



# NEWS

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This is an unofficial announcement of Commission action. Release of the full text of a Commission order constitutes official action.  
See MCI v. FCC, 515 F 2d 385 (D.C. Circ 1974).

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## **FCC PROPOSES ACTION TO ACCELERATE THE AVAILABILITY OF NATIONWIDE TEXT-TO-911 SERVICE**

### ***Proposal Would Mark the First Major Milestone in the Nation's Transition to Next-Generation 911***

Washington, D.C. – The Federal Communications Commission today proposed rules to bring Americans the ability to send text messages to 911 more rapidly and uniformly, and to inform consumers about the availability and appropriate use of text-to-911. The Commission's proposed action builds on prior Commission initiatives and the recent voluntary commitment by the nation's four largest wireless carriers, with support of leading public safety organizations, to make text-to-911 available to their customers by May 15, 2014, with significant deployments expected in 2013. The Commission's proposed action also seeks to accelerate the nation's transition to a Next-Generation 911 system that will use cutting-edge communications technology to assist first responders in keeping our communities safe.

In the Further Notice of Proposed Rulemaking adopted today, the Commission proposed to require that all wireless carriers, as well as providers of certain Internet-based ("over the top") text messaging applications – that is, those that send text messages to phone numbers – enable their customers to send text messages to 911 in areas where local 911 call centers (known as Public Safety Answering Points, or PSAPs) are also prepared to receive the texts. Noting the voluntary commitment of the four largest wireless carriers to deploy text-to-911 capability by May 15, 2014 in areas where the 911 call center is prepared to receive the texts, the Commission sought comment on whether this timeframe is achievable for all carriers and third-party messaging providers.

Implementing text-to-911 will keep 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, the Commission emphasized that text-to-911 will be a complement to, not a substitute for, existing voice-based 911 service, and that consumers should always make a voice call to 911 during an emergency if they can.

Although the vast majority of text messages today are Short Message Service (SMS) messages supported by a wireless carrier, today's action recognized that an increasing number of consumers are using newer Internet-based forms of text messaging applications that can be downloaded on smartphones and other mobile devices, known as "over the top" text messaging. By proposing to extend text-to-911 requirements to certain "over the top" applications – those that send text messages to phone numbers but not, for example, within games and social media – the FCC's proposal would ensure that as text messaging evolves, consumers will be able to reach 911 by the same texting methods they use every day.

The Commission further recognized that while its proposal is designed to accelerate the nationwide availability of text-to-911, deployment will not be uniform, and it is important for consumers to be informed during the transition about whether text-to-911 is available in their local area. To educate consumers and prevent confusion, the FCC proposed to require all wireless carriers and certain “over the top” text messaging providers to send automated “bounce back” error messages to consumers attempting to text 911 in areas where the service is not yet available. The error message would indicate that the text did not reach 911 and that the consumer should instead place a voice call to 911 if possible. The Commission noted that the nation’s four largest wireless carriers, in their agreement announced last week, have committed to provide automatic “bounce back” messages across their networks by June 20, 2013. Today’s proposal seeks comment on whether it is feasible for all carriers and third-party messaging providers to implement this same “bounce back” capability in this timeframe.

Action by the Commission December 12, 2012, by Further Notice of Proposed Rulemaking (FCC 12-149) Chairman Genachowski, Commissioners McDowell, Clyburn, Rosenworcel and Pai. Separate statements issued by Chairman Genachowski, Commissioners McDowell, Clyburn, Rosenworcel and Pai.

For further information, contact Patrick Donovan at (202) 418-2413.

– FCC –

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## STATEMENT OF CHAIRMAN JULIUS GENACHOWSKI

***Re: In the Matter of Facilitating the Deployment of Text-to-911 and Other Next Generation 911 Applications, PS Docket No. 11-153; and In the Matter of Framework for Next Generation 911 Deployment, PS Docket No. 10-255.***

Today we are taking an unprecedented step to make text-to-911 available in all parts of the country. For the first time, we are proposing specific requirements and timeframes that will add text capability to the 911 system; expand the accessibility of 911 for all Americans, including millions of people with disabilities; and mark the first major milestone in the nation's migration to Next Generation 911 (NG911). The actions we are taking build on many months of Commission focus in this area, as well as efforts that have been initiated by industry and the 911 community.

