

**SEPARATE STATEMENT OF
COMMISSIONER KEVIN J. MARTIN**

Re: Section 68.4(a) of the Commission's Rules Governing Hearing Aid-Compatible Phones, Report and Order, WT Docket No. 01-309, RM-8658

This item addresses a very important issue. Approximately one in ten Americans – and one in three over the age of 65 – suffers from some level of hearing loss. Many of these people are able to mitigate their loss through the use of hearing aids and cochlear implants. Consumers that use these devices, however, may suffer annoying and sometimes painful interference when using digital wireless phones. Unlike analog wireless phones, which do not generally cause interference for hearing aid users, the electromagnetic energy emitted by digital phones' antenna, backlight, and other components can cause interference to hearing aids and cochlear implants. But digital phones have become pervasive. Analog phones are not only becoming less and less available, they increasingly do not offer the same services and pricing packages as digital phones.

At the same time, the importance of wireless phones has grown dramatically since Congress passed the Hearing Aid Compatibility Act of 1988 (HAC Act). Consumers have come to rely on the phones for emergencies. Some are now substituting wireless phones for their landline phones. Many employers now rely on wireless phones to stay in contact with employees in the field.

This item recognizes the importance of wireless phones for all Americans and concludes that, to the extent possible, hearing impaired individuals should not be excluded. While exactly how to make this happen is a difficult question, this item takes some important steps in the right direction. Most importantly, this item adopts a standard for hearing aid compatibility and establishes a specific timeframe for manufacturers and carriers to make available hearing aid-compatible digital wireless phones. These actions promote the Congressional goal of ensuring access to telecommunications services for individuals with hearing disabilities and are critical in light of the rising importance of wireless phones. I am thus pleased to support the Order.