

**REMARKS OF COMMISSIONER MICHAEL J. COPPS
CELLULAR TELECOMMUNICATIONS AND INTERNET ASSOCIATION
WIRELESS ACCESSIBILITY WORKSHOP
NEW ORLEANS, LOUISIANA
MARCH 14, 2005**

Thank you for that kind introduction and for organizing this critically important workshop. I'm honored to be here this morning to kick off what I hope will be a robust discussion of a topic that is very important to the Country.

I'd like to start by congratulating the people in this room for how far we've come. First I want to commend CTIA and Steve Largent for their increased focus on accessibility issues. The first time I met with Steve we talked about the subject and I could tell that here was someone who truly cared about accessibility. There are a lot of folks out there who talk a big game about accessibility, but Steve not only talks the talk but he walks the walk. There is a long, long way to go—don't get me wrong—but CTIA and many in the wireless industry are now on the right path. This workshop is just one example. The meetings CTIA has convened between disabilities advocates and equipment vendors are another very promising example. I hope that those will continue, and CTIA will continue to lend its strong hand to encourage the industry to move in the right direction.

I also want to thank the industry for its efforts. Cingular and Sprint, for example, have visited my office often to describe their growing accessibility efforts. Stan Sigman from Cingular has, on many occasions, shown me the impressive phones that they offer, and the systems that they have put in place to coordinate planning with the disabilities community. I have seen real commitment there. And Sprint has described the free directory assistance program that they now have in place for Americans with disabilities, and has shown us their exciting next generation of accessibility-enhanced phones. It seems that they have coordinated with the disabilities community at the design stage, which is so important, and I hope that we hear the announcement of a launch date for these phones soon.

Most of all, I want to thank the people who represent Americans with disabilities in front of the Federal Communications Commission. The FCC is not always the easiest place to deal with. It's hard enough for me on the inside, believe me! And I've gotten a sense over the past 3-1/2 years how difficult it is for non-traditional stakeholders—the folks who aren't usually consulted with and who don't have the *Federal Register* delivered to their doors and who don't have Washington shops—to make their voices heard. We've made some progress and that's good. But I am still not satisfied with our efforts to break out of the inside-the-beltway mentality that can infect our Commission. In spite of all the hurdles and obstacles, Americans with disabilities have a truly amazing group of advocates at work for them, advocates who insist that we pay attention and who won't take "No" for an answer. They work with the Commission staff assigned to accessibility issues and with the Commissioners to make sure that we understand the impact of our actions, or inactions, on the millions of Americans across this country who

have disabilities. To all of you advocates in this office, my deep and abiding thanks—you have tough jobs—and you do them with distinction, sometimes with downright heroism.

Still, we have so far to go. Americans with disabilities spend much of their time fighting for the opportunities for advancement that others of us just take for granted. As a group, Americans with disabilities are experiencing—suffering is a better word—over 50% unemployment. In some areas, the number is as high as 75%. Can you believe that? People with so much talent, so many skills, such dedication, wanting nothing more than a chance to be productive members of society, and 75 % unemployment! That's a disgrace. And, over and above even that, we have no idea how many people with disabilities are under-employed. Beyond the obvious economic impact, this disparity is just plain wrong. We should be embarrassed as Americans that this is still the case. It is all of our responsibilities to provide the tools to fix this problem.

We have the power to do it. Advances in technology have already made a huge difference for many people with visual, auditory, and ambulatory challenges, and technology can do far more. Wireless technologies are a critical part of this trend. Wireless devices can offer an important lifeline to public safety for people with spinal cord injuries, as Marcie Roth from the National Spinal Cord Injury Association explained to me. They can bring broadband and all of its flexibility to amazing places like Gallaudet University, as I saw first hand when I visited there. The right equipment can make all the convenience of mobile phones available to the deaf and hard of hearing, as my friends Claude Stout from TDI and Brenda Battat from Self-Help for the Hard of Hearing have shown me. Advances in wireless technology have given you and me and millions of Americans new mobility and new access to powerful technology tools at work and at home. Now they have begun to do the same for people with disabilities. Just look at what the mobile video communications offered by Carrier 3 in Sweden have done for people who communicate with sign language. Working together, we can do even more.

