



Recommendation 9.9 proposes that the Commission establish an Accessibility and Innovation Forum to facilitate the sharing of information pertaining to accessibility issues facing persons with disabilities.<sup>3</sup> Among the mechanisms proposed by the Commission for sharing information are (1) an online “clearinghouse” where consumers, manufacturers, service providers, assistive technology companies, third-party application developers, government representatives, and others can share information about products and services that promote accessibility; (2) an online blog to share best practices, announcements, and the status of commercial and public efforts to improve accessibility; and (3) workshops and field events to share and discuss technological breakthroughs that promote accessibility.

In a relatively short period, the wireless industry has evolved from the classic, voice-only “brick phone” to all-in-one mobile computers that offer voice, text, Internet, video, and thousands of applications, with each generation of device and service incorporating more accessibility features and functions than the last. CTIA commends the Commission for recognizing in the National Broadband Plan the important contribution wireless technologies have provided the accessibility community and agrees that accessible mobile broadband technologies are a “big deal” for all Americans.<sup>4</sup> CTIA supports the Commission’s efforts to ensure consumers are better informed about available accessible wireless products, services and applications and respectfully submits these comments.

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<sup>3</sup> FEDERAL COMMUNICATIONS COMMISSION, CONNECTING AMERICA: THE NATIONAL BROADBAND PLAN 181, CHAPTER 9 (2010) (“*National Broadband Plan*”), [www.broadband.gov/plan/](http://www.broadband.gov/plan/).

<sup>4</sup> *National Broadband Plan* at 181; see also, Elizabeth Lyle, *A Giant Leap & A Big Deal: Delivering on the Promise of Equal Access to Broadband for People with Disabilities*, FCC OBI Working Paper Series, 13 (April 2010) (“FCC Accessibility White Paper”).

## **II. THE WIRELESS INDUSTRY PROVIDES CHOICE IN ACCESSIBLE WIRELESS SERVICES AND DEVICES TO MEET AN INDIVIDUAL'S NEEDS.**

Today, as the result of a robust and competitive wireless ecosystem, U.S. consumers have the kind of choice and value that consumers around the world strive for. U.S. wireless companies serve more than 285 million active subscriber connections, more than 600 unique wireless devices are available in the United States, more than 1.5 trillion text messages were reported in 2009, and wireless carriers offer a wide variety of services and plans.<sup>5</sup> With the increased availability of mobile broadband services and significant growth and adoption of smartphones, an explosion of applications to run on wireless devices also has occurred. While the first “app store” launched in July 2008, today, there are more than 240,000 applications (“apps”) available from seven different stores which consumers have downloaded over five billion times.<sup>6</sup>

This innovative and competitive mobile ecosystem has provided benefits to persons with disabilities unmatched in other communications industries and the market for accessible wireless products continues to evolve. Wireless carriers offer service plans and accessible software specifically for persons with disabilities and, in addition, this community may find increasing attention to accessibility in mainstream services and devices available to all consumers.<sup>7</sup> Moreover, competition is vigorous among

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<sup>5</sup> CTIA Wireless Industry Indices Report: Year-End 2009 (rel. Mar. 2010), *available at* [www.ctia.org](http://www.ctia.org).

<sup>6</sup> Written Ex Parte Communications of CTIA-The Wireless Association, WT Docket No. 09-66, GN Docket No. 09-157, and GN Docket No. 09-51 at 9-10 (April 29, 2010); Steve Jobs, Chief Executive Officer, Apple, Inc. Keynote Address at the Apple World Wide Developer Conference 2010 (June 7, 2010) *available at* <http://events.apple.com.edgesuite.net/1006ad9g4hjk/event/index.html>.

