

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

In the Matter of)	
)	
Implementation of Sections 716 and 717 of the)	CG Docket No. 10-213
Communications Act of 1934, as Enacted by)	
the Twenty-First Century Communications and)	
Video Accessibility Act of 2010)	
)	
Achieving 100% Wireless Handset Model)	WT Docket No. 23-388
Hearing Aid Compatibility)	

**CTIA PUBLIC NOTICE COMMENTS –
2024 CVAA BIENNIAL REPORT TENTATIVE FINDINGS**

CTIA is pleased to submit these comments in response to the Public Notice¹ seeking comment on the Consumer and Governmental Affairs Bureau’s (“Bureau’s”) tentative findings on the accessibility and usability of telecommunications and advanced communications services in connection with the Federal Communications Commission’s (“Commission’s”) biennial report to Congress required by the Twenty-First Century Communications and Video Accessibility Act of 2010 (“CVAA”).²

I. INTRODUCTION.

Since the Commission last reported on the status of implementation of the CVAA in 2022,³ the wireless ecosystem has continued to innovate, expand, and evolve the accessibility

¹ *Consumer and Governmental Affairs Bureau Seeks Comment on Tentative Findings for the 2024 Twenty-First Century Communications and Video Accessibility Act Biennial Report*, Public Notice, CG Docket No. 10-213, DA 24-691 (CGB rel. Jul. 16, 2024) (“Public Notice”).

² Twenty-First Century Communications and Video Accessibility Act, Pub. L. No. 111-260, 124 Stat. 2751 (2010) (codified in various sections of 47 U.S.C.) (“CVAA”).

³ *Implementation of Sections 716 and 717 of the Communications Act of 1934, as Enacted by the Twenty-First Century Communications and Video Accessibility Act of 2010*, Biennial Report to Congress as Required by the Twenty-First Century Communications and Video Accessibility Act of 2010, 37 FCC Rcd 11360 (2022) (“2022 CVAA Report”).

solutions and services that are available to empower and connect all consumers, including those with accessibility needs. Although the wireless industry continually seeks to develop new ways of meeting the needs of consumers, consistent with the tentative conclusions in the Public Notice, the Commission should report to Congress that the flexible directives in the CVAA have helped make advanced communications services and products more inclusive and accessible to people with disabilities and will continue to do so in the decades to come.

Given the importance of access to hearing aid compatible handsets, CTIA takes this opportunity to also encourage the Commission to move forward with adoption of the consensus recommendations laid out in the wireless hearing aid compatibility (“HAC”) Task Force Report,⁴ which along with the interim waiver standard adopted in 2023⁵ would enable a consensus-driven and achievable path to 100 percent HAC.

II. THE BIENNIAL REPORT SHOULD AFFIRM THAT THE ACCESSIBILITY OF TELECOMMUNICATIONS AND ADVANCED COMMUNICATIONS SERVICES AND EQUIPMENT CONTINUES TO IMPROVE.

The record supports the Bureau’s tentative finding that the accessibility of telecommunications and advanced communications services and equipment continues to improve. CTIA agrees with the Bureau that, since the 2022 CVAA Report, “a wide variety of new and enhanced features have been made available that make more devices and features accessible to a wider community of people with disabilities.”⁶ The Bureau’s tentative conclusion that the “accessibility of telecommunications and advanced communications services and

⁴ Hearing Aid Compatibility Task Force Final Report and Recommendation, WT Docket No. 15-285, at 47 (filed Dec. 16, 2022) (“HAC Task Force Report”); see *Achieving 100% Wireless Handset Model Hearing Aid Compatibility et al.*, Notice of Proposed Rulemaking, FCC 23-108, ¶ 94 (rel. Dec. 14, 2023).

⁵ See *Amendment of the Commission’s Rules Governing Standards for Hearing Aid-Compatible Handsets*, Order, DA 23-914 (WTB rel. Sept. 29, 2023).

⁶ Public Notice ¶ 11.

equipment continues to improve” is also supported by the record in this proceeding.⁷ Among other things, CTIA’s comments highlighted how more consumers than ever are benefitting from 5G networks, which are offering competitive and affordable mobile and fixed wireless services across the country.⁸ Additionally, wireless device manufacturers and application developers continue to innovate in ways that have a particular impact for consumers with hearing or vision loss, those with cognitive disabilities or mobility impairments, and those with neurodiverse needs.⁹ And the wireless industry remains committed to developing and making available accessible products and services, as it continually works to advance communications access for all consumers. The Bureau appropriately points to these innovations and efforts to support its tentative conclusion, which CTIA supports.¹⁰

The record also supports a conclusion that the usability of covered services and equipment has continued to improve since the 2022 CVAA Report.¹¹ CTIA, for instance, provided examples from its members demonstrating how the wireless industry continues to work to ensure that customers have access to tools and information that make covered services and devices usable, including by promoting the accessibility of information and documentation such as in user guides, bills, installation guides, and product support communications, and through training for customer service representatives and technical support personnel.¹² CTIA supports the Bureau’s finding and encourages it to highlight these efforts in its report to Congress.

⁷ *Id.* ¶ 10.

