

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
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

Request for Late Filing of Comments

Pursuant to 47 C.F.R. 1.415(e) and 47 C.F.R. 1.46(b), we respectfully request that the Commission accept the enclosed comments on PS Docket No. 11-153 and PS Docket No. 10-255. State officials have continued to focus full attention on responding to the recent outbreak of infectious disease including Ebola. Therefore, the normal internal approval process was delayed.

The Commission's consideration is appreciated.

Respectfully submitted,

Governor's Office of the Deaf and Hard of Hearing
217 E. Redwood St. Suite 910
Baltimore, MD 21212

Dated: October 20, 2014

**Before the
Federal Communications Commission
Washington, D.C. 20554**

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

Comments of
The Maryland Governor’s Office of the Deaf and Hard of Hearing (ODHH)

Summary:

The Maryland Governor’s Office of the Deaf and Hard of Hearing (ODHH) applauds the Federal Communications Commission (FCC) for further addressing the importance of Text-to-911 rules. We are in support of certain proposals that the FCC has outlined in its Third Further Notice of Proposed Rule Making (Third FNPRM) on this matter in which text message providers and certain Internet protocol-based text apps will enable Americans to text 911 in an emergency. While many of the concerns raised (e.g., by FCC Commissioners and 911 dispatchers) about this policy relate to the potential rise in false reporting, this Order will help achieve equal access to communication with Public Safety Answering Points (PSAPs) by individuals who are deaf, hard of hearing, and deafblind.

I. The Text to 911 Order, upon adoption, will have a significant impact on every county in the State of Maryland .

As of May 2014, the only jurisdiction within the State of Maryland that has the Text-to-911 capability is Frederick County for Verizon Wireless service carriers.¹ While a single jurisdiction with this capability is a good step forward, we need policy that will enable every jurisdiction in the State to follow suit.

Frederick County is home to the Maryland School for the Deaf. When this policy was issued, many of the deaf and hard of hearing citizens in the area were elated that there was finally a means of communicating with dispatchers without the need for third-party involvement--for instance, a friend, neighbor, spouse, or relay service.

Aside from Frederick County, there are many deaf and hard of hearing individuals who reside within other counties who would benefit from the new Order as well. Currently, for the providers who have not yet implemented this policy, there is a requirement that bounce-back messages be sent to customers who attempt to text 911 in an area that is not capable of

¹ Nicol, S. “More Jurisdictions Offering Ability to Text 911 Centers.” (<http://www.officer.com/news/10898762/more-jurisdictions-offering-ability-to-text-911-centers>, last visited 10/16/14).

transmitting them.² For those who may be reaching out to the PSAPs but were not successful in doing so, this serves no purpose to them and can be the difference between life or death. Therefore, adoption of this policy would aid in promoting the widespread availability of communication access in emergency situations across the State of Maryland.

II. Support of this Order will greatly enhance accessibility to PSAPs for those who are deaf, hard of hearing, or have a speech disability.

The primary issue that this Order addresses is lack of direct access to communication. With the current 911 system (which is only available over the phone via voice), people who are deaf, hard of hearing, or have a speech disability must either rely on a relay service such as a teletypewriter (TTY) or telecommunications device for the deaf (TDD)—both of which were invented during the 1960s and are “cumbersome to operate”—or ask a friend, spouse, or neighbor to contact 911 in the case of an emergency.³ There are newer technologies such as the Videophone (VP) that allow for more fluid communication. However, such technologies are not feasible in an emergency situation due to the dependence on a third party relay operator to facilitate communication. Additionally, the FCC should explore the compatibility of IP–Relay texting applications with the most recent iOS and Braille displays themselves to ensure accessibility for consumers who are deaf-blind.