Together they bring the benefits of text-to-911 to all Americans more quickly than would otherwise have been possible.

As I said in August 2011, when I announced my five-step action plan to accelerate the deployment of NG911 it's hard to understand why an airline can send a text message if your flight is delayed but you can't send a text message to 911 in an emergency. But the unfortunate fact is you can't, at least not yet. If you are a live witness to a crime and you send a text to 911 for help, it won't be received.

With text messaging so commonplace in everyday life, it is no wonder that many consumers mistakenly believe that they can send a text message to 911. We saw this during Superstorm Sandy when hundreds of people along the East Coast tried to text 911 for help. But those messages were not received by emergency personnel. Nor were the messages received at Virginia Tech when students tried to reach out for help from their besieged classrooms during the terrible shootings there.

However, when text-to-911 has been available, as during trials in Iowa and Vermont, lives have been saved; an attempted suicide was averted and domestic abuse has been prevented.

Last year, I challenged industry and the 911 community to accelerate the nationwide availability of text-to-911. Following trials in Iowa, North Carolina and Vermont in May 2012 Verizon Wireless announced that it would deploy text-to-911 nationwide in 2013 and that deployment started in York County, VA on Monday. AT&T announced in June that it would soon be launching text-to-911 nationwide.

And last week, the four major wireless carriers, with support from leading public safety organizations NENA and APCO, responded definitively to my challenge by committing to make text-to-911 available nationwide by May 15, 2014 to PSAPs that request it. To inform consumers and prevent confusion about text-to-911 availability, the carriers have also committed by June 30, 2013 to provide an automatic "bounce back" message to consumers who attempt to text 911 where the service is not yet available.

I commend the carriers and public safety organizations for this important agreement. I believe the agreement, coupled with our action today, will spur text-to-911 deployment faster than would have been achieved through our regulatory process alone. These combined actions also provide greater certainty to PSAPs about when text-to-911 will be uniformly supported by carriers and other text providers, so that PSAPs can better plan and make decisions regarding when and how to begin receiving text.

We will engage with PSAPs and with state and local governments to encourage and assist them in making this transition both quickly and cost-effectively. We will monitor carrier performance under their commitments with vigilance; we will take additional action, as necessary, if those commitments are not met; and we will act quickly to address in 2013 the specific proposals we put forward today.

Today's Further Notice of Proposed Rulemaking anticipates that all wireless carriers, as well as providers of "over the top" text messaging that use IP-based or SMS protocols to deliver text messages to destinations identified by a telephone number, will be required to deploy text-to-911 and to provide "bounce back" messages where text-to-911 is not yet available. While more than 90 percent of smartphone users currently use SMS as their form of text messaging, we are taking forward-looking action given the growth of Internet-based text messaging. The Further Notice also tees up for resolution key issues including standards deployment and service deployment, location accuracy, cost recovery, carrier liability.

The Commission will also continue to work with all stakeholders--including 911 authorities, PSAPs, the FCC's Emergency Access Advisory Committee, public safety organizations, disability organizations, consumer groups, and industry--on policy development, consumer education, and public outreach to accelerate the successful rollout of text-to-911.

Until the roll-out of text-to-911 is complete, there are four simple things to remember about text-to-911:

- In an emergency, always make a voice call to 911 if possible.
- In most cases, you cannot reach 911 today by sending a text message.
- In the future, you will be able to text 911 – but you should still make a voice call if you can.
- Follow the latest developments of text-to-911 at [www.fcc.gov/text-to-911](http://www.fcc.gov/text-to-911).

In addition, until text-to-911 is fully rolled out, people with hearing or speech disabilities can continue to use their TTYs or relay services where they can.

Even as we move forward, I encourage other carriers and providers, including over-the-top providers, to begin work now to make text-to-911 available as soon as possible and to make sure their customers and users are well-informed about the transition. It is the right thing to do for consumers.

Finally, today's action is an important part of the FCC's comprehensive strategy to harness the power of new technologies to make the communities we live in safer. We are working on many fronts to ensure that America's communications networks are reliable and resilient – especially during natural disasters, when consumers need help the most. Key to this effort is improving 911 services, both by enhancing legacy 911 systems and by advancing the deployment of NG911 networks that use cutting edge technology to assist first responders in protecting the public. In addition to text-to-911, in the coming months we will be considering ways to improve location accuracy for 911 systems, network reliability and resilience, as well as other measures to ensure that the nation meets our public safety needs.

