

**SEPARATE STATEMENT OF  
CHAIRMAN MICHAEL K. POWELL**

*Re: In the Matter of Section 68.4(a) of the Commission's Rule Governing Hearing Aid-Compatible Telephones; WT Docket No. 01-309 (adopted July 10, 2003)*

Today the Commission takes a historic step in making digital wireless technologies accessible by consumers with disabilities by modifying the Hearing Aid Compatibility exemption for wireless phones. For fifteen years, the exemption has remained in place – potentially walling off full access to these groundbreaking technologies for millions of Americans. Today we tear down that wall.

As a society we are diminished by our inability to communicate readily with persons with hearing disabilities. Approximately one in ten Americans has such a disability and experts expect that number only to rise. As the technology and the marketplace have matured, it has become increasingly clear that the exemption is no longer a tenable course.

I fundamentally believe that one of our core obligations as public servants is to ensure that all Americans have access to transformative communications technologies. The Commission has moved aggressively to realize this goal through a number of initiatives including our Section 504 Handbook, funding of IP Relay, and our revised TRS rules. That commitment is further illustrated by today's decision.

Our work is not yet complete. In the months and years ahead, we will continue to work with the phone manufacturers, the hearing aid community and wireless carriers to ensure that the goals established in this order are met. The technical standard we adopt today relies on both cell phone and hearing aid manufacturers to test and label their products in order for consumers to make informed choices in the marketplace. We stand ready to work cooperatively with all of these parties to make sure this process works. Our next steps are not just with industry, however. The Wireless and Consumer and Governmental Affairs Bureaus will be partnering with other government and private groups to educate consumers about compatibility. As part of this effort, I particularly appreciate the Food and Drug Administration's commitment to work with the FCC to educate consumers, audiologists, and other groups to ensure individuals with hearing disabilities may take full advantage of these services.