

REQUEST FOR INFORMATION
FOR AN ADMINISTRATOR OF HEARING AID COMPATIBILITY EVALUATION
TASK FORCE

1. INTRODUCTION AND INSTRUCTIONS

Competitive Carriers Association, CTIA-The Wireless Association (“CTIA”), the Hearing Loss Association of America, the National Association of the Deaf, Telecommunications for the Deaf and Hard of Hearing, and the Telecommunications Industry Association (collectively, the “**Consensus Proposal Participants**”) are seeking a partner, facilitator, and convener to help manage and lead a consensus-based process at the direction of the Federal Communications Commission (“**FCC**”) that will result in a diverse group of participants making a recommendation to the FCC as to the achievability of a 100 percent FCC hearing aid compatibility (“**HAC**”) compliance requirement.

Wireless handsets, hearing technologies, and mobile networks are in the midst of an accessibility revolution for people with hearing disabilities: phone design, air interface technologies, network frequencies, hearing aid devices, and standardized and proprietary connectivity technologies have dramatically changed over the last twenty years and the pace of change shows no signs of slowing down. The Consensus Proposal Participants seek to understand these marketplace changes and how they may, in turn, change the regulatory landscape with respect to FCC compliance requirements.

1.1. Purpose of the Request for Information

In a landmark agreement presented to and accepted by the FCC, the Consensus Proposal Participants agreed to (1) increases in the required acoustic and telecoil coupling deployment percentages for HAC-compliant wireless handsets and (2) a process that would seek to explore and ultimately recommend to the FCC the achievability of a 100 percent FCC HAC compliance requirement.¹ Accordingly, the Consensus Proposal Participants now solicit information from interested parties with relevant technical, legal, administrative, and policy expertise to help manage a consensus-based process (an “Administrator”) through which participants will make a recommendation to the FCC as to the achievability of a 100 percent FCC HAC compliance requirement, while carefully weighing the needs of the wireless industry, other industry participants, advocacy groups for consumers with hearing disabilities, and consumers, including

¹ See Letter from James Reid, Telecommunications Industry Association (“**TIA**”); Scott Bergmann, **CTIA**; Rebecca Murphy Thompson, Competitive Carriers Association (“**CCA**”); Anna Gilmore Hall, Hearing Loss Association of America (“**HLAA**”); Claude Stout, Telecommunications for the Deaf and Hard of Hearing (“**TDI**”); and Howard A. Rosenblum, National Association of the Deaf (“**NAD**”), to Marlene H. Dortch, Secretary, FCC, WT Docket Nos. 07-250, 10-254 (filed Nov. 12, 2015), <https://ecfsapi.fcc.gov/file/60001336016.pdf>; Letter from James Reid, TIA; Scott Bergmann, CTIA; Rebecca Murphy Thompson, CCA; Barbara Kelley, HLAA; Claude Stout, TDI; and Howard A. Rosenblum, NAD, to Marlene H. Dortch, Secretary, FCC, WT Docket Nos. 15-285, 07-250 (filed Apr. 21, 2016), <https://ecfsapi.fcc.gov/file/60001674646.pdf>, (collectively, the “**Consensus Letters**”).

those who use hearing aid devices or cochlear implants. The Consensus Proposal Participants anticipate that an Administrator would start during Q4 2018 and continue through the conclusion of the process with the submission of a final report to the FCC no later than December 31, 2022. Among other activities, the Administrator would conduct and/or compile research related to HAC and technologies that can improve the experience of individuals who use hearing aid devices or cochlear implants when using wireless handsets.

The information obtained through this Request for Information (“**RFI**”) may be used by the Consensus Proposal Participants in developing a future solicitation. The information will be shared among involved personnel of the Consensus Proposal Participants but otherwise will not be publicly released. This RFI is issued as a means of technical discovery and information gathering; and does not constitute an Invitation for Bid, Request for Proposal, or Informal Request for Bid or Proposal; and is not to be construed as a commitment by the Consensus Proposal Participants or any members of the Consensus Proposal Participants’ organizations to take any action of any kind.