<sup>7</sup> *See*, AT&T, Text Accessibility Plans (TAP), <http://www.wireless.att.com/learn/articles-resources/disability-resources/disability-resources.jsp> (last visited June 5, 2010); Sprint Relay Data Only Plan, <http://sprintrelaystore.com> (last visited June 5, 2010); T-Mobile Smartphone ® Plans (continued on next page)

manufacturers to increase market share and serve persons with disabilities by incorporating “built-in” accessibility features, including text-to-speech, speech-to-text and screen readers, Hearing Aid Compatibility (“HAC”), support for Tele-Typewriters (“TTY”) and Assistive Technology (“AT”), predictive text, word completion, voice activated features and closed captioning.<sup>8</sup> Persons with disabilities can now find innovative mobile devices and services to replace expensive, immobile assistive communication devices at significantly less cost.

As the Commission described in its recent White Paper, manufacturers are also incorporating accessible features into their application requirements and encouraging the accessibility of third-party applications to utilize these built-in accessibility features, often yielding more efficient and affordable accessibility solutions than dedicated AT devices.<sup>9</sup> CTIA believes these “app” solutions are just the beginning of a mobile revolution that allows persons with disabilities to access the wireless products and services of their choice.

While these examples highlight the potential of mobile devices for persons with disabilities today, the selection of a wireless device continues to be a highly personalized

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[www.sidekick.com](http://www.sidekick.com) (last visited June 5, 2010); U.S. Cellular, Deaf and Hard of Hearing/Text-Only Calling Plans, <http://www.uscellular.com/uscellular/common/common.jsp?path=/plans/text-only.html> (last visited June 5, 2010); Verizon Wireless, Nationwide Messaging Plans, <http://aboutus.vzw.com/accessibility/index.html> (last visited June 5, 2010).

<sup>8</sup> See Apple, Inc., [www.apple.com/accessibility/](http://www.apple.com/accessibility/) (last visited June 5, 2010); Motorola, Inc., [www.motorola.com/accessibility](http://www.motorola.com/accessibility) (last visited June 5, 2010), Nokia, Inc. <http://www.nokiaaccessibility.com/> (last visited June 5, 2010); RIM, Inc., BlackBerry Accessibility [http://na.blackberry.com/eng/support/devices/blackberry\\_accessibility/](http://na.blackberry.com/eng/support/devices/blackberry_accessibility/) (last visited June 5, 2010); National Center for Accessible Media (“NCAM”), Captioning Solutions for Handheld Media and Mobile Devices - Device Comparison Chart [http://ncam.wgbh.org/invent\\_build/web\\_multimedia/mobile-devices/devices](http://ncam.wgbh.org/invent_build/web_multimedia/mobile-devices/devices) (last visited June 5, 2010).

<sup>9</sup> *FCC Accessibility White Paper* at 13.

choice for every consumer based on a range of unique factors and product awareness, all of which are central to finding the right mobile device and service. Wireless carriers and manufacturers have taken a number of steps to educate the accessibility community and senior citizens about the plethora of available and affordable wireless products, services and features through company websites or direct outreach.<sup>10</sup> In addition, CTIA, along with our carrier and manufacturing members, provides information about accessible products and features at [www.AccessWireless.Org](http://www.AccessWireless.Org) and hosts the Rehabilitation Engineering Research Center on Wireless Technologies' ("Wireless RERC") five-part video series to help consumers choose a HAC wireless device.

Today, consumers are better informed because of industry and accessibility community collaborative educational efforts, and working together, more can be done to ensure consumers make informed choices when choosing from the variety of accessible wireless products, services, and "apps."<sup>11</sup> CTIA supports the FCC's *Accessibility and Innovation Forum*, which is being established to share best practices, hold workshops,

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<sup>10</sup> See, John P. Krudy, *Seniors Tackle Cell Phone Tech*, THE WASHINGTON TIMES (June 1, 2009) available at [http://www.washingtontimes.com/news/2009/jun/01/seniors-tackle-cell-phone-tech/?feat=article\\_related\\_stories](http://www.washingtontimes.com/news/2009/jun/01/seniors-tackle-cell-phone-tech/?feat=article_related_stories). See also, AT&T, National Center for Customers with Disabilities (NCCD), <http://www.wireless.att.com/learn/articles-resources/disability-resources/nccd.jsp> (last visited June 5, 2010).

