Via Electronic Filing

Ms. Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 12th Street, SW  
Washington, D.C.  20554

Re:    IB Docket No. 13-213  
       Hearing Loss Association of America, Inc.  
       Ex Parte Filing

Dear Ms. Dortch:

The Hearing Loss Association of America, Inc. (“HLAA”) hereby provides these ex parte comments to raise its concern about potential interference to hearing aids and assistive listening devices that may result from Globalstar’s proposed use of the 2.4 GHz ISM frequency band in the rulemaking referenced above. HLAA urges the Commission to ensure that before the FCC authorizes Globalstar’s proposed service, that the record in this proceeding contains sufficient technical data to ensure that people with hearing loss will not be negatively impacted.

HLAA is the nation’s leading consumer organization representing people with hearing loss. HLAA impacts accessibility, public policy, research, public awareness, and service delivery related to hearing loss on a national and global level. HLAA’s national support network includes an office in the Washington D.C. area, 14 state organizations, and 200 local chapters. The HLAA mission is to open the world of communication to people with hearing loss through information, education, advocacy, and support. HLAA provides cutting edge information to consumers, policy makers, business professionals and family members through our website, an award –winning publication, Hearing Loss, an online newsletter, ENews, and message boards. In addition, we bring consumers and policy makers together to learn about hearing accessibility issues at our national and regional conventions.

HLAA urges the Commission to heed the concerns raised by HIA, the trade association of hearing aid manufacturers, regarding potential interference to hearing aids and assistive devices that may result from authorizing Globalstar’s service. HIA believes that, to date, Globalstar has not submitted testing that demonstrates its will not interfere with hearing aids and assistive devices. HLAA encourages the Commission to require Globalstar to conduct additional tests, and submit the results for the record, before authorizing Globalstar’s proposed service.
The Commission has consistently implemented various accessibility laws to ensure fuller participation in society and the economy by people with hearing loss. As HIA pointed out, hearing aids and hearing aid accessories now have functionality that depends on interaction with smartphones and computers. That functionality, in turn, requires using technologies in the unlicensed frequency bands.

The 1988 Hearing Aid Compatibility Act states “to the fullest extent made possible by technology and medical science, hearing-impaired persons should have equal access to the national telecommunications network…”¹ The Americans with Disabilities Act (“ADA”) prohibits discrimination against people with disabilities, and “require(s) employers, state and local governments, and places of public accommodation, respectively, to provide auxiliary aids and services, which may include accessible telecommunications products and services, to achieve effective communication by individuals with disabilities.” ² The Twenty-First Century Communications and Video Accessibility Act (“CVAA”) amended the HAC Act to require hearing aid compatibility for all customer premises equipment used with advanced communications services that provide two-way voice communication.³

The intent of all of these accessibility laws is to expand the ability of people with hearing loss and other disabilities to participate in society. The Commission must exercise caution that the advances that people with hearing loss have made under accessibility laws is not undermined by failure to adequately test Globalstar’s proposed service. HLAA, therefore, requests that the Commission require Globalstar to submit additional testing with hearing aids and assistive devices before authorizing Globalstar’s proposed service.

Sincerely,

Lise Hamlin
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