

**REMARKS OF FCC COMMISSIONER MICHAEL J. COPPS
ON RECEIVING THE PRESIDENT’S AWARD FOR LIFETIME
ACHIEVEMENT
HEARING LOSS ASSOCIATION OF AMERICA CONVENTION
JUNE 16, 2011**

Thank you so much for your kind reception and for this wonderful—and I must say moving—Award. You know, working alongside Brenda Battat, Lise Hamlin, Cheryl Heppner and so many, many others in this audience over the years has been honor enough for me, so I certainly didn’t expect any further recognition. But I have to say—it sure feels good. I am deeply grateful, and I thank you for making my day...and my week and month, too! Working with this community has been for me the most inspiring and rewarding part of my time at the Commission, and I thank every member of this wonderful association for teaching me about the many challenges confronted by our deaf and hard-of-hearing communities and, more importantly, helping awaken the country to the opportunities we have to apply the wonders of new technologies to help overcome these challenges.

Accessibility for the deaf and hard-of-hearing should not be an issue just for the group that is assembled at this conference—it matters to *all* of us because nearly one in five Americans has some degree of hearing loss. These are effects that touch every family and every community, whether it is your aging parent becoming a late-deafened individual, a son or daughter in uniform coming home with injuries incurred in the wars in Iraq or Afghanistan, or a child wanting nothing more than the chance to be a fully-contributing member of society.

Back when I joined the Commission ten years ago, we were just at the dawn of the Twenty-first Century —talking about the *potential* of advanced communications services and technologies to change our lives for the better but still only on the cusp of actually *experiencing* their transformative power. Today most of us have seen that power first-hand, many of us have grown to depend upon these amazing services and technologies, and we understand that access to broadband—both fixed and mobile—is vitally important to our lives. It’s important to our lives as individuals because the door to opportunity is increasingly online. That is where companies recruit and where jobs are found. It’s important to our health in an age where telemedicine is beginning to play such a transformative role in how we care for ourselves. It’s important to how we educate ourselves and our kids for the hyper-competitive world in which we all live. There is hardly a facet of our lives that will be untouched by broadband and the Internet. It will help us decrease, for example, our costly dependence on foreign fuels. It will help us put the brakes on the degradation of our environment. It will, I hope, bring us better news and information and a more robust civic dialogue. So we just have to grab onto these new tools and put them to work for ourselves and our kids and grandkids who are growing up in such a different world from the one into which many of us were born. The bottom line is this: participation in our economy, our society, and even our democracy requires high speed Internet access.

All of us benefit when more of us are connected. Universal adoption means just that—everyone, no matter who they are, where they live, or the particular circumstances of their individual lives, needs to be connected. To me, this access to high-speed, high-value broadband is a defining right of the Twenty-first century. I say let’s treat it as a civil right—because that’s how it should be seen. If we don’t do this, the differences that already divide America will actually grow and that Digital Divide we thought we were getting rid of could actually become deeper and wider in the years ahead. What a lost opportunity, what a tragedy, that would be—to have within our grasp the most dynamic, liberating and opportunity-creating information technology of all time—and let it fall short of its potential to open doors for every American.

An important part of our job at the FCC is to help ensure Americans with disabilities have access to functionally equivalent communications services. Before I go on, I’ve got to tell you that that term “functionally equivalent” doesn’t begin to convey the importance of what we are talking about. It’s so antiseptic. Maybe that’s why the phrase is used in the law. I don’t know, and it is hugely important, but I just want everyone in this country to know that what it really means is the ability of those with disability challenges to enjoy equal opportunities to lead individually and socially productive lives, to communicate using the latest products and services, to have an equal shot at getting a good job, pursuing an education, enjoying good health and, especially in this dangerous age, surviving natural disasters, man-made terror attacks and other threatening emergencies. “Functionally equivalent” is about as heart-warming a term as “network neutrality.” Actually, both network neutrality and functional equivalence are about equal opportunity. I just believe that people get more involved and excited about good causes when they are creatively named. But I digress. The important thing, of course, is that there are people like you working to bring the idea to life.

