

**STATEMENT OF  
COMMISSIONER MIGNON L. CLYBURN**

Re: *Amendment of the Commission's Rules Governing Hearing Aid-Compatible Mobile Handsets, WT Docket No. 07-250; Improvements to Benchmarks and Related Requirements Governing Hearing Aid-Compatible Mobile Handsets, WT Docket No. 15-285*

Five years and one month ago, I had the privilege of watching President Barack Obama, with the legendary Stevie Wonder by his side, sign into law the Twenty-First Century Communications and Video Accessibility Act or CVAA. This moment was one of the highlights of my tenure as an FCC Commissioner for it codified this agency's role in advancing the key goals of CVAA: individuals with disabilities should have the same access to emerging Internet Protocol-based communication and video programming technologies in the 21st century as other Americans.

This Order goes farther than any other item, I have considered to date, to ensure that the tens of million Americans, who suffer from hearing loss, have access to the most advanced communications technologies as they develop. Our current rules cover only handsets used with two-way voice or data services classified as Commercial Mobile Radio Service, or CMRS, and only to the extent those networks meet certain technical requirements. In this Order, however, these rules will now cover the emerging wireless technologies of the future. No longer is the scope just limited to CMRS networks. The rules now extend to handsets used with any commercial terrestrial mobile service that enables two-way real-time voice communications among a substantial portion of the public. They also cover those services that use pre-installed software applications.

I am also overjoyed by the Notice because the lead proposal is based on a historic agreement that the commercial mobile industry, equipment manufacturers, and accessibility advocates reached just last week and it will dramatically change our approach to measuring hearing aid compatibility. Our current rules require service providers and handset manufacturers to ensure that a specified fraction or number of their offered handsets meet applicable standards for hearing aid compatibility. These standards are known as acoustic coupling, or M-rating, and inductive coupling, or T rating. The percentage for these models varies based on several factors, but they generally range from one-third to one-half of the covered models.

We should move to an approach that replaces the current fractional benchmark method with a 100 percent regime. In other words, every handset should comply with both standards. The parties agreed that, within two years of the effective date of these new benchmark rules, 66 percent of wireless handset models must comply with both standards and, within eight years, if the Commission determines it is technically feasible, 100 percent of wireless handsets must meet both standards. Finding a path to have the industry agree on a goal of 100 percent compliance, should greatly encourage manufacturers to consider hearing aid compatibility at the earliest stages of the product design process. This represents substantial progress and all parties who signed the agreement are to be commended.

I want to thank Roger Sherman and his staff in the Wireless Bureau for their presentations and excellent work on this item. I also want to recognize Karen Peltz Strauss for her tireless efforts on behalf of people living with disabilities. Karen was instrumental to the CVAA being passed and we are grateful for her service.