<sup>11</sup> Among all communications industries (wireline, cable, and wireless), the FCC's Consumer & Government Affairs Bureau reported receiving a limited number of accessibility complaints (773 total) during the year period, October 1, 2008 to September 30, 2009, including 98 (13%) for Section 255 generally, 210 (47%) for relay services, 436 (55%) for closed captioning, 24 (3%) for emergency information over video programming; and 5 (0.6%) which addressed wireless Hearing Aid Compatibility (HAC) FCC, Consumer & Government Affairs Bureau, Disability Rights Office, <http://www.fcc.gov/cgb/dro/> (last visited June 5, 2010); see also, Wireless RERC, *Second SUN for Wireless Technology 2007 – 2009* at 7 and 12; Wireless RERC, *Hearing Aid Compatible Cellphones: Findings from the Annual Survey of Consumer Experiences, 2006-2008* (May 2009).

and aggregate information about accessible products and solutions for consumers.<sup>12</sup> Collaborative processes have proven effective at addressing the fast-moving, innovative and ever-changing aspects of the wireless industry while providing persons with disabilities the information needed to make informed decisions. CTIA and its members are committed to continuing these and future collaborative initiatives in partnership with the accessibility community.

**III. THE ACCESSIBILITY AND INNOVATION FORUM'S PRIMARY MISSION SHOULD BE CONSUMER EDUCATION AND AWARENESS INITIATIVES DEVELOPED THROUGH A COLLABORATIVE BODY.**

First and foremost, CTIA believes the Accessibility and Innovation Forum's goal should be to identify available tools useful for consumers which will help persons with disabilities, disabled military veterans and their families, and other interested parties to find accessible products and services. When searching for accessible products and services, wireless consumers are concerned with the three core questions: Who offers accessible products and services? What are the accessible features and functions available? Where can I find accessible products, services and applications? The Accessibility and Innovation Forum should primarily focus on addressing these concerns which help consumers to find information about available products and services.

In addition to identifying available tools, the Accessibility and Innovation Forum should develop a collaborative process, among consumers, industry and Commission staff, to identify, review and prioritize accessibility issues based on a consensus of the

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<sup>12</sup> See, FCC, BlogBand, Disabilities Access, <http://blog.broadband.gov/?categoryId=13843> (last visited June 5, 2010); *National Broadband Plan* at 181; *FCC Accessibility White Paper* at 28;

collaborative body. While CTIA recognizes there are existing formal advisory committee's which may address accessibility issues in a regulatory context, the creation of an ad hoc collaborative body of subject matter experts from consumer representatives, industry and Commission staff can provide insightful comments and support for the Accessibility and Innovation Forum's collateral efforts.

For example, voluntary collaborative efforts have already proven effective at addressing specific accessibility issues, such as HAC with wireless devices and accessibility for commercial mobile alerts. CTIA is a participating member of the ATIS Hearing Aid Compatibility Incubator process which advised the Commission's HAC requirements and developed consumer awareness and education initiatives regarding HAC wireless devices.<sup>13</sup> CTIA and many wireless carriers also participated on the Commission's Commercial Mobile Service Alerts Advisory Committee (CMSAAC) which incorporated accessibility requirements into its recommendation for the Commercial Mobile Alert System (CMAS) while balancing competing requirements of technological limitations and system effectiveness.<sup>14</sup>

Once established, a collaborative body of recognized subject matter experts, from both the accessibility community and industry, could make consensus recommendations

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<sup>13</sup> The ATIS Incubator Solutions Program #4 (AISP.4) investigates performance between hearing aids (HAs) and Wireless Device (WDs) to determine methods of enhancing interoperability and usability for consumers with hearing aids. Members include wireless device manufacturers, wireless service providers, hearing aid manufacturers and accessibility community representatives. ATIS Incubator Solutions Program 4, Hearing Aid Compatibility Incubator, <http://www.atis.org/hac/> (last visited June 7, 2010). See also, CTIA, *Hearing Aid Compatibility Videos – Choosing a Cell Phone that Works for You*, available at [www.accesswireless.org](http://www.accesswireless.org) (last visited June 7, 2010).