Let me lay out a few ideas for how I think we can do more. We have many accessibility challenges before us, but I believe that there are four goals that the FCC, the wireless industry and the disabilities community together should resolve to do right away. First, we should resolve to advance our hearing aid and cochlear implant compatibility work at the FCC and in the industry in a way as to provide certainty for companies and usable devices for consumers. Second, we should resolve to set in place systems that guarantee that disabilities representatives and equipment manufacturers work together at the design stage of wireless devices so that these devices are more accessible and that these new technologies reach the right people. Third, we should resolve to venture outside the traditional ambit of the FCC and establish a public-private partnership program at the FCC to identify and promote wireless technologies that will enable more people with disabilities to get into the workplace. Fourth, all of us need to do better explaining this problem to our fellow citizens, because national problems are not solved without national attention. I'll talk about each of these in turn.

TRS and hearing aid compatibility

First, hearing aid and cochlear implant accessibility. Congress recognizes the unique challenges faced by American's with disabilities and the unique opportunities that communications technologies promise. That is why it required that the FCC make phones accessible to people with hearing aids. As wireless phones became part of the mainstream, and as these phones became a critical link in the 911 emergency call system, the FCC decided that wireless phones should be more accessible. So, in July of 2003, recognizing that industry was moving to digital, the FCC modified a previous exemption to the HAC rule that we had created for wireless phones. We required that manufacturers and service providers make digital wireless phones accessible to individuals who use hearing aids, according to an ANSI standard. And we set up a schedule to make this happen.

- First, by September 2005, manufacturers have to make available at least two HAC-compliant handsets for each of the CDMA, TDMA, and GSM air interfaces they offer. Carriers providing digital service also must make at least two HAC-compliant handsets available for each air interface they offer. And nationwide carriers must ensure that either two handsets or a quarter of all of their handsets are HAC-compliant, whichever is larger.
- Second, by September 2006, manufacturers must make available at least two HAC-compliant handset models with telecoil coupling for each air interface they produce. And all carriers providing digital services also must make available at least two HAC-compliant handset models with telecoil coupling for each air interface they offer.
- Third, by February 2008, half of all digital phones must be compliant with reduced RF emissions requirements.

In addition, manufacturers must label packages containing compliant handsets and make information about compliance available in the package or product manual, and service providers must make performance ratings of compliant phones available to customers. We also encouraged manufacturers and service providers to offer at least one compliant handset that is a lower-priced model and one that has higher-end features.

All of this means that some important deadlines are coming up. Everyone therefore needs to work hard. The FCC must act on the petitions before it. The Commission has received four petitions for reconsideration, requesting that it reconsider things like the ANSI standard, the 25% and 50% requirement, state enforcement of the HAC Act, and labeling, testing, and reporting. In February the Wireless Bureau released a public notice seeking additional comment on the four petitions. We need to resolve these quickly. In assessing these petitions, I will take requests for technical flexibility seriously, and will work with industry and the disabilities community to make the right choices. But I will not endanger the goal of getting compliant handsets to consumers as

soon as possible. Companies are working very hard every day on this -- Congress required us to do this -- and I will not let up on getting it done.

Design collaboration

Secondly, design collaboration between manufacturers and the disabilities community. It is in everyone's interest for industry and the disabilities community to sit down at the beginning of the design of new handsets, and to hold regular meetings about existing handsets – through focus groups, advisory panels, and product trials. This collaboration gives companies insights into what design elements present problems for Americans with disabilities and what elements make their lives easier at a stage that something can be done. Incorporating ideas on the drawing board is far more efficient and economical than either designing a phone that doesn't work, or having to retrofit an existing handset. Companies that understand this end up designing better phones, and gaining access to more and happier customers.

In the past I heard a lot of concerns that this was not happening. But now I sense a change. I see some companies working closely with various disabilities groups. They listen to the problems that they are having with existing phones before starting to design a new phone. And the results are sometimes spectacular. The new accessible phones that come through my office today are a vast improvement over what I saw just a few years ago. And the word I get from the disabilities community is that more firms are taking the time to make the process work than ever before.

But the work doesn't stop when a design is finished. Once a product is delivered, it is important to ensure that people know that it is designed to be accessible and that the company's sales and help line staffs are trained in accessibility features and in troubleshooting. Even if a phone is designed with great care, if no one knows about the accessibility features, or if problems that develop are not addressed, the phone won't realize its potential.