1.2. Goal and Background Information

In 2016, the FCC adopted an Order revising its HAC rules to create additional benchmarks to be met by wireless handset manufacturers and service providers to ensure greater access to wireless communication services for Americans with hearing loss.² The Order additionally invited industry stakeholders and advocates for consumers with hearing loss to develop a task force (“**HAC Task Force**”) for determining whether a 100 percent HAC deployment benchmark is achievable considering both technical and market conditions. Specifically, the HAC Task Force is intended to bring together all relevant stakeholders with the purpose of identifying questions for exploration, including but not limited to relevant research institutions such as Gallaudet University’s Deaf and Hard of Hearing RERC; collecting concrete data and information about the technical and market conditions involving wireless handsets and the landscape of hearing improvement technology; and issuing a report, with recommendations, to the FCC that will inform the FCC’s determination regarding the achievability of 100 percent compliance with the HAC rules.³ The Administrator will be instrumental in facilitating the collection of technical and market information, as well as related research, and facilitating the process by which the HAC Task Force will conduct its work, including its recommendation to the FCC.

The Consensus Proposal Participants elaborated on certain elements of the HAC Task Force in the Consensus Letters,⁴ which were recognized by the FCC in the 2016 Order and are summarized

² See *Improvements to Benchmarks and Related Requirements Governing Hearing Aid-Compatible Mobile Handsets*, Report and Order, 31 FCC Rcd 9336 (2016) (“Order”).

³ *Id.* ¶¶ 17-19, 42-50. In devising the HAC Task Force concept, the Consensus Proposal Participants learned from the experience of the Alliance for Telecommunications Industry Solutions (“**ATIS Incubator**”), which successfully developed a Joint Consensus Plan in 2007 that was the basis for the current HAC rules, a version of which the FCC adopted in 2008.

⁴ See Consensus Letters.

here:⁵

- *Task Force Participants.* The Consensus Proposal Participants are committed to working among themselves to determine the appropriate task force participants within two years of the effective date of the rules adopting the revised compliance benchmarks (*i.e.*, by October 3, 2018) but no later than January 1, 2020. At a minimum, the HAC Task Force participants should include representatives of consumers who use hearing aid devices or advocacy groups representing individuals who are deaf or hard of hearing, research and technical advisors, wireless industry policy and technical representatives, and hearing aid manufacturers. (Being an Administrator would not preclude an organization from serving as a HAC Task Force participant, if so determined by the Consensus Proposal Participants.)
- *Leadership.* HAC Task Force participants will determine the ongoing leadership, but the HAC Task Force “should be overseen by a group with technical, legal, and administrative expertise.”⁶ The HAC Task Force will be a multi-stakeholder process, managed and funded separately and independently from the FCC.
- *Consensus.* The HAC Task Force will use its best efforts to reach consensus and will reflect the views of the majority of all HAC Task Force participants while also providing an opportunity for minority views. The HAC Task Force will file its final report and any recommendations in WT Docket No. 15-285 at the FCC and then disband.
- *Meetings.* The HAC Task Force will convene prior to January 1, 2020 to begin developing questions for consideration by the task force. Starting in early 2020, the HAC Task Force will begin collecting concrete data relating to current technical and market conditions involving wireless handsets and the landscape of hearing improvement technology. If determined by the HAC Task Force leadership, the HAC Task Force may establish subcommittees and working groups.
- *Information Collection.* The HAC Task Force will provide for collection of concrete data and information about existing technical and market conditions involving wireless handsets and the landscape of hearing improvement technology. This could include compiling existing information and/or undertaking original research.
- *Issues for Consideration and Research.* Among other issues, the HAC Task Force will consider (i) the definition of HAC for purposes of a wireless handset’s compliance with the FCC’s rules, (ii) which data would be needed to determine if the existing definition of HAC is the most effective means for ensuring access to wireless handsets for consumers who use hearing aids and encourages technological innovation and advancement; and (iii) conditions in the wireless and hearing aid industries as they exist at time of HAC Task Force activity.