⁸ Comments of CTIA, CG Docket No. 10-213, at 4-9 (filed May 6, 2024) (“CTIA Comments”).

⁹ *Id.* at 11-19.

¹⁰ Public Notice ¶¶ 12-13.

¹¹ *Id.* ¶ 16.

¹² CTIA Comments at 27-28.

Moreover, the record supports the tentative conclusion that the wireless industry continues “to include people with disabilities in product and service design and development.”¹³ The wireless industry has a strong record of collaboration with people with disabilities in furtherance of accessibility best practices and accessibility by design principles. Just last month, CTIA hosted its 11th annual Accessibility Outreach Initiative (“AOI”) Forum, which provided a continued opportunity for consumer advocates, service providers, and manufacturers to engage on current and emerging policies and technology transitions impacting the disability community.¹⁴ Such events are especially important as we look ahead to enhancing the accessibility of emerging communications technologies throughout the development process. As CTIA highlighted, these and similar ongoing, collaborative efforts are a vehicle for beneficial information exchange and relationship building to address the needs and interests of persons with disabilities while promoting innovation to the benefit of all consumers.¹⁵ The Bureau appropriately relies on comments from industry highlighting these efforts to reach its tentative conclusion, which CTIA supports.

III. THE COMMISSION SHOULD MOVE FORWARD ON THE PATH TO 100 PERCENT HAC, WHICH WILL SUPPORT THE ACCESSIBILITY OF WIRELESS SERVICES.

As CTIA highlighted in the record, a further example of industry’s ongoing collaboration with the accessibility community came with the years-long effort to develop a consensus path

¹³ Public Notice ¶ 19.

¹⁴ CTIA hosted the 9th and 10th annual AOI Forums in 2022 and 2023, respectively. *See CTIA Hosts 10th Annual Accessibility Outreach Initiative (AOI Forum)*, ACCESSWIRELESS BLOG (Sept. 5, 2023), <https://www.accesswireless.org/blogs-media/ctia-hosts-10th-annual-accessibility-outreach-initiative-aoi-forum>; *CTIA Hosts 9th Annual Accessibility Outreach Initiative (AOI Forum)*, ACCESSWIRELESS BLOG (Aug. 1, 2022), <https://www.accesswireless.org/blogs-media/ctia-hosts-9th-annual-accessibility-outreach-initiative-aoi-forum>.

¹⁵ CTIA Comments at 22-26; *see also* Comments of CTA, CG Docket No. 10-213, at 3-4 (filed May 6, 2024).

forward for advancing the HAC framework.¹⁶ Given the importance of handsets that are HAC-compliant, CTIA encourages the Commission to adopt the consensus recommendations laid out in the HAC Task Force Report.

The HAC Task Force Report and the 2023 interim waiver standard set out a solid and achievable path to 100 percent HAC and is especially noteworthy for its explicit recognition of Bluetooth as a method of coupling hearing aids and handsets for the purposes of HAC compliance.¹⁷ Importantly, the recommendations in the HAC Task Force Report are the result of more than six years of study and collaboration led by a multi-stakeholder coalition that included advocates and experts for consumers who use hearing aids and the wireless industry. All entities participating in the HAC Task Force signed on to the recommendations in the HAC Task Force Report, including the proposal that the Commission allow service providers to rely on the information reported in the Global Accessibility Reporting Initiative (“GARI”) database, which is linked at the Accessibility Clearinghouse website, when calculating deployment percentages for the purposes of meeting applicable deployment benchmark.¹⁸ CTIA urges the Commission to move forward with an order in the relevant proceeding that is consistent in all regards with the collaborative, consensus-based recommendations in the HAC Task Force Report.

¹⁶ CTIA Comments at 28-30.

¹⁷ *See* HAC Task Force Report at 19.

¹⁸ *Cf. id.* at 27-28 (stating that in 2019, the Commission “expressly allowed service providers to link to the GARI website to provide information about HAC-compliant handsets that service providers once, but no longer, offered,” and that the HAC Task Force was “unaware of any reports, observations or complaints regarding the information in GARI” since the discloser rule went into effect); *compare* Public Notice ¶ 17 n.50 (citing consumer advocate comments—raised in advance of the 2022 CVAA Report and prior to the adoption of the HAC Task Force Report—involving concerns beyond the scope of the proposal in the HAC Task Force Report, for example concerns about information related to smartwatches).

IV. CONCLUSION.

As the wireless industry innovates to improve wireless accessibility for consumers with disabilities, industry engagement with the accessibility community has continued to promote collaboration and consensus-based outcomes that offer benefits to industry and consumers alike. While efforts will continue to further enhance the accessibility of covered devices and services, CTIA appreciates that the Bureau's tentative conclusions reflect these important and ongoing efforts and requests that the Commission's biennial report be consistent with the tentative findings.

Respectfully Submitted,

/s/ Mike Beirne

Mike Beirne
Director, Regulatory Affairs

Scott K. Bergmann
Senior Vice President, Regulatory Affairs

Christiaan Segura
Director, Regulatory Affairs

CTIA
1400 Sixteenth Street, NW, Suite 600
Washington, DC 20036
(202) 736-3200
www.ctia.org

August 30, 2024