I would like to thank Claude Stout, Howard Rosenblum, Lise Hamlin, and Christian Vogler, representing the deaf and hard of hearing communities, for being here today. We appreciate all of your hard work and support on these issues.

I would also like to thank Sheri Farinha, who represents deaf and hard of hearing organizations in California but who could not be here today, for her dedication and efforts as well. In addition, I want to thank Barbara Jaeger, Brian Fontes, and Trey Forgety from NENA and Terry Hall from APCO for their hard work, particularly on the voluntary commitment with carriers.

Finally, I thank my colleagues, the staff of the Public Safety and Homeland Security Bureau, the Consumer and Governmental Affairs Bureau, and the representatives of the public safety organizations, the members of the disability community, and of the companies for their work to make today's action possible.

**STATEMENT OF**  
**COMMISSIONER ROBERT M. McDOWELL**

RE: *Facilitating the Deployment of Text-to-911 and Other Next Generation 911 Applications, Framework for Next Generation 911 Deployment*; Further Notice of Proposed Rulemaking

To begin, I want to congratulate our colleagues in the private sector for their time and energy in hammering out an agreement to begin the process toward rolling out text-to-911. Our thanks should go to: the Association of Public-Safety Communications Officials; NENA – The 9-1-1 Association; AT&T; Sprint-Nextel; T-Mobile; and Verizon. We are grateful for your work, as well as the important suggestions from the Commission's Emergency Access Advisory Committee.

Next, a word of caution. The FCC's action today on text-to-911 should not be misconstrued by anyone that, from this day forward, consumers can actually text to public safety and expect a response. That's simply not possible in most places. The last result I want emanating from this notice is consumers who may soon end up in a dire circumstance to have the incorrect expectation that they can summon emergency responders via text based on what we are doing today. We are merely laying the groundwork for future action, but we are still very far from that goal.

Having said that, a step toward a more comprehensive upgrade of the nation's 9-1-1 system, this voluntary framework encompasses a near-term opportunity to meet the emergency communications needs of mobile subscribers who use SMS for day-to-day communications, including individuals who are deaf, hard of hearing or speech-impaired. Just as important, the agreement includes a pledge to work together with the Commission on consumer outreach efforts and education efforts. We are off to a good start and some providers will implement sooner rather than later. Thus, it will take a while before text-to-911 is fully available. We all agree on the importance of managing realistic expectations regarding the availability and limitations of text-to-911.

With respect to the further notice, I am pleased that we continue to ask important questions about the Commission's legal authority in this area. Ensuring clear and effective communications in times of emergency is a key aspect of the Commission's mission. I thank Chairman Genachowski for his willingness to accept suggestions that fine-tune our focus on the jurisdictional aspects of this matter. Thank you also to the staff in the Public Safety and Homeland Security Bureau for your work.

**STATEMENT OF  
COMMISSIONER MIGNON L. CLYBURN**

Re: *Facilitating the Deployment of Text-to-911 and Other Next Generation 911 Applications, PS Docket No. 11-153; Framework for Next Generation 911 Deployment, PS Docket No. 10-255*

American consumers exchange billions of text messages per day and for some, particularly the young, it is the primary means of peer-to-peer mobile communications engagement. Many of them assume that when it comes to public safety issues, the system is equipped to handle such an exchange. But, as the record shows, we are not there yet. So I am pleased to support this Further Notice of Proposed Rulemaking this afternoon, because promoting Text-to-9-1-1 will provide citizens with enhanced access to emergency communications, in situations where voice interaction could endanger the caller, or a person with physical challenges is unable to speak. Improving the accessibility of our most advanced technologies is not only the right thing to do, it is what Congress has repeatedly told us—most recently with the CVAA—should be a fundamental goal of communications policy.

