

**STATEMENT OF
CHAIRMAN TOM WHEELER**

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*

Since 2003, the Commission's wireless hearing aid compatibility rules have sought to ensure that Americans with hearing loss have access to telephone service through a wide array of wireless handsets and other devices used for voice communications. Today, we take a significant step toward modernizing our hearing aid compatibility rules to keep pace with past and future advances in the wireless handset marketplace.

The Twenty-First Century Communications and Video Accessibility Act of 2010 (CVAA) requires that a wide array of mobile devices are accessible for people with hearing loss. At the same time, the law dictates that we expand hearing aid compatibility requirements only where technologically feasible and where the new obligations would not increase costs to such a point that the devices are not marketable. Today's rules are both pro-accessibility and pro-innovation.

Until now, the hearing aid compatibility rules have been focused on handsets used with traditional cellular networks and have only required accessibility for a fractional subset of devices. For example, the rules did not apply to IP-based voice services such as voice over LTE (VoLTE) or Wi-Fi calling. Individuals with hearing loss should not be relegated to specific services based on the often technologically distinct but practically indistinguishable particulars of *how* such services are provided and deserve to have the same mobile communications options as other consumers.

Most consumers who use hearing aids don't care about the underlying technology specs. They just want their devices to be accessible and fully functional. That's why the rules we adopt today eliminate uncertainty about the scope of compliance requirements. As a result, the rules now extend, with limited exceptions, to handsets used with any terrestrial mobile service that enables two-way real-time voice communications among members of the public.

The Report and Order updates our rules to cover modes of voice communications that are increasingly available to, and relied upon by, the public, as well as those that may develop in the future. We expand the scope of these rules beyond handsets that use traditional cellular networks to cover the emerging wireless technologies of today and tomorrow. The action we take in the Report and Order will require that future technologies comply with our hearing aid compatibility rules, ensuring that consumers with hearing loss are not always trying to catch up to technology and providing industry with additional regulatory certainty.

However, consistent with our statutory obligation to expand hearing aid compatibility requirements without unnecessarily hampering innovation and investment, the new rules do not cover certain narrow types of service, and they continue to allow manufacturers and service providers to obtain waivers for new technologies if certain conditions are met.

In addition, today's Notice of Proposed Rulemaking seeks comment on a groundbreaking consensus plan developed through collaborative discussions among consumer and industry representatives. Their plan would, for the first time, establish a goal of achieving hearing aid compatibility for one hundred percent of new handsets, and it would also set out a staged roadmap, fixed timeline, and benchmarks to get to that important point. We seek comment on this approach, but we also note that we presumptively support it, and we highlight it in the NPRM as the core proposal.

Together, these two actions – expanding the scope to cover new technologies and enlisting stakeholders to make all devices compatible – will result in greater access to wireless technologies for the tens of millions of Americans with hearing loss. This approach reflects a vote of confidence in the American innovation economy. We are not forced to choose between innovative technologies on the one hand and devices accessible to people with hearing loss on the other. American innovation can enable – not limit— accessibility for all devices and technologies by those with hearing loss.

Thank you to the Wireless Bureau and the Consumer and Governmental Affairs Bureau for their work on this item.