours.

Your proposed bill will force upon deaf and hard of hearing Puerto Ricans ill-trained government officials who barely know sign language. These government officials with six hours of sign language training will not be able to properly function effectively or accurately as qualified interpreters. Consequently, your proposed bill will not resolve the problem of communication access to Puerto Rican government, but will instead compound the problem by creating an industry of fake interpreters that will lead to mass miscommunications and run afoul of federal laws.

Therefore, the National Association of the Deaf respectfully asks that you rescind this legislative bill, and instead work with us to properly improve access in Puerto Rico for its deaf and hard of hearing residents. We stand ready to assist you in any way you need.

Sincerely,

Howard A. Rosenblum
Chief Executive Officer
National Association of the Deaf