

**Before the
Federal Communications Commission**

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

TELECOMMUNICATIONS FOR THE DEAF AND HARD OF HEARING, INC.;
NATIONAL ASSOCIATION OF THE DEAF;
ASSOCIATION OF LATE-DEAFENED ADULTS, INC.;
HEARING LOSS ASSOCIATION OF AMERICA;
DEAF AND HARD OF HEARING CONSUMER ADVOCACY NETWORK;
CEREBRAL PALSY AND DEAF ORGANIZATION;
CALIFORNIA COALITION OF AGENCIES SERVING
DEAF AND HARD OF HEARING PEOPLE;

INTRODUCTION

This document offers the perspective of national advocacy groups composed of individuals who are deaf and hard of hearing on implementing the Text-to-911 interim solution for text calls, formulating strategies for public outreach and education, and managing consumer expectations

pursuant the Commission’s further notice of proposed rulemaking in the above-referenced docket.¹

Led by Telecommunications for the Deaf and Hard of Hearing (TDI), this coalition of consumer groups includes Deaf and Hard of Hearing Consumer Advocacy Network (DHHCAN), National Association of the Deaf (NAD), Hearing Loss Association of America (HLAA), Association of Late-Deafened Adults, Inc. (ALDA), Cerebral Palsy and Deaf Organization (CPADO), and California Coalition of Agencies Serving Deaf and Hard of Hearing (CCASDHH), collectively known as “Consumer Groups”.

SUMMARY

The Consumer Groups urge the Commission to take the lead in implementing the interim solution recommended by consumers and endorsed by industry.² This Text-to-911 solution would not only provide access for people who are deaf and hard of hearing, and other TTY users, but provide a viable alternative for hearing people who are unable to use their voice while calling 9-1-1 due to speech disabilities or emergency circumstances where silence is necessary to avoid detection and further harm to their well being. Since the implementation period for this solution in all jurisdictions will be lengthy due to varying states of readiness and funding, requiring bounce-back error messages along with proactive education and outreach, will alleviate the confusion that would otherwise be experienced by text users attempting to summon

¹

<https://www.federalregister.gov/articles/2013/01/09/2013-00159/next-generation-911-text-to-911-next-generation-911-applications>

² <http://www.fcc.gov/document/chairman-genachowski-announces-commitments-accelerate-text-911>

emergency assistance. All Americans have a right to timely access to emergency services no matter where in the country they are, especially during a crisis where every second counts.

CONSUMERS URGE RAPID DEPLOYMENT OF TEXT-TO-911 BY ALL CARRIERS

The Consumer Groups have urged the Commission to implement rapid deployment of Text-to-911 services.³ To that end, we applaud the four major wireless carriers (AT&T, Sprint, T-Mobile, and Verizon) and the two public safety industry associations (NENA and APCO) for their commitment to implement Text to 9-1-1 services with a self-imposed deadline of May 15, 2014⁴. The FNPRM asks if the voluntary commitment offered by the major industry and public safety stakeholders should be required for smaller providers⁵.

The Consumer Groups fully endorse the Commission's proposal "to require all wireless carriers and providers of interconnected text messaging applications to support the ability of consumers to send text messages to 9-1-1 in all areas throughout the nation where Public Safety Answering Points (PSAPs) are also prepared to receive the texts. Thousands of Americans with deafness or hearing loss live in areas served by smaller carriers that fill in where large carriers do not provide service, including isolated rural locations, inner cities, and other locations. Sometimes faced with a fee of several thousand dollars just to be connected, customers in those

³ Paragraph #55 http://transition.fcc.gov/Daily_Releases/Daily_Business/2012/db1213/FCC-12-149A1.pdf

⁴ Paragraph #45 & 46

http://transition.fcc.gov/Daily_Releases/Daily_Business/2012/db1213/FCC-12-149A1.pdf

⁵

<https://www.federalregister.gov/articles/2013/01/09/2013-00159/next-generation-911-text-to-911-next-generation-911-applications>

areas are left without affordable alternatives for telephone service. And, just like everyone else, deaf and hard of hearing people are more mobile, and may frequently experience gaps in 9-1-1 services while travelling should an emergency occur outside their coverage areas because of roaming issues.