When industry demonstrates a credible willingness to achieve these important policy goals, we should give it the flexibility which may be needed to meet those goals in a cost effective manner. It is in that spirit that I wish to commend four nationwide wireless carriers -- AT&T, Verizon, Sprint, and T-Mobile -- for memorializing a document that commits them to improving the safety of mobile wireless consumers. In short, these carriers have agreed to deploy, by June 30, 2013, a mechanism for sending bounce back notifications to subscribers, when text-to-9-1-1 is unavailable in their area, telling them they should make a voice phone call to 9-1-1. They also agree to send text to 9-1-1 to from all their wireless consumers to PSAPs, no later than 2014. This agreement will accelerate progress to more than 90 percent of the nation's wireless consumers.

These carriers have also made another important commitment by way of consumer education and outreach. The carriers have been making the assertion that SMS is a store-and-forward messaging technology that was never designed to provide any time-sensitive, mission-critical service. The vast majority of American consumers are not aware of these limits. So I was glad to see, that these four nationwide companies, as well as APCO and NENA, recognize that and, in conjunction with the FCC, will develop an outreach effort to educate consumers about the capabilities and limits of text to 9-1-1. I encourage the parties who signed the voluntary commitment, to seek the advice of the accessibility advocates, as they take steps to comply with their deployment commitments.

Despite these voluntary commitments, I am very pleased the Chairman decided to circulate this Further Notice, that proposes to adopt the voluntary commitments, as final rules, and intends to finalize those rules next year. I thank the Chairman for agreeing with my recommendation to bolster the consumer education and outreach section of the item and emphasize that we must engage the accessibility advocates as we move forward in the proceeding. I was also pleased to see a clear discussion of which over-the-top applications could be subject to this proposed text to 9-1-1 rules.

Thanks are due to Aaron Garza for his presentation, and I wish to commend David Turetsky, and the staff, for carefully examining the difficult implementation issues raised by these proposals.



**STATEMENT OF  
COMMISSIONER JESSICA ROSENWORCEL**

Re: *Facilitating the Deployment of Text-to-911 and Other Next Generation 911 Applications, Framework for Next Generation 911 Deployment*, PS Docket Nos. 11-153, 10-255, Further Notice of Proposed Rulemaking (December 12, 2012)

The first telephone number I taught my children was 911. It is a number that every one of us knows by heart but every one of us hopes that we will never have to use. As the old saying goes, you may only call 911 once in your life, but it will be the most important call you ever make.

The challenge to the continued success of 911 has been the increasing complexity of our communications systems. Every new way of connecting creates new possibilities and new difficulties. Incorporating these new ways of reaching out into the national and local 911 framework can be an arduous process. It requires public safety organizations, carriers, and the Commission to work together. But it is worth the effort. Over time we have successfully expanded 911 service to mobile phones. We have facilitated the development of handset and network solutions for automatic location technology for wireless calls. We have made 911 an essential feature of interconnected VoIP. As a result, we are all safer when the unthinkable occurs.

Today we take steps to bring SMS texting into the 911 fold. Texting has become second nature to millions of Americans. Many of us use our phones for more texting than speaking. We use texting to reach out to friends and family, to confirm plans, to vote in contests, and to donate to charities and campaigns. Now the texting service that has become so essential for so many of us is poised to be there when we reach out in crisis.

From the very beginning of this process, I have been committed to ensuring that this capability is available to everyone as quickly as possible. But the roll-out of any new service can lead to confusion about where it is available and when. When it comes to matters of public safety, our policies have no room for confusion. Simply put, it can be a matter of life and death.

As a result, from the outset I believed that three elements are essential.

First, consumers should have the confidence that there is a firm date by which everyone can text to 911 nationwide.

Second, consumers should receive an immediate notification—a bounce back message—any time their text to 911 does not go through. After all, texting does not have a busy signal; no one should be left wondering whether or not a call for help has been heard.

Third, we need an extensive consumer outreach program. This outreach must involve the Commission, public safety organizations, carriers, and the deaf and hard-of-hearing community all working together.



Early on, I raised these issues with public safety organizations, carriers, and the Chairman. I am grateful that they took my concerns seriously. By coming together, we are able to move faster toward providing texting to 911 at public safety answering points across the country. Let me commend the four national wireless carriers for committing to deliver text to 911 capability to all of their customers by May 2014 and a bounce back message by June 2013. Just as importantly, they have agreed to work with public safety organizations and the Commission to help educate the public about what services are available and when.

I also want to commend the Chairman and his staff. They heard my concerns—and they responded. Their work, along with the tireless efforts of public safety officials, public-spirited commitments from carriers, and advocacy from the disabilities community brought us to this juncture.