Design collaboration, marketing, and trouble-shooting appear to be improving every year. But, unfortunately, these improvements are not universal. We need to take a hard look at the companies and even at the individual product launches where all this worked well. We need to learn from these experiences and apply best practices to every company and every launch. If it is hard for companies to get this information, then the FCC should step in and provide a forum to make it happen. So let's celebrate the progress we've made, but also resolve to make further, and much needed, improvement.

The FCC and the disabled workforce

Next, I want to discuss an idea that is outside of the FCC's typical regulatory arena. As I mentioned earlier, the unemployment and under-employment numbers for Americans with disabilities are unacceptable. No segment of our population should suffer 50% or higher unemployment. In the case of disabled Americans, I think that together we can make these numbers better.

Technology can be a great equalizer. The right technology can give Americans with disabilities tools to pursue jobs that employers today think are closed to them. Communications technologies are only part of this vision, but they are an important part. Some of the best and most brilliant people I have ever met put their energy into building the wireless industry. Some of them are here today, and to them I say that you made an industry that didn't exist only a few decades ago into a giant part of our economy and our lives. You made technology that seemed like science fiction when I was a kid into something that every kid now has in their pocket. You – the engineers and business people who made this miracle happen – could use the same talents that built the wireless industry to integrate Americans with disabilities more fully into our workforce. Using communications technologies to allow tele-work for folks with visual, auditory, or mobility challenges would just be the beginning. But the sky's the limit.

Let's work on this together. The FCC, CTIA, the disabilities groups, and other relevant federal entities like the Department of Labor, HHS, and The President's Committee on Employment of People with Disabilities should begin by meeting together in informal ways and share ideas on how to tackle this challenge. Just that might lead to better ideas on how to address these issues.

If it appears that the idea will bear fruit, the FCC should work with these other government entities to set up a forum where the disabilities community can educate us on what the main obstacles to increased employment are, and industry can suggest where technology can help people overcome these obstacles. The results of this work might give the FCC the information and ideas it needs to report to Congress on how the use of communications technologies can increase the effectiveness of existing federal disabilities programs, or whether additional funding is needed to make such technologies available to more people.

Telling the story better

Fourth, and I've saved it for last because I really want you to remember it, is doing a more effective job in explaining a national problem to a national audience. We don't meet great national challenges in a vacuum. Great things are accomplished when we, as a people, understand them and rise up to meet them. This is a story that must be told. It's only partly a technological challenge – that's a tremendously important part of it, but it's not the whole. It's only partly a story of bureaucratic under-achievement. It is – far more – a people story, a story of millions of Americans who could and should be contributing their best to our economy and our society but who, through no fault of their own, are denied the opportunity to do so. This is something that everyone can understand. This is something I believe the country would respond to – if it really appreciated the severity of the problem and the opportunity for the nation if we fix it.

My Daughter-in-Law, Katie Copps, as some of you know, teaches the hard-of-hearing at the River School in Washington, DC. She has brought home to me the human dimension of this problem. She has given me the chance to really feel the challenge. And she has shown me how much just one person can accomplish who is motivated by

compassion and a commitment to make a difference. There are many more Katie's at work, I know, but there are a lot of potential Katie's out there – people who offer that great helping hand that epitomizes our Nation when it is truly tested. So each of us here today – government, industry, trade associations, advocates, citizens – needs to do more to tell the story because if we don't get the story out, we won't get the kind of comprehensive solution we need.

So as you meet today, exchange ideas on what more you can do, separately or together. Maybe it's a series of new public service announcements you could encourage our media friends to run. I'd offer to help on that. Maybe it's using talk radio or community television more efficiently. Maybe it's continuing grassroots forums across America – I'd help you on that too. I'll bet you have better ideas than mine, so talk about them and put them into action. Everyone here – everyone – can make a difference.

Conclusion

My experience throughout my career has been that we make the most progress with government, industry, and citizens working together rather than as adversaries. Here is a perfect place to do just that. If you think it might work, let me know, and I'll suggest it to our new Chairman, whoever that may be!

Let me stop here. I know a lot of the people in this room. I want to know a lot more. And I want to work with all of you on all of these challenges. Together we can move forward on HAC, we can continue to make gains on design collaboration, we can find new ways to make technology work to integrate Americans with disabilities more fully into our workforce and into our society, and we can mobilize the support of the American people. I feel strongly about these issues, so thanks to CTIA for giving me the opportunity to give this keynote, and thanks to all of you for the work you do every day. You really make a difference.