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October 14, 2010

Ms. Marlene H. Dortch
Federal Communications Commission
Office of the Secretary
445 12th Street SW
Washington, DC 20554

Re: CTIA–The Wireless Association’s comments to Accessible Mobile Phone Options for People Who Are Blind, Deaf-blind, or Have Low Vision, CG Docket No. 10–145

Dear Secretary Dortch:

The National Federation of the Blind (NFB) would like to respond to comments made by CTIA–The Wireless Association (CTIA) with regard to accessible mobile phone options for people who are blind. In this letter, we will directly address claims made by CTIA. As the nation’s largest and oldest organization of blind people, we represent the stakeholders in this matter and a large group of potential and current customers of the Association’s members. We hope our comments will be taken into consideration. For our complete feedback and recommendations, we urge you to look at our original comments sent on September 13 and resent on September 30.

CTIA’s comments to the Commission emphasize the progress that wireless phone manufacturers and service providers have made in increasing access for blind, deaf-blind, and low-vision users. However, while we applaud the progress companies have made, they have simply not gone far enough. The number of barriers to access is jarring and the extent of inaccessibility is overwhelming, considering current advances in technology and the innovations being produced as a result of competition. There is only *one* wireless device in the marketplace that is fully accessible to the blind user. The Apple iPhone utilizes a built-in text-to-speech application called VoiceOver, allowing a blind consumer to buy the device and use every feature right out of the box without the aid of third-party access software. This phone is one of the most expensive handsets on the market and is currently only available through AT&T. We reject the notion that the existence of a single, costly option is sufficient progress by the entire wireless technology industry.

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CTIA references the 2010 Survey of User Needs conducted by the Rehabilitation Engineering Research Center for Wireless Technologies. Specifically, CTIA cites the finding that 92 percent of visually impaired respondents use wireless devices as sufficient evidence that accessibility is being achieved. This statistic only indicates the necessity of wireless phones in modern life. The statistic also indicates the number of blind and low-vision consumers who have chosen to pay full price for a partially accessible phone because their independence and productivity cannot be compromised by the digital divide that exists in the wireless marketplace. Partial accessibility is better than no accessibility, but is far from a sufficient or acceptable standard of progress.

CTIA also points to many of its member's handsets that have built-in text-to-speech features as evidence of progress in accessibility by phone manufacturers. However, text-to-speech functionality does not necessarily guarantee that the interface is operable by a blind person. Some phones equipped with text-to-speech might read a text message out loud, but not read the menus to the user. It is very common for handsets to include so-called accessibility features that do not necessarily increase accessibility. This is why the National Federation of the Blind is encouraging the Commission to establish nonvisual access guidelines to define what accessibility means and how it is achieved.

In addition to phone manufacturers, CTIA recognizes its service-provider members for having data plans that supposedly increase access. It points to AT&T's Text Accessibility Plan for unlimited texts, Verizon Wireless' Nationwide Messaging plans, and T-Mobile's unlimited e-mail and instant messaging. These data plans do not specifically target disabled users and certainly do not increase access for the blind. If a blind person cannot utilize the text-messaging menu, that user can hardly benefit from unlimited text messaging.

CTIA's explanation of ways the blind can indirectly benefit from certain wireless technologies and labeling of those benefits as "unprecedented opportunities" is false and misguided. In its comments to the Commission, CTIA claims:

"For the blind, charting unfamiliar territory such as crowded streets and mass transit required significant planning and the help of colleagues, friends and family. Today, mobile handsets with text-to-speech features or Braille display compatibility and global positioning system ("GPS") technology can read aloud on-screen maps and points of interest for orientation and bus and train arrival and departure information for efficiency and safety."

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There are three points of contention with this statement. First, the blind are capable of traveling independently without the help of other people, significant planning, or technology. Blind people have always and will continue to use mobility skills to travel utilizing a white cane or guide dog, and the National Federation of the Blind does not consider advances in technology such as GPS any more or less beneficial to our ability to travel independently than those advances are for the sighted. Second, we do not consider the above-listed features as providing “unprecedented opportunities.” The ability to quickly learn train arrival and departure information might be convenient, but it is not necessarily an “opportunity” and is certainly not unprecedented. Also, the ability to access basic phone information on a Braille display is not an opportunity; it is a necessity to utilizing a wireless handset. Thirdly, CTIA is implying that text-to-speech, GPS, and other wireless technologies have improved the lives of blind people in ways that were not intended when the technology was designed, and that these extra benefits somehow replace the inconveniences caused by inaccessibility.

CTIA is missing the mark when it comes to blind people and inaccessible wireless phones. The Commission’s inquiry into this matter is driven by the lack of available, affordable, accessible wireless phones for blind people despite the social and economic necessity of having a mobile phone. Regardless of what relative benefit new technologies provide, there is an overwhelming lack of access to basic phone features and functions and thus an infringement on blind consumer’s rights. Our ultimate goal as blind consumers is to be able to purchase wireless phones at the same price as our sighted peers and then utilize all of the same functions and features of that phone that the sighted use.

Furthermore, CTIA fails to recognize that any and all benefits from Braille-display compatibility still come at a cost to the blind consumer. Blind people must purchase Braille displays and other third-party access software, which add to the overall cost of their wireless technology.

The National Federation of the Blind applauds CTIA for beginning a collaborative process with consumer representatives, Commission staff, and its member companies to determine the best way to make information available to consumers through www.AccessWireless.org. We also respect CTIA’s assertion that the Commission recognizes the progress made by the wireless industry to increase accessibility for the blind. However, it is simply not enough. CTIA has claimed that “as wireless handsets get ‘smarter’, wireless adoption increases and the cost of handsets and service plans continue to decline,” but the current

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marketplace is showing that the digital divide is actually *growing* as wireless handsets get smarter.

Until full access is achieved, the Commission should establish accessibility guidelines to encourage innovations that meet the needs of disabled consumers and hold the industry accountable. As technology evolves, our laws need to evolve to reflect its evolution and continue to protect the rights of the disabled. Access to wireless mobile technology has been and will continue to be denied to blind people until the Commission and industry actively pursue protecting blind people's right to access.

Sincerely,

A handwritten signature in black ink, appearing to read "John Paré Jr.", written in a cursive style.

John G. Paré Jr.
Executive Director for Strategic Initiatives
NATIONAL FEDERATION OF THE BLIND