FCC Chairman, Tom Wheeler, noted “[w]hen you consider how Americans increasingly rely on text as a primary means of communication, and the approximately 48 million Americans who are deaf and hard of hearing and 7.5 million Americans with speech disabilities, all of whom are even more reliant on text, these shortcomings are unacceptable.”⁴ Chairman Wheeler is referencing the fact that there is currently no direct means of communication for individuals who are deaf, hard of hearing, deafblind, or have a speech disability. In fact, this community is forced to resort to other modes of communication that will cater to voice-dialing equivalents. This order will eliminate those shortcomings and easily allow for direct communication between the person in need of help and the emergency dispatcher.

One concern raised by members of the deaf community relates to the failure of dispatchers to have a proficiency in American Sign Language (ASL). However, this has been addressed by a resolution proposed by the community that would require the training of dispatchers. The training would include information on the grammar and syntax of ASL in conjunction with an introduction to how words may be modified by users of ASL. This training will facilitate effective communication with ASL users.⁵ In other words, many considerations are underway to ensure that this order will largely benefit, and cater to, the needs of everyone involved.

² Ryan, L. and McGill B. “The Real Reason You Can’t Text 911: Major Cell Phone Companies Are Equipped to Let Callers Text Emergency Call Centers, but Most States Aren’t.”

³ “When to Call 911.” (www.911.gov/whencall.html, last visited 10/16/14).”

⁴ Wheeler, T., Chairman, “Updating FCC Policies and Processes,” Official FCC Blog (7/18/14, 1:53 p.m.).

⁵ Nicol, S. “More Jurisdictions Offering Ability to Text 911 Centers.” Found at <http://www.officer.com/news/10898762/more-jurisdictions-offering-ability-to-text-911-centers> (3/22/13), last visited 10/16/14.

III. This Order will not only benefit those who are deaf, hard of hearing, or have a speech disability but will benefit the general public as a whole.

This policy will provide an effective, reliable means of communicating directly with 911 for all citizens. Certain mitigating factors are taken into consideration when reflecting upon the various emergency situations that may arise. For instance, a voice call could jeopardize someone's safety in a circumstance where it would be impractical or dangerous (such as a home robbery), and then texting would be the best way to get out of the imminent danger. Along with reducing the risk of being noticed during emergency situations, this Order also could increase the odds of survival where response time is vital.⁶ During the Virginia Tech shooting in 2007, many of the students attempted to text 911 because it would have been more dangerous to make a voice call. Sadly, their texts went "unanswered" due to the incapability of the technology at the time.⁷

One concern that has been raised is the issue of "prank texting."⁸ Commissioner Ajit Pai stated, "It encourages the public to dive into text-to-911 functionality when in reality there's hardly any water in the pool."⁹ What led the Commissioner to come to these conclusions is the fact that PSAPs already receive many 911-prank calls. With the prevalence of texting over voice-dialing in current mainstream society, especially as it relates to the teenage population, he believes that there will be an increased influx of prank texting to these centers. One employee at a Florida PSAP suggested that if companies were able to include GPS coordinates when text messages were received, then punitive action could be "dished out on the pranks."¹⁰

IV. The Commission should require certain Internet protocol-based text apps to have the capability of enhancing location technologies when Americans are using the Text-to-911 feature during an emergency.

The four main providers that will be subject to this Order are Verizon, T-Mobile, Sprint, and AT&T. Internet protocol-based text apps that can send messages to phone numbers, like the Apple's iMessage, which can be used on devices that are connected to a wireless carrier's network.¹¹ Not only would the adoption of this Order create stability as an avenue of standardizing the policy, but it would also "create incentives for other PSAPs to adopt the text-to-911 Order."¹² Internet-based technology also needs to be accessible for people with disabilities. Therefore, consideration of accessibility to these technologies should be at the

⁶Roberts, H. "Now You Can Text 911: Virginia Tech Massacre Exposed Dire Need for Service after Victims' SMS Messages 'Went Nowhere'." Found at <http://www.dailymail.co.uk/news/article-2025913/Now-text-911-Callers-able-send-text-messages-video-photos-help-guide-emergency-services.html> (8/14/11), last visited 10/16/14.