<sup>14</sup> FCC, *Commercial Mobile Alerting System*, First Report & Order, PS Docket No. 07-287 (April 9, 2009) (“CMAS First Report & Order”).

about accessibility issues. For example, the collaborative body may identify a particular accessibility problem within a particular segment of the accessibility community (i.e. deaf, blind, deaf-blind, cognitive, etc.) or a particular goal such as broadband adoption, education or healthcare through a Blog or online forum, the Chairman's award and workshops or field events. The Accessibility and Innovation Forum could then focus combined efforts on providing information or encouraging the development of solutions related to those identified issues. The prioritized issue may simultaneously encourage related industries to coordinate their accessibility initiatives to address the issue, much as the wireless industry did to address HAC and CMAS accessibility issues.

The Chairman's award, Blog and workshops may also be excellent tools to highlight the use of accessible technologies which further the National Broadband Plan's national purposes and direct consumers to useful information about accessible products and services. New media and open forums are tremendous resources for consumers to interact and discuss solutions to accessibility challenges they may encounter in a workplace or educational environment. However, the Commission should exercise caution when creating online forums or tools which allow commenters to offer inaccurate, out of date or inappropriate comments about specific products, services, manufacturers or providers.

Throughout these efforts, the Commission should carefully balance consumer expectations for specific accessibility solutions against the commercial availability and technological feasibility of these solutions. CTIA believes the goal of the Accessibility and Innovation Forum, such as the Chairman's award, should be to generate awareness for commercially available accessible products and solutions which address unique needs

of persons with disabilities while balancing technological and network parameters, commercial marketability or other relevant factors.

The Accessibility and Innovation Forum could also be a useful tool to help consumers resolve accessibility issues with specific products or services, without resorting to regulatory procedures. For example, the clearinghouse could provide information resources which encourage consumers to directly contact service providers or manufacturers regarding questions or issues about accessible products and services. The Blog could also remind and instruct consumers about the Commission's existing complaint processes where products or services are believed to be violating federal law or Commission rules. However, the Commission should avoid taking regulatory action based on information received or collected solely through the clearinghouse, blog or "open forum" which alleges violations of federal law or Commission rules.<sup>15</sup> In order to take such actions, the Commission must of course comply with federal procedural rules such as the Administrative Procedure Act, Paperwork Reduction Act and copyright law.<sup>16</sup>

#### **IV. THE ACCESSIBILITY AND INNOVATION FORUM'S CLEARINGHOUSE SHOULD UTILIZE AN AGGREGATION MODEL AND CORE FUNCTIONALITY DESIGN TO CONNECT CONSUMERS WITH AVAILABLE INFORMATION AND TOOLS.**

CTIA strongly supports the Accessibility and Innovation Forum's clearinghouse where consumers may find a pathway to information about accessible products and services. There are a plethora of wireless devices and services available and under

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<sup>15</sup> Moreover, the Commission should moderate the discussions to prevent disparagement of any commercial product or service on a government website.

<sup>16</sup> The Administrative Procedure Act, 5 U.S.C. § 701 *et seq.*; Paperwork Reduction Act, 44 U.S.C. § 3501 *et seq.*; Copyrights, 17 U.S.C. § 101 *et seq.*

development that incorporate accessibility features and functions for persons with disabilities. CTIA believes a central resource coupled with education and outreach regarding the availability of accessible products, services and solutions will help persons with disabilities navigate the diverse advanced communications marketplace.

CTIA recommends the Accessibility and Innovation Forum's clearinghouse employ an aggregator model where information is assembled from different sources and presented in a generalized manner. Rather than providing information about specific products or services, an information aggregation model can utilize information publicly available in the short term and may be more manageable and relevant for consumers in the long term. The Commission could quickly pull together accessible resources already voluntarily provided by accessibility experts, consumer advocates, industry and government agencies in a central location. The clearinghouse would also maintain relevance for consumers over a longer period of time under the aggregator model, even as new products, services and applications are brought to market in a constantly evolving wireless ecosystem.

