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VIA ECFS

August 14, 2025

Marlene H. Dortch, Esq.
Secretary
Federal Communications Commission
45 L Street NE
Washington, DC 20554

Re: *Achieving 100% Wireless Handset Model Hearing Aid Compatibility, Amendment of the Commission's Rules Governing Standards for Hearing Aid-Compatible Handsets*; WT Docket Nos. 23-388 & 20-3

Dear Ms. Dortch:

Consumer Technology Association (CTA)¹ writes to underscore the importance of extending the use of the temporary volume control testing requirements beyond the upcoming September 29, 2025, expiration date until such time as a new volume control standard becomes effective. The present waiver has facilitated the introduction of new, innovative wireless handsets that are demonstratively HAC-compliant. An extension is crucial to ensuring that consumers have objectively measured volume control and manufacturers have certainty that hearing aid compatibility (HAC) testing can be completed for handsets coming onto the market after September 29, 2025, including for the important upcoming holiday gift season.²

The Interim Volume Control Testing Requirements Are Based on a Consensus Solution Developed in the Multistakeholder HAC Task Force.³ CTA was proud to partner with accessibility advocates and industry stakeholders as part of the multi-year HAC Task Force effort to advance the goal of 100% HAC in the United States. As explained by advocates in the record, the interim testing requirements address “a

¹ As North America's largest technology trade association, CTA® is the tech sector. Our members are the world's leading innovators—from startups to global brands—helping support more than 18 million American jobs. CTA owns and produces CES®—the most powerful tech event in the world.

² See, e.g., Comments of Consumer Technology Association, WT Docket Nos. 23-388 & 20-3 (filed July 18, 2025) (CTA HAC Waiver Extension Comments).

³ See *generally* Hearing Aid Compatibility Task Force, Final Report and Recommendation, WT Docket No. 15-285 (filed Dec. 16, 2022).

documented problem” in the present standard.⁴ The HAC Task Force identified that this problem based on extensive testing and then developed a consensus, interim volume control testing solution to ensure that wireless handsets could be tested to demonstrate compliance with the main components of the 2019 ANSI Standard: RF immunity, inductive coupling, *and* volume control.⁵

An Extension is Necessary as a “Stopgap” to Provide Sufficient Time to Develop a Replacement Standard as well as Necessary Post-Ballot Steps.⁶ Although all parties to the HAC Task Force support swift action toward a revised volume control standard, the two-year interim waiver granted by the Commission has proven insufficient to fill the gap even as parties work diligently to finalize the standard. Based on CTA’s experience as an American National Standards Institute (ANSI) accredited standards development organization, it is extremely difficult to accurately estimate how long it will take to develop a workable, consensus standard.⁷ Developing and updating consensus standards when testing demonstrates that such revisions are necessary (as they are here) is crucial to ensuring that consensus standards remain a useful policymaking tool, and it is essential that standards groups have sufficient time to finalize a standard that can be incorporated into regulations.

Here, the standards body group developing the revised volume control testing methodology, the Telecommunications Industry Association’s TR-41 Volume Control Task Group (VCTG), recently estimated that the new standard will be approved in the second half of 2026, up to nine months after the expiration of the current waiver.⁸ After adoption, additional steps remain:

VCTG’s recommendation of a replacement standard is a critical step in moving to a new standard; however, there will continue to be testing and evaluation by the Commission after VCTG’s recommendation to ensure that the new standard functions as intended, and it can and should be broadly implemented. As part of this process, the FCC’s Office of Engineering and Technology will also need to provide guidance to the test labs as it previously did for the interim volume control requirements and for HAC testing more broadly. Although test labs are participating in TR-41, it is likely not all test

⁴ See Letter from Neil A. Snyder, Director of Public Policy, Hearing Loss Association of America, et al., to Marlene H. Dortch, Secretary, FCC, WT Docket Nos. 23-388 & 20-3, at 1 (dated July 29, 2025) (Advocates July 2025 Ex Parte).

⁵ The advocates observed that “[t]he gain requirements are a compromise, balancing the amplification needs of individuals with hearing loss and the need to protect hearing individuals from excessive gain.” Letter from Neil A. Snyder, Director of Public Policy, Hearing Loss Association of America, et al., to Marlene H. Dortch, Secretary, FCC, WT Docket Nos. 23-388 & 20-3, at 1 (dated Aug. 11, 2025). CTA understands that the gain requirement remains an open issue within the standards group, underscoring the need for additional time to develop a consensus, workable standard.

⁶ *Id.* at 2 (calling the interim testing requirements a “stopgap”).

⁷ See CTA HAC Waiver Extension Comments at 2.

⁸ See Comments of the Telecommunications Industry Association, WT Docket Nos. 23-388 & 20-3 (filed June 14, 2025).

labs will have the required testing equipment and know-how to test using the revised standard *immediately* after it is adopted.⁹

In short, the diligent work toward the milestones identified by the VCTG is necessary, but not sufficient for the marketplace-wide testing of new wireless handsets pursuant to the revised volume control standard.

Rather than Setting an Arbitrary Waiver Deadline that May Once Again Have to be Moved, CTA Encourages the FCC to Extend the Waiver Until a Replacement Standard in the Commission's Rules is Effective. Given the various steps needed for completion, incorporation and use of the revised standard, CTA agrees that "[s]ome runway will be needed to avoid overly burdening the testing ecosystem and limiting HAC devices available to consumers."¹⁰ A twelve-month extension is simply not enough time.¹¹ CTA supports a limited extension of the present waiver until such time as a new ANSI-adopted volume control standard in the Commission rules becomes effective.¹² As detailed in the VCTG update, stakeholders are already hard at work and have a finish line in sight. An arbitrary, action-forcing deadline is unnecessary here and would put at risk the ability to put new, consumer-friendly handsets into the marketplace that can serve the needs of individuals with hearing loss.

Sincerely,

CONSUMER TECHNOLOGY ASSOCIATION

/s/ Rachel Nemeth

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/s/ Brian Markwalter

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⁹ Reply Comments of CTIA, WT Docket Nos. 23-388 & 20-3, at n.25 (dated July 28, 2025).

¹⁰ *Id.*

¹¹ Advocates July 2025 Ex Parte at 1 (advocating for, at most, a twelve-month extension).

¹² Should the Commission determine that a different timeline is appropriate, CTA supports the alternatives identified by CTIA in its Petition, namely, the later of: (i) extending the temporary standard until one year after TIA publishes its final standard or (ii) not less than two years beyond the current waiver's expiration. CTIA Petition for Extension of Waiver, WT Docket Nos. 23-388, 20-3, at 3 (filed July 2, 2025).