I was honored to be in the White House to watch President Obama sign the Twenty-First Century Communications and Video Accessibility Act into law last October. Thanks to your tireless advocacy and to true champions on Capitol Hill including Congressman Ed Markey, Congressman Henry Waxman, Senator Jay Rockefeller, Senator Mark Pryor and numerous others, this sweeping piece of communications and civil rights legislation is now the law of the land, and I can tell you this: it is going to make a huge difference. The new law instructs the FCC to take prompt and far-reaching actions to expand opportunity for persons with disabilities. I am happy to report the FCC is hard at work implementing the mandates of this historic legislation.

Allow me to share with you just some of the areas where we’ve already started moving forward:

- Two months ago, we announced the creation of a two-year pilot program to get the Deaf-Blind Equipment Distribution Program up-and-running. The Twenty-first Century Accessibility Act allocated \$10 million annually from the TRS fund for this nationwide effort. The goal here is to make communications technologies and services accessible to low-income individuals who are deaf-blind.

- The FCC has issued a Notice of Proposed Rulemaking to implement the express mandate of Congress to reinstate and modify the video description rules that were originally adopted by the Commission in 2000. Making information that is conveyed visually to the viewing audience accessible to the blind and visually-impaired can be the difference between life and death. Some broadcasters have been providing this service on their own accord since the Commission's rules got hung up by the courts before the new law was passed, and I salute those who have done so for their leadership. The requirements of the new law will greatly expand the amount of programming that is video-described. The Commission must take action to reinstate video description rules before the end of the year to meet Congress' deadline. Sometimes a Congressionally-mandated deadline can be a great tonic!
- We are also addressing hearing aid compatibility requirements for wireless phones and service. Even before the Twenty-first Century Accessibility Act was signed into law, the Commission was already looking at these issues, and now we have issued proposed rules and several Public Notices aimed at encouraging greater accessibility of wireless phones for people who use hearing aids or cochlear implants.
- Two advisory committees have been set up by the new law—the Video Programming Accessibility Advisory Committee and the Emergency Access Advisory Committee—and they have been meeting regularly and working toward issuing recommendations for FCC action:
 - The Emergency Access Advisory Committee, for its part, has already completed a national survey of persons with disabilities regarding emergency calling. We look forward to its recommendations about what policies and practices we can put in place to achieve equal access to emergency services for individuals with disabilities as we migrate to Next Generation 911 that will be capable of receiving emergency calls via text and video as well as voice.
 - The Video Programming Accessibility Advisory Committee is developing recommendations on a host of critical issues central to the new law: closed captioning of Internet programming previously captioned on television; video description of television programming; accessible emergency information for people with vision disabilities; compatibility of accessibility features and new video programming devices; and accessible user interfaces on video programming devices.

I know many of you here today were instrumental in getting this legislation passed in the first place. You did a great job! Now that the action has shifted over to the FCC, you are bringing your talents to the advisory Committees and have already given us valuable comment on our proposed rules. I urge you as strongly as I can to keep it coming because successful implementation of the new law requires that we have the best possible advice from you. This kind of cooperation is important regarding this particular law, but it is also important for all the things we can do together in the years ahead. I remember what my old boss, Senator Fritz Hollings, often said: decisions made without

you are usually decisions against you. I can't begin to tell you how many times I have seen the truth of that during my years in this town!

As great as any of our achievements has been bringing one of my heroes—Karen Peltz-Strauss—back to the Commission. Karen had been at the Commission before, as most of you know, and one of the first recommendations I made to new Chairman Genachowski when he came aboard was to find a way to lure Karen back. He did it, and he gave her the charge and the running room to really make a difference. You know how I approach the whole broad array of disabilities issues? Whenever something comes up, I ask my staff: “What does Karen think about this?” And if it's OK with Karen, you can pretty much make book that it's going to fly with me, too. What a difference she is making—for the Commission, but, more importantly, for you. With Joel Gurin, who runs our Consumer and Governmental Affairs Bureau, and Greg Hlibok and Cheryl King the rest of the incredible team we have in Disability Rights, the Commission is being proactive and productive as never before. Let's have Karen and all the FCC Team here today stand and let's give them a round of applause and let them know how much they are truly appreciated!