With regard to design, the clearinghouse should provide information about accessible technological solutions by core functionality (i.e. hearing, vision, cognitive and mobility), rather than industry sector (i.e. cable, wireless, broadcast), given the breadth of accessible solutions available across technological platforms. Persons with disabilities may find the core functionality design model easier to navigate when searching for information relevant to their unique needs, regardless of technological platform.

The Federal Trade Commission's *OnGuardOnline.gov* offers an example of a clearinghouse utilizing the aggregator model to provide information about content control tools, computer security, identify theft and other online safety issues.<sup>17</sup> Specifically, *OnGuardOnline.gov* provides technology neutral information which is presented in an "easy to use" format with tutorials and "how-to" information, games and other tools. Another example is *Disability.gov*, an award-winning federal Web site that contains disability-related resources on programs, services, laws and regulations related to education, emergency preparedness, employment, housing, health, technology and transportation, among others, to help people with disabilities lead full, independent lives.<sup>18</sup> In addition, the Wireless RERC has established *MyWirelessReview.com* as a user-focused "test drive" forum for consumers, industry and academia to discuss accessibility of wireless products. Wireless RERC project staff and consumer advisors regularly add content, including consumer blogs and links to other resources of interest to customers with disabilities.

Similarly, CTIA's *AccessWireless.org* provides generalized information about accessible wireless products and services, offers helpful tips and "how-to" information and links to specific manufacturers and service providers. *AccessWireless.Org* was developed in consultation with the accessibility community to provide links to wireless

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<sup>17</sup> "OnGuardOnline.gov provides practical tips from the federal government and the technology industry to help you be on guard against internet fraud, secure your computer, and protect your personal information." The Federal Trade Commission (FTC) maintains OnGuardOnline.gov with significant contributions from other federal agencies, industry and non-profit partners. OnGuard Online – Your Net Safety™, <http://www.onguardonline.gov> (last visited June 9, 2010).

<sup>18</sup> Disability.gov is managed by the U.S. Department of Labor's Office of Disability Employment Policy (ODEP), in partnership with 21 other federal agencies. [www.disability.gov](http://www.disability.gov) (last visited June 9, 2010).

carrier and manufacturer accessibility sites, answers common questions about wireless HAC and emergency services and help persons with disabilities be more informed consumers. The Mobile Manufacturers Forum has also launched the Global Accessibility Reporting Initiative (“GARI”) which provides a searchable list of various accessibility features built-in to a wireless device and links directly to a manufacturer’s Web site for specific information on particular models.<sup>19</sup>

As these examples highlight, the aggregator model can harness the wealth of information about accessible products, services and applications already available. Using this model, CTIA believes the Accessibility and Innovation Forum’s clearinghouse can quickly develop into a timely and relevant tool for consumers searching for accessible products and services to meet their unique needs.

## **V. CONCLUSION**

The innovative and competitive U.S. mobile ecosystem has provided benefits to persons with disabilities unmatched in other communications industries and the innovative market for accessible wireless products will continue to be a “big deal” for all Americans. Given the constantly evolving choices in devices, services and applications and new products being introduced to the market every day, CTIA and its members are equally committed to continuing collaborative partnerships with the FCC and consumers to ensure consumers are better informed through the Accessibility and Innovation Forum.

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<sup>19</sup> Mobile Manufacturers Forum, Global Accessibility Reporting Initiative, <http://www.mobileaccessibility.info/> (last visited June 9, 2010).

Respectfully submitted,

By: /s/ Matthew B. Gerst

Matthew B. Gerst  
Counsel, External & State Affairs

Michael F. Altschul  
Senior Vice President, General  
Counsel

Christopher Guttman-McCabe  
Vice President, Regulatory Affairs

Scott Bergmann  
Assistant Vice President,  
Regulatory Affairs

**CTIA–The Wireless Association®**  
1400 16<sup>th</sup> Street, NW, Suite 600  
Washington, DC 20036  
(202) 785-0081  
[www.ctia.org](http://www.ctia.org)

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