



The Nation's Voice for People with Hearing Loss

Via Electronic Submission

June 6, 2016

Federal Aviation Administration
Office of Airports
Airport Engineering Division

Re: Advisory Circular, (AC) 150/5360-14A,
Access to Airports by Individuals with Disabilities
Docket Number FAA-2016-4796

The Federal Aviation Administration (FAA) announced the availability of draft Advisory Circular, (AC) 150/5360-14A, Access to Airports by Individuals with Disabilities, for public review June, 2016. The AC provides guidance and recommendations for ensuring access to airports by individuals with disabilities.

The Hearing Loss Association of America (HLAA), founded in 1979, opens the world of communication to people with hearing loss through information, education, support and advocacy. HLAA represents and advocates for the rights of some 48 million people with hearing loss on a range of issues, including access to transportation of all modes.

Established in 1880, the National Association of the Deaf (NAD) is the nation's oldest and largest consumer-based national advocacy organization safeguarding the civil and accessibility rights of deaf and hard of hearing individuals in the United States of America. The advocacy scope of the NAD is broad, covering the breadth of a lifetime and impacting future generations in the areas of education, employment, technology, telecommunications, transportation and more.

Established in 1968, TDI is a national consumer advocacy organization that provides leadership in achieving equal access to telecommunications, media, and information technologies for 48 million Americans who are deaf and hard of hearing. TDI publishes the TDI World quarterly magazine and the annual TDI National Directory & Resource Guide, also known as the Blue Book. It hosts a biennial conference where consumers, industry leaders and government officials gather to discuss accessibility trends in technology.

We welcome the opportunity to provide input on the AC. We will focus only on those sections and parts of sections that address access to airports by individuals who are deaf or hard of hearing.

1. Section 1.6.2. The regulation cited by FAA is incomplete. It says:

Auxiliary Aids and Services

Qualified interpreters, note takers; transcription services; written materials; telephone handset amplifiers; assistive listening devices; assistive listening systems; telephones compatible with hearing aids; closed caption decoders; open and closed captioning, Telecommunications Device for the Deaf (TDD), videotext displays; or other effective methods of making aurally delivered information available to individuals with hearing impairments;

Section 1.6.2 should state the following:

Auxiliary aids and services includes —

- (1) Qualified interpreters on-site or through video remote interpreting (VRI) services; notetakers; real-time computer-aided transcription services; written materials; exchange of written notes; telephone handset amplifiers; assistive listening devices; assistive listening systems; telephones compatible with hearing aids; closed caption decoders; open and closed captioning, including text, and video-based telecommunications products and systems, including text telephones (TTYs), videophones, and captioned telephones, or equally effective telecommunications devices; videotext displays; accessible electronic and information technology; or other effective methods of making aurally delivered information available to individuals who are deaf or hard of hearing;

While we appreciate the FAA's desire to encapsulate the text in a shorter version, we believe that the deleted text is important to the airport operator's understanding of rights of individuals who are deaf or hard of hearing. For example, real-time transcription is materially different than simple transcription. A transcription could happen after the fact: real time happens in the moment. As technology advances, we see real-time transcription as both a needed accommodation and a possible accommodation in airports that will be able to provide much greater access than is presently accomplished. We believe reference to real-time transcription should be included.

In addition, increasing numbers of people who are deaf use video systems to communicate. Not only videophones but smart phones that support video communication are rapidly becoming the norm, therefore video-based telecommunications products and services should be included as a possible accommodation. Captioned phones should also be specifically mentioned, because those, too, have become essential tools for people who are hard of hearing and who use text and voice instead of sign language to communicate and should be included in this AC.

We also believe that adding examples of technology currently well-established would be a benefit to airport operators. We note that hearing induction loop devices and systems qualifies as

one possible auxiliary aid that has been used successfully in airports that are providing this type of assistive listening system. Consumers report that in places that provide such listening systems, they have much better access to announcements provided in airports. Regardless of which assistive listening system is chosen, it is essential that it provides effective communication, and that it is well maintained and properly charged if so needed, so that it is always in working order when required.

Finally, the use of the word “hearing impairments” is not accepted terminology. In the above cited section you will note that the much more commonly used and accepted language is “individuals who are deaf or hard of hearing”.

2. Sect. 1.6.6. ADD the following sentence: "Mitigating measures such as hearing aids cannot be considered in determining disability. (29 CFR 1630.2(j)(vi)).

HLAA, NAD and TDI have received a spate of reports from individuals who are hard of hearing who use hearing aids and/or Cochlear Implants who applied for jobs with hearing acuity testing or whose continued employment was dependent on hearing acuity testing. Those individuals report that they have been denied the use of their hearing devices during that testing in violation of 29 CFR 1630.2(j)(vi). We urge inclusion of this section to alert airport operators who hire staff that hearing devices should be allowed to be used during required hearing acuity testing.

3. Sect. 2.6. Communications. The paragraph delineated is accurate, but for completeness, the next subsection of the cited regulation is important and should be included. It states:

(2) With respect to any televisions and other audio-visual displays located in any gate area, ticketing area, first-class or other passenger lounge provided by a U.S. or foreign carrier, or any common area of the terminal to which any passengers have access that provide passengers with safety briefings, information, or entertainment that do not have high-contrast captioning capability, an airport operator must replace or ensure the replacement of these devices with equipment that does have such capability whenever such equipment is replaced in the normal course of operations and/or whenever areas of the terminal in which such equipment is located undergo substantial renovation or expansion.

4. Sect. 2.6.1. The regulation is stated accurately.

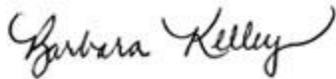
However, it should be noted that airport operators must keep abreast of current technology. While the regulations specifically point to the use of TTYs, TTYs are an older technology that is being rapidly replaced with newer, more accessible technology. Captioned phones, amplified phones, video phones provide greater access than a TTY; all should be considered when providing public phones in the airports. In addition in an emergency real-time text (RTT) or SMS messaging holds greater promise than relying on TTYs to reach this community.

5. Sect. 3.4. Disability/Advocacy Organizations

We note that the FAA has included a list of 32 disability organizations that airport personnel can turn to that provide information or guidance about the priorities of the disability community. Hearing Loss Association of America (HLAA) has been a well-recognized national consumer organization for over 37 years. We request that Hearing Loss Association of America and the HLAA website www.hearingloss.org be added to this list.

We thank you for this opportunity to provide comments.

Respectfully submitted,



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