Karen and Joel and I are great believers in outreach—outreach to you, outreach to all the folks who don't have those flotillas of lobbyists and lawyers to win hearts and minds—or at least votes—at the FCC. We are trying to open our doors to the full panoply of American stakeholders, so that the Commission can hear directly from real people in real communities who are the overwhelming majority of folks who must live with the consequences of what we do in Washington. There will always be more work to be done on this outreach score, but I believe our current Commission under Chairman Genachowski has made important strides in this area, and I'm excited to see the level of collaboration we are engaging in with the disabilities communities.

We need to hear from you not just on the items related to implementation of the Twenty-first Century Act, but to sustain a dialogue across the whole wide range of telecommunications and media issues before the FCC. So much of our overall agenda affects you, sometimes issues that at first glance may not seem that important to you. For example, in the coming months, the Commission is going to be very focused on reform of our Universal Service Program. That's where Lifeline and Link-Up are and they're really important to you. As the Commission works to reorient Universal Service from a program supporting not just voice, but broadband too, we need your best thinking on how to make it happen.

We also need your valuable input as the Commission works to strengthen the VRS program. This program has been a critical communications link for the deaf and hard of hearing and we cannot allow abuses that we know exist in the program to threaten its long-term viability. The Commission has made some tough decisions and has more on its plate. I am committed to moving forward with reform of the program in a way that protects the interests of consumers who rely on VRS every day to reach their colleagues, friends, and loved ones.

It is not only at the national level where your advocacy is needed. State and local governments are making decisions with major consequences for the disabilities communities. As statehouses and City Halls across the country grapple with harsh budget realities, I know that programs that serve the disabilities communities are often first on the chopping block. Some advocates recently shared with me their concerns about state level action that is harming state relay funds. It's important that your organizations, and you personally, focus on educating your state and local leaders. The hard reality is that what you win on one level can be quickly undone at another—and we just can't let that happen here.

You need to be interested in the media issues being discussed at the Commission, too. The developing national conversation about the future of our media must include Americans with disabilities, people who need access to their local news to be fully participating members of our communities—and who sometimes need it to preserve their own personal safety. With respect to closed captioning, we've certainly seen some progress in the more than twenty years since passage of the Television Decoder Circuitry Act that brought closed captioning to television sets, and in the 15 years since the 1996 Act extended closed captioning to nearly all television programming. But that was 15 years ago, significant gaps remain, and it is time for the Commission to revisit these rules. It's just not enough to generate captions based on teleprompter text in a nightly newscast when that can mean that deaf and hard-of-hearing individuals will miss breaking news, weather updates, and live field interviews. Viewing habits and programming schedules have changed since captioning rules were originally adopted and we need to ensure access to must-have programming like early morning newscasts. These are some of the basic things the FCC can and should do to ensure that deaf and hard-of-hearing Americans have access to local news programming.

Finally, I want to close with a few words on media more generally. As many of you know, this has been another passion of mine since I came to the Commission. I am concerned that our media is not doing the job it needs to do to provide the news and information our democracy needs in order to thrive. We have a stark small “d” democratic challenge to overcome as we move into a new era of communications with one another. Here I am talking about accessibility to a robust media for *all* Americans—you, me and 310,000,000 others.

While at first glance you may think this goes beyond your issues—it doesn't. It impacts them directly. How disability issues are covered and treated by the media makes all the difference on how those issues will fare in the court of public opinion and in the councils of power. If you're happy about how our current media system is handling your issues, you don't need to listen to the rest of my remarks. But if you think those issues might benefit from more diverse coverage, a little more local flavor, and a little more competition within the media industry, then you need to put media up there toward the top of your list of major concerns.

