

**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)

REPLY COMMENTS OF THE VOICE ON THE NET COALITION

The Voice on the Net (“VON”) Coalition¹ hereby submits these reply comments in response to the Third Further Notice of Proposed Rulemaking (the “FNPRM”),² wherein the Commission seeks comment on whether covered text providers should be required to implement georouting solutions³ for 988 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 covered text providers offering over-the-top text messages to implement georouting solutions.

BACKGROUND

The FNPRM proposes to require that covered text providers support georouting to ensure that the 988 Lifeline may route covered 988 text messages to the appropriate local crisis center, and tentatively concludes that, at a minimum, CMRS providers must support

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 *Third Further Notice of Proposed Rulemaking*, WC Docket No. 18-366 (rel. Oct. 18, 2024); See also, 89 Fed. Reg. 91636 (Nov. 20, 2024)(establishing a reply comment date of January 9, 2025).

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. 1.

georouting for Short Message Service (SMS) text messages to 988.⁴ In addition, the Commission proposes that covered text providers be subject to requirements to send georouting data⁵ to the 988 Lifeline to the same extent that they are currently required to send covered 988 texts to the 988 Lifeline.⁶

A number of commenters oppose the proposal, suggesting that text-to-988 georouting regulations are not necessary and would be premature at this time. They note that industry is working with the Lifeline on developing solutions,⁷ that text-to-988 warrants special considerations not present with voice calls, including that not all crisis centers can support text messages;⁸ and raise concerns about the proposed six-month implementation timeframe and the cost impact, particularly to smaller service providers, of an unfunded government mandate.⁹ They also recommend that if rules are adopted, they be technology neutral,¹⁰ allow service providers to choose solutions that best suit their networks,¹¹ and be crafted in a manner that protects the privacy of people contacting 988 and recognizes the importance of routing texts to specialized services with call takers that serve specific communities (e.g.,

⁴ Id. at para. 71.

⁵ The Commission defines georouting data as “location data generated from cell-based location technology that is aggregated to a level that will not identify the location of the cell site or base station receiving the 988 call or otherwise identify the precise location of the handset.” Id. at para. 18.

⁶ Id. at para. 71.

⁷ Comments of CTIA, Docket 18-336, filed Dec. 20, 2024, at 2-4.

⁸ Comments of CX360, Inc., Docket 18-336, filed Dec. 20, 2024, at 4; Comments of Competitive Carriers Association, Docket 18-336, filed Dec. 20, 2024, at 2 (SMS messages do not have an established mechanism for delivering location information); .

⁹ Comments of Rural Wireless Association, Inc., Docket 18-336, filed Dec. 20, 2024, at 2, 4; Comments of Competitive Carriers Association, Docket 18-336, filed Dec. 20, 2024, at 4-5.

¹⁰ Comments of Competitive Carriers Association, Docket 18-336, filed Dec. 20, 2024, at 3-4; Comments of CTIA, Docket 18-336, filed Dec. 20, 2024, at 5-6.

¹¹ Comments of Competitive Carriers Association, Docket 18-336, filed Dec. 20, 2024, at 3-4.

LGBTQ+, veterans and Spanish speakers).¹²

DISCUSSION

VON shares the concerns of other commenters that it is premature to adopt georouting requirements for 988 text messages. Industry is in the process of implementing georouting for voice calls, and it should use that experience to inform if or when it would be appropriate to adopt a similar mandate for text messages. Additional time would also permit crisis centers lacking texting capabilities to expand their offerings and adapt to the new environment.

Significantly, Vibrant Emotional Health, the Lifeline Administrator, observes that it has conducted testing of georouting solutions for voice calls, but it has not done so for text messaging, but hopes to do so in 2025. Testing includes assessing the current landscape of text message providers and involves identifying key collaborators, defining requirements, identifying solutions, and developing, validating, and verifying a proof of concept.¹³

Notwithstanding, should the Commission adopt georouting requirements for text messages, it should be limited, as proposed, to CMRS providers using the SMS format. The Commission should not adopt location-based routing for 988 text messages originated by over-the-top covered text providers. While the proposal in the FNPRM appears to be limited to wireless carriers offerings of SMS, the order, if any, in both the text and the rules should clearly state that it does not apply to providers of over-the-top text messaging. Over-the-top text messaging is different from SMS, which relies upon a cellular network. Critically, it is technically infeasible to require any service provider, other than licensed wireless providers, to

¹² Comments of CTIA, Docket 18-336, filed Dec. 20, 2024, at 3-4; Comments of CX360, Inc., Docket 18-336, filed Dec. 20, 2024, at 7, 13; Comments of The Trevor Project, Docket 18-336, filed Dec. 18, 2024, at 3-4; Comments of National Association of Mental Illness, Docket 18-336, filed Dec. 20, 2024, at 3.

¹³ Comments of Vibrant Emotional Health, Docket 18-336, filed December 20, 2024, at 4-5.

get location information from their users, when they are not providing the network infrastructure, and then expect that they can route 988 texts based on that location.

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 be revoked at any time, and some users may never grant access to their location information. Moreover, the availability of location information is not consistent across end user devices and platforms (unlike traditional wireless calling) and therefore is not uniformly reliable or consistently obtained for routing purposes.

The other technical complications preventing covered text providers from employing location-based routing for 988 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 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.¹⁴

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

¹⁴ 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.

require service providers to track location as it could diminish those in crisis from texting 988 if they thought their locations was tracked. 988 has a mental health focus, which may result in exigent circumstances, but not always. This is different from 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 before requiring the sharing of location information, which is highly sensitive and even more so in the 988 context, where texters may prefer anonymity and understand their location and identity are unknown unless they choose to disclose it. The mere perception of universal tracking may have severe repercussions for those texters who want to remain anonymous because of family dynamics, employment concerns, fear of institutionalization or just paranoia.¹⁵

CONCLUSION

The Commission should act in accordance with the recommendations herein

Respectfully submitted,

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¹⁵ 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/>.