

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of)	
)	
Implementation of the National Suicide)	WC Docket No. 18-336
Hotline Improvement Act of 2018)	

COMMENTS OF THE VOICE ON THE NET COALITION

The Voice on the Net (“VON”) Coalition¹ hereby submits these comments in response to the Second Further Notice of Proposed Rulemaking (the “FNPRM”),² wherein the Commission seeks comment on whether non-wireless carriers can implement georouting solutions for 988 calls or texts to the National Suicide Prevention Lifeline (“Lifeline”). VON supports the Commission’s goal of ensuring easy, intuitive and available access to suicide prevention and mental health crisis intervention services. However, limitations on the availability of location technology make it infeasible for interconnected VoIP or covered text providers to implement georouting solutions at this time.

BACKGROUND

The FNPRM proposes to adopt a rule that would require wireless carriers to implement one or more georouting solutions³ for calls to the 988 Lifeline, and seeks comment on the technical feasibility and costs and benefits of utilizing a particular solution, and the timeline for

¹ The VON Coalition works to advance regulatory policies that enable Americans to take advantage of the promise and potential of internet communications. See www.von.org.

² *Second Further Notice of Proposed Rulemaking*, WC Docket No. 18-366 (rel. April 26, 2024); See also, 89 Fed. Reg. 46340 (May 29, 2024)(establishing a comment date of June 28, 2024).

³ Georouting solutions would route wireless calls to 988 based on the caller’s location, not the area code associated with the wireless phone. FNPRM at para. 2

deployment. While the stated intent is to limit consideration of georouting solutions for wireless calls, the Commission seeks comment on whether the current method of routing 988 calls creates challenges for callers using other technologies, including VoIP, whether georouting solutions have been proposed for such call and what unique challenges are presented by the technology.⁴ In addition, the Commission seeks comment on the impact of adopting georouting solutions on texting to 988, and whether improvements are needed to route texts to the geographically appropriate 988 crisis center.⁵

DISCUSSION

VoIP calling and over-the-top text messaging. The Commission should not adopt location-based routing for 988 calls or over-the-top text messages originated by interconnected VoIP or covered text providers. Interconnected VoIP calling and over-the-top text messaging is different than wireless calling and SMS. It is technically infeasible to require any service provider, other than licensed wireless providers, to get location information from their users, when they are not providing the network infrastructure, and then expect that they can route 988 calls or texts based on that location.

Interconnected VoIP providers and covered text providers offering over-the-top text messages generally do not have access to real-time routable location information (other than the registered address for purposes of routing 911 calls), and because they do not operate a network, as is the case for traditional wireless calling, they must rely upon obtaining consent of the end user before having access to any location information. However, that consent may not always persist as it may be revoked by the end user at any time. Moreover, the availability of

⁴ Id. at para. 30.

⁵ Id. at para. 31

location information is not consistent across end user devices and platforms (unlike traditional wireless calling) and therefore is not uniformly reliable for routing purposes.

The other technical complications preventing interconnected VoIP providers and covered text providers from employing location-based routing for 988 calls and over-the-top text messages is that there is not always a native voice service tied to the end user device, as is the case for traditional wireless carriers. Traditional wireless carriers own, operate and manage the network infrastructure required to implement potential georouting solutions. In the case of VoIP providers and over-the-top text messages, services are generally accessed through broadband connections obtained by the customer, or through public or private Wi-Fi connections further complicating the required routing.⁶

Privacy concerns. Finally, the question of whether location information should be provided at all remains unsettled and raises privacy concerns. 988 is a trusted service and the Commission should not require service providers to track location as it could discourage those in crisis from calling or texting 988 if they thought their location was being tracked. 988 has a mental health focus, which may result in exigent circumstances, but not always. This is different than 911, which is deemed an emergency from the moment of the call and it is expected that a first responder (whether police, fire or medical) will be dispatched to the location. The Commission should be careful when it makes information compulsory, where that information is highly sensitive and not afforded the same protections as other health information, such as HIPAA. Location information is highly sensitive and may be even more so

⁶ Current Wi-Fi technologies present reliability issues when transmitting a user's location information as that information is tied to the router to which the user is connected. In some instances, even entering a room merely several feet from the router could significantly lower the Wi-Fi signal and thus lessen the accuracy and reliability of transmitting location information. Moreover, users can always opt out of Wi-Fi location tracking altogether.

in the 988 context.

Indeed, a location-based response may not be needed at all; and the fear that someone may appear may prevent users from calling or texting. Many callers or texters may in fact prefer anonymity, and understand that their identity and location is unknown, unless they choose to disclose it. The mere perception of universal tracking may have severe repercussions for those callers and texters who want to remain anonymous because of family dynamics, employment concerns, fear of being institutionalized, or just paranoia.⁷

CONCLUSION

The Commission should act in accordance with the recommendations herein

Respectfully submitted,

VOICE ON THE NET COALITION

/s/ Glenn S. Richards

Glenn S. Richards
Dickinson Wright PLLC
1825 Eye Street, NW, Suite 900
Washington, DC 20006
(202) 466-5954
grichards@dickinson-wright.com

Its Attorney

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⁷ See Michelle Ganley, *What to expect when calling a suicide prevention hotline* (Mar. 26, 2019), <https://www.clickorlando.com/news/2019/03/26/what-to-expect-when-calling-a-suicide-prevention-hotline/> (Dr. Ron Samarian, chief of the Department of Psychiatry at Beaumont Hospital in Metro Detroit stated that there is a stigma attached to reaching out. He added that people are afraid of getting embarrassed or of anyone finding out that they are reaching out).