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October 9, 2009

VIA COURIER

The Honorable Julius Genachowski
Chairman
Federal Communications Commission
445 12th Street, SW
8th Floor
Washington, D.C. 20554

**Re: KBHC's Application For Review of the Transfer of Three Toll Free
Suicide Prevention Numbers -- WC Docket No. 07-271, CC Docket
No. 95-155**

Dear Chairman Genachowski:

On August 13, 2009, the Commission extended the temporary assignment of certain toll-free numbers in the above-captioned matter until October 14, 2009.¹ The primary purpose of this extension was to enable the Kristin Brook Hope Center ("KBHC") and the Department of Health and Human Services ("HHS") to discuss a possible negotiated resolution. While KBHC made efforts in this regard, various events prevented successful completion of a settlement.

Two recent events, however, lead KBHC to believe that a further extension might be productive. First, Senator Brownback has written HHS Secretary Sebelius asking her office to become directly involved. Second, the President has nominated a new Director for the Substance Abuse and Mental Health Services Administration ("SAMHSA"). KBHC hopes that the direct involvement of the Secretary's office, and the confirmation of a new SAMHSA Director, will assuage the intransigence of SAMHSA and enable a negotiated settlement.

¹ *Toll Free Service Access Codes*, CC Docket No. 96-155, Order, DA 09-1804 (rel. Aug. 13, 2009).

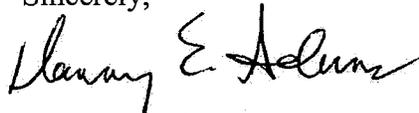
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The Honorable Julius Genachowski
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October 9, 2009
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Enclosed for the record is a copy of Senator Brownback's letter to Secretary Sebelius and an announcement of the nomination of a new SAMHSA Director.

In light of these new developments, KBHC requests additional time for settlement discussions.

Sincerely,

A handwritten signature in black ink that reads "Danny E. Adams". The signature is written in a cursive style with a large, stylized "D" and "A".

Danny E. Adams

Enclosures

cc: Priya Aiyar (via e-mail)
Christine Kurth (via e-mail)
Christi Shewman (via e-mail)
Jennifer Schneider (via e-mail)
Carol Simpson (via e-mail)
Sharon Gillett (via e-mail)
Nicholas Alexander (via e-mail)

ATTACHMENT 1

SAM BROWNBACK
KANSAS

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United States Senate

WASHINGTON, DC 20510-1604

COMMITTEES:
APPROPRIATIONS
COMMERCE, SCIENCE
AND TRANSPORTATION
ENERGY AND
NATURAL RESOURCES
JOINT ECONOMIC
AGING

October 6, 2009

Hon. Kathleen Sebelius
U.S. Department of Health and Human Services
Office of the Secretary
200 Independence Avenue, S.W.
Washington, D.C. 20201

Dear Secretary Sebelius:

I am writing you today to ask that you look into an important matter of public health: suicide prevention. In particular, a dispute over the rights to three national suicide prevention hotline numbers, including 800-SUICIDE, has been pending for over two years. The parties to this dispute are the Substance Abuse and Mental Health Services Administration, an HHS agency, and a private charity named the Kristin Brooks Hope Center. This dispute is now pending before the Federal Communications Commission with an October 14 deadline for decision. I believe that such important matters of public health should not be left to the FCC, an agency with no expertise or jurisdiction over public health matters. And given the nature of the dispute, I am concerned that it cannot be resolved without direct attention and involvement from you or your office. Past events indicate that the decision should not be left to SAMHSA alone.

The Hope Center founded the first national suicide prevention hotline in 1998 using private donations. Since then it has expanded its operations to include 14 suicide prevention hotlines. Those lines have answered over three million calls and saved countless lives. In 2006 SAMHSA persuaded the FCC to reassign three of the Hope Center's most important numbers to SAMHSA for a period of 12 months. The temporary extension has since been extended several times and now expires October 14. SAMHSA has asked the FCC to make the reassignment permanent and the Hope Center has petitioned to have the numbers returned to its operation. Attempts to resolve this dispute between SAMHSA and the Hope Center have failed. The direct involvement of your office could facilitate a resolution where prior attempts with SAMHSA have not succeeded.

In light of the importance of this issue, and the impending deadline for decision, I ask that you review this issue and meet with the Hope Center in an effort to resolve this matter without simply leaving it to the FCC. If necessary to accomplish this review within the press of other business, I urge you to ask the FCC to extend the October 14 deadline as necessary. Thank you.

Sincerely,



Sam Brownback
U.S. Senator

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ATTACHMENT 2



Presidential Nomination of Pamela Hyde as Administrator of SAMHSA

I am pleased to share with you that, today, President Obama announced his intent to nominate Pamela Hyde to be Administrator for the Substance Abuse and Mental Health Services Administration.

Pamela Hyde has served as Cabinet Secretary of the New Mexico Human Services Department since 2003. She has worked both in the private and public sector, and has years of experience in health program management and health policy development. She also previously served as New Mexico's Mental Health Director. As a Cabinet Secretary, Ms. Hyde has worked tirelessly to improve access, quality, and accountability of health and human services programs for the residents of her state. I hope the Senate acts quickly to confirm her nomination.

I also want to extend my thanks to Rear Admiral Eric Broderick for his leadership as Acting Administrator. We are grateful to him for all of his hard work.

— Kathleen Sebelius
HHS Secretary

More Information

For more information, contact SAMHSA's Health Information Network or visit SAMHSA's Web site:

1-877-SAMHSA-7
(English and Spanish/inglés y español)

- ◆ [SAMHSA's Web Site](#)
- ◆ [SAMHSA Health Information Network](#)
- ◆ [eNetwork Archives](#)
- ◆ [Find Treatment](#)

Pamela Hyde, Nominee to be Administrator for the Substance Abuse and Mental Health Services Administration, Department of Health and Human Services

Pamela S. Hyde, J.D., has served as Cabinet Secretary of the New Mexico Human Services Department (HSD) since 2003. A lawyer by training, Ms. Hyde has 30 years of experience in management and consulting for public sector systems of health care and human services. She has held several key public sector management positions, including those of a state mental health director, state human services director, and city housing and human services director. She also previously served as a CEO of a private nonprofit behavioral health care organization that managed care and provided direct services.

Ms. Hyde is a member of, or has served as a consultant to, many national organizations, including the John D. and Catherine T.

10/9/2009

MacArthur Foundation, the American College of Mental Health Administration, and the President's New Freedom Commission on Mental Health. She has received awards from the American Medical Association, the National Governors Association, the Seattle Management Association, and a number of consumer and provider organizations for her leadership and for her commitment to the well-being of those who rely on publicly funded health and human services. Ms. Hyde received a B.A. from Missouri State University and a J.D. from the University of Michigan.



Substance Abuse & Mental Health Services Administration
1 Choke Cherry Road | Rockville, MD 20857 | 1-877-SAMHSA-7 (1-877-726-4727) | <http://www.samhsa.gov>

SAMHSA is a public health agency within the Department of Health and Human Services. The agency is responsible for improving the accountability, capacity, and effectiveness of the Nation's substance abuse prevention, addictions treatment, and mental health services delivery system.

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