⁷ *Id.*

⁸ Ryan, L. and McGill B. "The Real Reason You Can't Text 911: Major Cell Phone Companies Are Equipped to Let Callers Text Emergency Call Centers, but Most States Aren't." NATIONAL JOURNAL, found at <http://www.nextgov.com/health/2014/08/real-reason-you-cant-text-911/91013/> (8/8/14), last visited 10/16/14.

⁹ *Id.*

¹⁰ Allan, P. "You Can Now Text 911 in an Emergency." Found at <http://lifehacker.com/you-can-text-911-in-an-emergency-starting-tomorrow-1576457059> (5/14/14, 1:30 p.m.), last visited 10/16/14.

¹¹ Tummarello, K. "Feds to Mandate 'text-to-911' Rules for Apps," THE HILL. Found at <http://thehill.com/policy/technology/214133-feds-push-ahead-with-text-to-911-plan> (8/2/14, 8:24 p.m.), last visited 10/16/14.

¹² *Id.*

forefront when discussing public-safety initiatives.

Still, with the advancement of technology and upcoming deployment of Next Generation 911, there will be an improved location feature that will allow dispatchers to know the precise area from where one is texting.¹³ Currently, while enhanced location technologies do exist, technology will exist to allow users to text 911. With the Text-to-911 technology, there is no capability to dispatch an actual location associated with the emergency. Therefore, adding this capability will expedite communication, helping emergency responders to reach the person in distress at an even faster rate. On the subject of enhanced location, the FCC has proposed this to be established no later than two years of the effective date of the adoption of final rules.¹⁴ For the above reasons, we support this proposal.

V. The Commission should require home and visited network operators to cooperate to support the delivery of emergency texts to the appropriate PSAP serving the sender's location.

The FCC has solicited comments on roaming support for Text-to-911 because an issue that may arise is related to proper routing to the appropriate PSAP. Certainly, it is imperative to have the cooperation of the home network and the visited network operators to minimize the number of failed text message deliveries to the PSAPs, especially as it relates to location. Additionally, a potential benefit of supporting home and visited network cooperation is the possibility of interception of the text message by the visited network, which may, in turn, produce more accurate location of the mobile device.¹⁵ This provides another avenue for enhanced location of the emergency as well as an identification of which PSAP needs to be reached to facilitate an expedited response.

VI. Adoption of this policy will enhance real-time text communication for people in emergency situations.

Real-time texting is the “character-by-character or word-by-word transmission of conversations.”¹⁶ Real-time text communication is a viable way to break down communication barriers in emergency situations because it is simple to use by people with disabilities. Because of the pervasiveness of texting in mainstream society, real-time texting would allow for a more instantaneous way to communicate during an emergency. Furthermore, the FCC mentioned that the use of real-time text communication “reduces the risk of crossed messages because the PSAP call taker is able to read the caller’s message as it is being typed, rather than waiting until the caller presses the ‘send’ key.”¹⁷ In other words, the use of texting 911 during an emergency will not be a hindrance to communication for anyone involved, whether it is the person in need of an emergency responder or the dispatcher because real-time text communication will be almost as simultaneous as a voice-call. In emergency situations, there is not a minute to be

¹³ *Id.*, “The Real Reason You Can’t Text 911: Major Cell Phone Companies Are Equipped to Let Callers Text Emergency Call Centers, but Most States Aren’t.”

¹⁴ FCC.gov “FCC Adopts Text-to-911 Rules.”

¹⁵ *Id.*

¹⁶ “FCC Adopts Text-to-911 Rules.” Federal Communications Commission (8/8/14). Found at <http://www.fcc.gov/document/fcc-adopts-rules-promote-widespread-text-911-availability> (last visited 10/16/14).

¹⁷ *Id.*

wasted. Text-to-911 is the way to make every minute count.

Conclusion:

ODHH thanks the FCC for its consideration and looks forward to further collaboration on this important topic.

Respectfully submitted,

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Dated: October 16, 2014