

4/1, 1998

# DC-SHHH Group

1618-C Belmont St., NW • Washington • DC • 20009 • 202-238-0073 TTY • NDArch@Pipeline.com

DOCKET FILE COPY ORIGINAL

June 23, 1998

Office of the Secretary  
Federal Communications Commission  
Washington, DC 20554

Dear Sir/Madam:

On behalf of the members and friends of the *DC (District of Columbia)-SHHH Group*, a network for the National Headquarters of the Self Help for Hard of Hearing People, Inc. in Bethesda, MD, I am writing to complain with the Federal Communications Commission's adoption of the Access Board guidelines.

When Congress wrote the Telecommunications Act, it adopted the term "readily achievable" from the Americans with Disabilities Act (ADA) to describe a company's obligation to make products accessible. Under the ADA, entities are not expected to undertake changes that are difficult or involve a financial burden. The overall financial resources of the entity are a consideration meaning that large companies might be expected to provide an accommodation that would be out of the reach of a smaller concern.

The FCC deviates dramatically from the readily achievable standard that has traditionally been used in disability law by introducing the concept of "cost recovery." The FCC states that it is appropriate for a manufacturer or provider to consider whether or not it will recover the costs of increased accessibility in its assessment of the readily achievable standards.

Note that introducing the cost recovery concept here would undermine the concept of accessibility in our society. It is because market forces do not work that we have laws, such as the ADA, requiring accessibility. Entities already have protection from excessive cost impacts under the readily achievable standard. Allowing a company to determine if an accessibility feature will "pay for itself" is a major deviation from the way we have addressed accessibility in the past.

From my experience with telecoils that were not mandated for cellular telephones, most analog cell phones still don't have telecoils for hearing aid users. I would like to state that my experience in the communication access for hard of hearing employees and employers at the workplace that is important for me and members of the DC SHHH Group. I had worn hearing aids for many years until I changed to get new Cochlear Implants last November, although it

No. of Copies received  
DATE RECEIVED

07/1

# *DC-SHHH* Group

Thank you for your kind cooperation and understanding in the matters with the FCC's adoption into the Telecommunication Acts of 1996.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Robert Nichols". The signature is written in a cursive, flowing style.

Robert Nichols  
DC-SHHH Group, President

cc: Board members and friends



# Community Options, Inc.

161-65 Woodruff Avenue, Brooklyn, NY 11226  
(718) 940-8600 Fax- (718) 940-8377

96-198

Robert P. Stack  
President/CEO

Reginald D. Shell  
Executive Director

June 22, 1998

DOCKET FILE COPY ORIGINAL

Federal Communication Commission  
Office of the Secretary  
1919 M Street, NW Room 222  
Washington, DC 20554

Dear Secretary:

As a provider of services to persons with disabilities it is important that they be able to utilized the technology that assists every American citizen in the advancing field of communications.

For that reason , I ask that your office make every effort to ensure that guideline recommended in Access Board Section 255 be included in the Telecommunications Act that will be considered by Congress. Those recommendations will go a long way to ensure disabled persons have the ability to access information and utilized communications technology into the next century.

Sincerely,

  
Reginald D. Shell  
Executive Director

No. of copies rec'd  
List ABOVE

0+1