But while the commitments made last week are a great start, we must recognize that they apply only to nationwide wireless carriers. Consumers, however, are migrating away from wireless carrier SMS texting. The next generation of texting applications is well on its way, with traditional SMS declining by 2.6 percent during the past year. As application-based texting grows in popularity, revenues from SMS texting are expected to decrease \$54 billion by 2016. The move to the next generation of messaging will not take twenty years. It could happen overnight. We must be ready.

The carriers' voluntary commitments should serve as a model for third-party applications. So I strongly encourage application providers to come to the table. They, too, need to be part of the solution. The deaf and hard-of-hearing rely extensively on these services, and we must make them part of the conversation.

In my first speech after arriving at the Commission, I spoke to public safety officials. I committed to visiting 911 centers across the country. I wanted to see the everyday heroes who staff these answering points and keep calm when calls roll in and crises mount. So far, I have had a chance to see 911 call center operations in California, Virginia, Alaska, Minnesota, and Vermont. It was on my most recent trip to Vermont that I had the privilege of visiting the first statewide text-to-911 trial. I saw first-hand how this technology works, and how it has already saved lives. Today, we take this good example and start the process of expanding it across the country. This is something to celebrate.

Thank you to the Public Safety and Homeland Security Bureau for their fine work and their continued dedication to moving this effort forward.

## STATEMENT OF COMMISSIONER AJIT PAI

RE: In the Matter of Facilitating the Deployment of Text-to-911 and Other Next Generation 911 Applications; Framework for Next Generation 911 Deployment, *Further Notice of Proposed Rulemaking*

Late last week, four nationwide carriers—AT&T, Verizon, Sprint Nextel, and T-Mobile—submitted to the Commission a voluntary commitment to enable text-to-911 on their networks by May 15, 2014. Even sooner, by June 30, 2013, these companies will provide an automatic “bounce back” notification should a 911 text not go through. I commend these carriers for their leadership in this critical endeavor and thank my colleagues for their hard work in forging this agreement.

Congress made clear in the Spectrum Act that establishing a Next Generation 911 system should be a national priority. Providing text-to-911 functionality, in turn, is an important step on the journey of making Next Generation 911 a reality.

It is not an exaggeration to say that this issue can be a matter of life and death. Today, over 40 million Americans with hearing or speech disabilities can find it difficult, if not impossible, to use 911 in an emergency. Enabling them to reach first responders with a text message would help solve this problem. Similarly, an emergency text could be lifesaving to those who are unable to place a voice call due to threatening circumstances, such as domestic abuse. Texting also could be a more reliable way of reaching 911 in areas where network coverage is spotty or a network is congested.

I am encouraged that early text-to-911 trials have proven successful and look forward to reviewing the record that will be compiled in response to today’s Further Notice of Proposed Rulemaking. As we move forward with this proceeding, we should keep a couple of basic principles in mind.

*First*, we should not hesitate to set aggressive targets for the transition to Next Generation 911, but our goals must also be achievable. It is not in anyone’s interest for us to impose mandates that are impossible to meet. In particular, we must not mislead the public into relying on text-to-911 functionality until it is actually operational, for that could lead to fatal consequences.

*Second*, we must work together in a cooperative manner with our partners in local governments, who are responsible for the 6,000-plus Public Safety Answering Points (PSAPs) that handle 911 calls throughout the United States. PSAPs were set up to handle basic voice calls, and they have performed that task very well over many years. But they will need to migrate someday soon to a Next Generation 911 system so that they can process not just voice and text, but photos, video, and other data. As today’s FNPRM explains, this transition will be expensive, and it will take time. And in the current economic climate, it will be hard for PSAPs to obtain the funding necessary to provide even an SMS texting solution to carriers. This is a challenge that requires attention from all levels of government.

In closing, while there is a great deal of work yet to do in order to make text-to-911 a reality for all Americans, I am encouraged by the progress we have already made and look forward to continuing to work with my colleagues in aggressively pursuing this critical objective. I would like to thank all the staff of the Public Safety and Homeland Security Bureau (PSHSB) involved in this effort, especially David Turetsky, David Furth, Aaron Garza and Patrick Donovan. Your long hours and dedication to this cause have resulted in today's important achievement.