

March 03, 2016

Mr. Thomas Wheeler
Chairman, Federal Communications Commission
445 12th Street SW
Washington, DC 20554

Dear Chairman Wheeler,

We write in support of the requested Petition for Waiver of FCC Regulations at 47 C.F.R. 64.1601 (B) submitted by the Enlarged City School District of Middletown, New York to the Federal Communications Commission. This waiver would temporarily permit telecommunications carriers to transmit restricted calling party numbers of anyone calling the Middletown School District. We believe this waiver is important for the safety, security, and learning opportunities of the students and faculty.

Located in Orange County, New York, the Middletown School District has a population of nearly 7,000 students throughout seven different schools, serving the city of Middletown as well as portions of the towns of Wallkill, Wawayanda, and Goshen. The District works to foster a safe and secure environment where students can learn and achieve the most from their academic and social development. However, recently the Middletown City School District has been victimized by repeated threatening calls.

Since June 2015, the District has received fourteen bomb threats, all telephonically through restricted calling party numbers. When this happens, the school must follow lock-down procedures. Students are unable to use the restrooms, access necessary medications, or move from their classroom hiding locations. The requested waiver submitted by the Middletown School District would allow the District access to these restricted calling party numbers in order to identify the harassing caller and stop the threats.

The Middletown School District is asking for a similar waiver granted by the FCC in 2013 to the Liberty Public School District in Missouri. In the Liberty Public School District Order, the Federal Communications Commission determined that the waiver was in the public interest because it enabled the District to protect its students and personnel. Furthermore, as a well-defined institution, Liberty Public School District was not subject to discriminatory application of the waiver. Middletown School District presents nearly identical circumstances to the Liberty Public School District case.

This waiver would help to end the frightening disruptions during school days and thereby help to restore a safe and secure environment for the students and faculty of the Middletown School District. We urge you to give this application your full and expedited consideration.

Sincerely,



Kirsten Gillibrand
Member of Congress



Sean Patrick Maloney
Member of Congress

Received & Inspected
MAR 14 2016
FCC Mail Room



FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

April 5, 2016

The Honorable Kirsten Gillibrand
United States Senate
478 Russell Senate Office Building
Washington, D.C. 20510

Dear Senator Gillibrand:

Thank you for your letter regarding the waiver petition filed by the Enlarged City School District of Middletown, NY. Your views are very important and will be included in the record of the proceeding, CC Docket No. 91-281, and considered as part of the Commission's review.

As you know, the Commission's rules prohibit common carriers from disclosing the calling party telephone number to the called party when the calling party has chosen to block caller identification information from being transmitted. This requirement was adopted to protect the privacy of consumers who choose not to disclose their phone numbers to called parties. Nonetheless, as our Consumer and Governmental Affairs Bureau has recognized in past cases where calls with blocked caller ID information have been used to convey threats, such an exigency justifies the limited waiver of our rule in order to facilitate prompt investigation of the threatening calls.

The Bureau issued a Public Notice seeking comment on the Middletown petition on March 2, 2016. Comments were due on March 16, and reply comments on March 23. The Bureau is now closely examining the record and the issues presented in the waiver petition, and expects to issue its decision in the immediate future.

I appreciate your interest in this matter. Please let me know if I can be of any further assistance.

Sincerely,

A handwritten signature in blue ink, appearing to read "Tom Wheeler", written over a horizontal line.

Tom Wheeler



FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

April 5, 2016

The Honorable Sean Patrick Maloney
U.S. House of Representatives
1529 Longworth House Office Building
Washington, D.C. 20515

Dear Congressman Maloney:

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