

FCC ADOPTS RULES TO HELP INFORM/PROTECT CONSUMERS DURING TEXT-TO-911 TRANSITION

Wireless Carriers and Providers of Interconnected Text Messaging Must Send “Bounce-Back” Messages to Consumers Who Text 911 Where the Service is Not Offered

Washington, D.C. – The Federal Communications Commission has adopted rules requiring wireless carriers and certain other text messaging providers to send an automatic “bounce-back” text message to consumers who try to text 911 where text-to-911 service is not available. The FCC’s requirement will help protect the public by substantially reducing the risk of consumers sending a text message to 911 and mistakenly believing that 911 authorities have received it. Instead, consumers will receive an immediate response that text-to-911 is not supported and to contact emergency services by another means, such as by making a voice call or using telecommunications relay services (if deaf, hard of hearing, or speech disabled) to access 911.

The FCC noted that deployment of Next Generation 911, including text-to-911 service, has begun, but the transition is still in the very early stages and will not be uniform. During the transition, text-to-911 will be available in certain geographic areas sooner than others and may be supported by some service providers and 911 call centers but not others. In addition, as text-to-911 becomes more widely available, it is likely to raise consumer expectations as to its availability, which makes it increasingly important for the public to know when the service is not available in an emergency.

To address these concerns, the FCC is requiring wireless carriers and “interconnected” text message providers – that is, providers of software applications that enable consumers to send text messages to and receive text messages from all or substantially all text-capable U.S. telephone numbers – to implement the bounce-back capability no later than September 30, 2013. This requirement does not apply to certain text message applications that reach only a defined set of users, such as those within games and social media.

The FCC’s action builds upon a voluntary commitment of the four largest U.S. wireless carriers –AT&T, Sprint Nextel, T-Mobile, and Verizon – to provide bounce-back messaging capability throughout their networks by June 30, 2013. These carriers, with the support of leading public safety organizations (the National Emergency Number Association and APCO International), also voluntarily committed to make text-to-911 service available to their customers by May 15, 2014, in areas where the local 911 call center is prepared to receive the texts. Last December, the FCC proposed rules to require all wireless carriers and interconnected text message providers to likewise deploy text-to-911 in areas where the 911 call center is prepared to receive the texts, seeking comment on an appropriate timeframe for this requirement. Today’s FCC action addresses only the provision of bounce-back messages; the FCC will address text-to-911 implementation at a later date.

The deployment of text-to-911 service, including today’s action requiring bounce-back messages, is an important step in the nation’s transition to a Next Generation 911 system that will use cutting-edge communications technology to assist first responders in keeping communities safe. Text-to-911 keeps pace with how consumers communicate today and can provide a lifesaving alternative in situations where a person with a hearing or speech disability is unable to make a voice call, where voice networks

are congested, or where a 911 voice call could endanger the caller. At the same time, for people who can make voice calls, text-to-911 is a complement to, not a substitute for, existing voice-based 911 service – those consumers should always make a voice call to 911 during an emergency if they can.