We all know, I think, that thousands of journalists are walking the street in search of a job rather than walking the beat in search of a story, and that hundreds of newsrooms

have been shuttered or put on starvation diets. Investigative journalism is on the endangered species list. I won't go into the reasons why in great detail here, but the short version is an undisciplined era of rampant private sector speculation and consolidation that shrank news production. And this consolidation process was aided and abetted by successive Federal Communications Commissions that encouraged it all, blessed it all, and, to top it off, walked willingly away from their public interest oversight responsibilities. The newspaper and the TV newsroom still produce probably more than 90% of the news we get—even the news we read online—it's just that there's so much less of it—so much less in-depth reporting, so much less accountability journalism, so few reporters in state capitals and fewer bureaus around the world compared with what used to be.

Unless we fix the problems facing traditional news outlets, today's problems in journalism will only continue, and inevitably get worse, in the broadband world of tomorrow. Right now I don't see in the new Internet media the model, the mass or the momentum to fill the void that has eviscerated traditional media. And we don't have the time to wait for something that may never occur. We just have to find ways now to ensure that citizens have access to a worthy media by reasserting public interest values for traditional broadcast media and taking other steps that I am always happy to talk about to make sure the digital world is able to realize its huge potential to nourish our democratic dialogue. And we need to be especially vigilant that we don't allow the dynamic, opportunity-creating potential of broadband and the Internet to travel down the same road of consolidation and too much control by too few companies that inflicted so much damage on traditional media. Will we be smart enough to do this? I don't know. So far the signs are not particularly encouraging. And so much is at stake. So what I ask you to take away from these remarks is that these are your issues, too. You are each a stakeholder in them, and the stakes are huge. Ensuring that every American has access to local news and information is the premise and prerequisite of democracy. Our future depends upon an informed citizenry and the widest possible dissemination of news and information to fuel the nation's conversation with itself.

One final thought. Remember that famous quote from Thomas Jefferson when he was talking about what he would do if he had to choose between having newspapers and no government or government and no newspapers? He said he would choose newspapers without government. He was talking about newspapers, the information infrastructure, the broadband, of his time. But he was really talking about the news. Then he added this: "But I should mean that every man should receive those papers, and be capable of reading them." At this critical juncture two hundred years later we would be wise to heed that advice. Let's make sure everybody can access the digital tools required by the Twenty-First century and let's make sure they know how to understand and use them. This is precisely why we all need to be supporting what are called the "new literacies"—digital literacy, media literacy and news literacy. The leadership of your organization understands how crucial it is that meaningful support be given to educate our citizens on how to navigate the awesome power of the Internet. And it is crucial that, with the proliferation of websites, young people—and us elders, too—can distinguish between trustworthy and not-so-trusty places on the Net and that we have the education we need

to use—and avoid being misused by—our media ecosystem. These are the kinds of things we need to be doing now, not only to strengthen our news and information infrastructure, but to strengthen our democracy through a citizenry armed with the news and information it needs to make informed decisions about the future of our country.

So, there's a lot for us to do, right? A whole lot of work if every American is to share in the benefits of advanced telecommunications and world-class media that can open the doors to a better future. I am, as I noted earlier, proud to have travelled this far down the road alongside you, but we all realize there are so many more steps we need to take together before all people with disabilities—and indeed all Americans—can finally be fully participating, mainstream citizens in our society. It's still a long and winding road to travel—laws to be implemented, perhaps more to be passed, jobs to be secured, people to be educated, cared for and appreciated for their talents and humanity, hearts and minds still to be won over to the cause. But we've come a long way and we can go the rest if we pull together.

As many of you know, I am completing my time at the Commission this year. But I also want you to know this: I am going to continue speaking out and working on these issues in the years ahead. The voices of the disabilities communities inspired me as I walked through the doors of the Commission ten years ago, and they continue to inspire me today.

Thank you for all the good and wonderful things you do. Thank you for giving me this very special day and this Award, which I assure you will be prominently displayed in my office until I leave and in my home after that. Most of all, thank you for the friendship you have shown me through the years. God bless you all.