The FCC recommended, consistent with the Consensus Letters, that the Consensus Proposal Participants and HAC Task Force should collaborate and convene over the course of a six-year period before making a recommendation for agency consideration and ultimate determination on the 100 percent goal. Specifically, the 2016 Order endorsed (but did not require) the following

⁵ Interested parties are encouraged to review both Consensus Letters.

⁶ April 2016 Consensus Letter at 2.

key dates:

- *By October 3, 2018 (two years after the effective date of the rules) but no later than January 1, 2020 (start of Year 4) – HAC Task Force formation.*
- *December 31, 2017 (end of Year 1) and December 31, 2018 (end of Year 2) – suggested reports to the FCC on (i) outreach efforts by or to relevant stakeholders to gain commitments to participate in a consensus group, and (ii) HAC Task Force formation, including membership, leadership, and operations.⁷*
- *December 31, 2019 (end of Year 3) – suggested report on (i) any Task Force meetings, operations, and accomplishments to date, (ii) the questions and scope of HAC issues to be evaluated by Task Force, (iii) any information and data planned to be collected by the Task Force, and (iv) updates to previous reports.*
- *December 31, 2020 (end of Year 4) and December 31, 2021 (end of Year 5) – suggested reports on (i) any Task Force meetings, operations, and accomplishments to date, and (ii) the information and data collected over the course of the respective years on those HAC issues being evaluated by the Task Force.*
- *December 31, 2022 (end of Year 6) – required report on (i) any Task Force meetings, operations, and accomplishments to date, (ii) the information and data collected over Years 4 and 5 on those HAC issues being evaluated by the Task Force, and (iii) final recommendations on the achievability of a 100 percent HAC deployment benchmark and related other HAC issues.⁸*

1.3. Contact and Response Information

Kara Graves of CTIA is the point of contact for this RFI. Please email responses to HACTaskForce@ctia.org by the deadline specified in the RFI Schedule.

All vendors confirming their participation should send a Letter of Interest to the attention of:

HAC Task Force
c/o Kara Graves, CTIA
1400 16th Street NW
Suite 600
Washington, DC 20036

⁷ See Letter from Rebecca Murphy Thompson, CCA; Scott Bergmann, CTIA; Cinnamon Rogers, TIA; Barbara Kelley, HLAA; Claude Stout, TDI; and Howard A. Rosenblum, NAD, to Marlene H. Dortch, Secretary, FCC, WT Docket No. 15-285 (filed Jan. 11, 2018), <https://ecfsapi.fcc.gov/file/10111654521690/180111%20Industry-Consumer%20Group%20Ex%20Parte%20on%20Status%20of%20HAC%20Consensus%20Task%20Force.pdf>.

⁸ The ATIS Incubator produced two substantive pieces of policy work comparable to the recommendations report required of the HAC Task Force: the 2007 Joint Consensus Plan and a set of consensus principles in 2008 that addressed hearing aid compatibility of handsets with multiple frequency bands and/or modes for which no HAC standard exists.

1.4. RFI Schedule

| EVENT | DATE |
|---|--|
| RFI Made Available to Responders | August 29, 2018 |
| Deadline for Submission of Questions and Requests for Clarification | September 30, 2018 |
| Deadline for Addressing Questions | October 31, 2018 |
| Amendment with Responses to Questions and Requests for Clarification issued (if required) | November 15, 2018 |
| Deadline for Submission of Responses | November 30, 2018 |
| Responses to be Evaluated | December 1, 2018 through January 31 30, 2019 |

1.5. Questions and Requests for Clarification

Please direct any questions or requests for clarification to the contact person in Section 1.3 well before the deadline for submission of responses identified in the RFI Schedule.

1.6. Respondents Responsible for All Preparation Costs

Participation in this RFI is voluntary and respondents are responsible for all costs associated with the preparation, submittal, and presentation of their response to this RFI. All responses to the RFI will become the property of the reviewing organizations and will not be returned. The reviewing organizations reserve the right to use any of the ideas presented in RFI responses.