The Consumer Groups believe all telecommunications carriers should be required to begin Text-to-911 service on the same date. If the Commission feels that a waiver process is necessary, the criteria for awarding a temporary waiver to carriers should be limited to those who are able to demonstrate economic hardship, and the waiver should not last for more than six months.

**CONSUMERS CONCUR WITH DOJ THAT PSAPS ARE READY FOR
TEXT-TO-911 AND URGE NATIONWIDE IMPLEMENTATION**

The Consumer Groups applaud comments filed by the United States Department of Justice (DOJ) concluding that in fulfillment of their existing obligation to provide effective communication under Title II of the Americans with Disabilities Act, PSAPs must accept a call from a person with a hearing or speech disability that originates as an SMS call, but reaches the PSAP as a TTY call.⁶ No matter how a text call originates, PSAPs should have the ability to accept text calls. We ask that the PSAPs maintain training for dispatchers on how to recognize and handle incoming text calls.

⁶ <http://apps.fcc.gov/ecfs/document/view?id=7022129201>

The Consumer Groups believe that the carriers and PSAPs should do everything possible to ensure that all text messages that originate as SMS or other text technology are received as text by the nearest appropriate PSAPs. The Emergency Access Advisory Committee (EAAC) has identified three ways for a PSAP to be compliant with Text-to-911 policies by upgrading to NENA i3-compliant NG-911 equipment or deploying Internet-connected equipment to receive SMS via a web-based interface or application. A TTY gateway should only be considered as a last resort if there are no other options or implement a mutual aid agreement with an alternate PSAP to handle Text-to-911 calls.⁷

TEXT-TO-911 IS A GENERAL PUBLIC SAFETY ISSUE

Text-to-911 is critical for more than just disability access; it is also a general public safety issue as more people use mobile phones to text instead of making calls by voice. It is important to allow people to contact emergency services through their usual means of communication. Research conducted by Pew Internet shows that 28 percent of teenagers prefer texting to making voice calls.⁸ In addition to high-profile incidents such as mass shootings in Colorado and Connecticut, more news stories such as one depicting a group of teenagers trying to elude a serial rapist in the woods, highlight that individuals even now are attempting to text 9-1-1 in the hope of receiving emergency assistance.⁹

⁷ Pages 18 and 25 http://transition.fcc.gov/Daily_Releases/Daily_Business/2013/db0307/DOC-319329A1.pdf

⁸

<http://pewinternet.org/Reports/2010/Teens-and-Mobile-Phones/Chapter-2/Texting-compared-with-talking.aspx>

⁹

http://articles.washingtonpost.com/2011-04-23/local/35230584_1_text-message-emergency-communications-center-east-coast-rapist

To maintain consistency and prevent confusion by all consumers, the Consumer Groups have previously proposed to require all wireless carriers and interconnected text messaging providers to send automated bounce back error messages to consumers attempting to text 9-1-1 when the service is not available.¹⁰

ALLOW TEXT-TO-911 TO EVOLVE WITH CHANGING TECHNOLOGY

The Consumer Groups support the Commission proposal not to limit its focus to SMS-based text and instead to ensure that consumers ultimately have access to the same Text-to-911 capabilities on the full array of texting applications that they use for ubiquitous communication – regardless of provider or platform.” We propose that service providers who offer SMS-based Text-to-911 have the means to migrate their customers to other Text-to-911 applications as they evolve.

We think that these goals are critical to all Americans, including those who are deaf or hard of hearing, with full and direct access to emergency services. The 9-1-1 system needs to be accessible in their primary modes of communication, which for many individuals who are deaf or hard of hearing, is the text based communications they use daily. Attempting to get help during moments of crisis is not the time to require people to learn how to use a new device or access 9-1-1 using an unfamiliar mode of communication. As timely help from the nearest appropriate PSAP is only as near as the ability of the caller being able to transmit their location as well as communicate their needs; we urge that location-based information be integrated into

¹⁰ <http://apps.fcc.gov/ecfs/document/view?id=7022114272>

text messages as soon as technically feasible. While relay services are available for people who are deaf or hard of hearing, relay callers are often connected to the wrong PSAP when dialing 9-1-1. In our previous filing, we noted several examples of text bounce back error messages that left the callers without the assurance that help would be forthcoming.¹¹

While we applaud the FCC's efforts to ensure that 9-1-1 services are available via text, we encourage the FCC to remain diligent and consistently push forward more accessible technologies toward the ultimate goal of full communications access under NG-911. For instance, many deaf and hard of hearing people use video conferencing services and should be able to make video calls to a PSAP using an ASL interpreter, just like callers speaking a foreign language are able to do.