2. INFORMATION REQUESTED

The Consensus Proposal Participants request information to identify an Administrator with the technical, legal, and administrative expertise to help manage the HAC Task Force process and draft the final HAC Task Force report. Responding organizations should be willing to provide and capable of providing administrative, project management and technical support for the HAC Task Force. Specifically, the Consensus Proposal Participants seek the following information:

- *Description of organization.* In addition to providing a description of the interested organization, respondents should identify any relevant accreditations, *e.g.*, ANSI. Respondents should identify any relevant experience with the management of or participation in multistakeholder consensus-processes.
- *Length of commitment.* The Consensus Proposal Participants anticipate that an Administrator would start during Q1 2019 and continue through the conclusion of the process with the submission of a final report to the FCC no later than December 31, 2022. Respondents should explain if the organization is willing to be the HAC Task Force administrator for the duration or some subset of the duration of the process.
- *Relevant current or anticipated staff.* Respondents should identify how the organization intends to staff the HAC Task Force, for example, how many full-time equivalents (FTEs) and their qualifications.

- *Accessibility.* Respondents should explain relevant experience with respect to ensuring meetings and processes (needs assessment, product/service design and development, and marketing/outreach) are accessible to individuals with disabilities, including individuals with hearing and/or speech disabilities.
- *Proprietary Information.* The Consensus Proposal Participants anticipate that the HAC Task Force will receive proprietary information, which may contain trade secrets, other confidential information, or protected intellectual property. The Consensus Proposal Participants are committed to protecting and preserving the proprietary nature of submitted information. Respondents should explain how the organization would collect, retain, and secure proprietary or other confidential/sensitive information.
- *Standards and/or Policy Development Experience.* Respondents should explain any experience the organization has with developing consensus standards and/or consensus-based policy positions (with both industry & consumer advocacy groups, not solely with either party) related to HAC, hearing technologies, wireless technologies, consumer technologies, and other subject matter to be addressed by the HAC Task Force. Respondents should provide examples of any standards and/or policies they developed.
- *Balanced/Representative Participation.* Respondents should explain any experience or plans that would ensure broad participation in the HAC Task Force.
- *Subject Matter Expertise.* Respondents should describe their familiarity with the wireless, hearing-aid, consumer technology, and consumer advocacy communities, as well as any relevant technical and regulatory expertise.
- *Costs.* Respondents should provide estimated initial and on-going costs as well as any appropriate explanation of the costs (e.g., 0.5 FTE standards writing expert at \$XX,XXX/per year and 0.5 FTE administrator at \$YY,YYY/per year, \$Z,ZZZ for meeting facilities for two-three meetings per year).
- *Actual, Possible or Perceived Conflict of Interest.* Respondents should disclose any organizational financial interests or relationships that cause an actual, potential or apparent conflict of interest.

3. RESPONSE FORMAT AND CONTENT

Respondents should provide responses in electronic format. The RFI does not require lengthy responses, a 2-4 sentence response is sufficient for most items, with links to electronic reference materials where appropriate. Please do not respond with any preprinted materials or marketing literature, as links to such information in electronic form may be included in the response as appropriate. Respondents are asked to provide a response in the following format:

A. Introduction

1. Contact name, phone number, and email
2. Business name, address, and phone number

B. Technical Response

1. Description of organization
2. Length of commitment

3. Relevant current or anticipated staff and costs
4. Accessibility/interaction with the Disability Community
5. Proprietary information
6. Standards and/or policy development experience
7. Balanced/representative participation
8. Subject matter expertise
9. Conflicts of interest

Please do not cut and paste your responses to this RFI. Instead, provide your response as a separate electronic document and include numbers referencing the RFI items you are responding to (as detailed immediately above). Only one electronic copy need be submitted. Hard copy responses and materials will not be accepted.

C. Cost Estimate

Respondents are asked to provide estimated costs to help the Consensus Proposal Participants understand initial and on-going costs related to establishing and maintaining the Task Force.

Any cost estimates requested are for budgeting purposes only. Respondents will not be held to cost estimates provided as part of the RFI should the Consensus Proposal Participants later decide to issue a competitive solicitation.