CONSUMERS URGE FUNDING OF PUBLIC OUTREACH EFFORTS

The Consumer Groups strongly urge the Commission to implement and fund community based outreach programs. The national consumer groups serving individuals who are deaf or hard of hearing, and other stakeholders, have extensive networks of consumers throughout the country, but very limited resources. The Commission should follow the example of the National Deaf Blind Equipment Distribution Program's outreach services¹² by allocating a proportionate amount to fund a nationwide network of organizations that will reach out to their members in a massive public education program. Consumer Groups are well suited to do outreach work since they understand best how to reach members of their community, especially those who use

¹¹ Pages 4 & 5 in <http://apps.fcc.gov/ecfs/document/view?id=7022114272>

¹² <http://www.fcc.gov/guides/national-deaf-blind-equipment-distribution-program>

sign language, or rely on speechreading¹³ and other communication modes. These groups also work with local organizations throughout the country such as independent living centers and community centers for serving deaf or hard of hearing people.

CONCLUSION

The Consumer Groups urge the Commission to implement the interim measure of Text-to-911 as a stepping stone to NG-911. This will provide a higher level of access for people who are deaf and hard of hearing, as well as provide a feasible alternative for hearing people to contact emergency services in situations where they are not able to use their voice. We also urge the Commission to require clear and concise error bounce back messages, and immediately launch a public education and outreach program to maximize the effectiveness of text messages. Millions of people, whether they are hearing, deaf, hard of hearing, deaf-blind, or have motor or speech disabilities, have a legitimate expectation of the civil right to access 9-1-1 services regardless of what communication mode or technology they use.

Respectfully submitted

/s/

Claude L. Stout

Dated: April 9, 2013

¹³ <http://medical-dictionary.thefreedictionary.com/speech+reading> a method of oral communication in which one uses the visual clues of the speaker's lip and facial movements, along with residual hearing. Gestures and "body language" also are observed. Formerly called **lip reading**.

Telecommunications for the Deaf and Hard of Hearing, Inc. (TDI)

Claude Stout, Executive Director •

CStout@TDIforAccess.org

Contact: Jim House, Public Relations •

JHouse@TDIforAccess.org

8630 Fenton St #121, Silver Spring, MD
20910

301.563.9112

<http://www.TDIforAccess.org>

Association of Late-Deafened Adults (ALDA)

Mary Lou Mistretta, President •

ALDAMaryLou@Yahoo.com

Contact: Brenda Estes •

BEstes755@Yahoo.com

8038 Macintosh Ln #2 Rockford, IL 61107

<http://www.ALDA.org>

Cerebral Palsy and Deaf Organization (CPADO)

Contact: Mark Hill, President •

DeafHill@GMail.com

1219 NE 6th St. #219 Gresham, OR 97030

503.468.1219

<http://www.CPADO.org>

Hearing Loss Association of America (HLAA)

Contact: Lise Hamlin, Director of Public Policy • LHamlin@HearingLoss.org

7910 Woodmont Ave #1200 Bethesda, MD
20814

301.657.2248

<http://www.HearingLoss.org>

National Association of the Deaf (NAD)

Howard Rosenblum, Chief Executive Officer

• Howard.Rosenblum@NAD.org

Contact: Andrew Phillips, Policy Counsel •

Andrew.Phillips@NAD.org

8630 Fenton St #820, Silver Spring, MD
20910

301.587.1788

<http://www.NAD.org>

Deaf and Hard of Hearing Consumer Advocacy Network (DHHCAN)

Contact: Cheryl Heppner, Vice Chair •

CHheppner@NVRC.org

3951 Pender Dr #130, Fairfax, VA 22030

California Coalition of Agencies Serving Deaf and Hard of Hearing People (CCASDHH)

Contact: Sheri A. Farinha, Vice Chair •

sfarinha@NorCalCenter.org

4708 Roseville Rd #111, N Highlands, CA
95660
